



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 27, 2022

Charles R. Spies, Esq.
Dickinson Wright PLLC
International Square
1825 Eye Street NW
Suite 900
Washington, DC 20006

SENT VIA EMAIL TO:
cspies@dickinson-wright.com

RE: MUR 7491
American Ethane Co. LLC and
John Houghtaling

Dear Mr. Spies:

On September 21, 2022, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30118(a), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1548.

Sincerely,

Elena Paoli

Elena Paoli, Attorney

Enclosure: Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)	
)	
American Ethane Co., LLC)	MUR 7491
John Houghtaling		

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by William Rodney Allen. The Federal Election Commission found reason to believe that American Ethane Co., LLC and John Houghtaling ("Respondents") violated 52 U.S.C. § 30118(a) by making corporate contributions.

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
 1. American Ethane Co., LLC, is a Louisiana corporation with its principal place of business in Houston, Texas. Its business is the exportation of ethane gas. John Houghtaling is American Ethane's Chief Executive Officer and a part-owner of the company.
 2. American Ethane is taxed as a corporation.

3. In 2018, American Ethane made, with Houghtaling's consent, the following contributions:

Recipient	Date Issued	Amount
Bill Cassidy for US Senate	Jan. 29, 2018	\$1,000
	Mar. 31, 2018 (reported)	\$600
John Kennedy for US	April 3, 2018	\$8,100 (3 checks)
Pelican PAC (Leadership PAC)	April 3, 2018	\$5,000
Mike Johnson for Louisiana	April 3, 2018	\$6,100 (3 checks)
Garrett Graves for Congress	April 3, 2018	\$5,400
Scalise Leadership Fund	July 19, 2018 (reported)	\$10,000
Total		\$36,200

4. The Federal Election Campaign Act of 1971, as amended ("Act") and Commission regulations prohibit corporations from making contributions to political committees (other than an independent-expenditure-only political committee ("IEOPC")), in connection with a federal election. 52 U.S.C. § 30118(a); 11 C.F.R. § 114.2(b); Advisory Op. 2010-11 (Commonsense Ten) at 2-3. A corporation that is also a Limited Liability Company ("LLC") and elects to be treated as a corporation by the Internal Revenue Service shall be considered a corporation under the Commission's regulations. 11 C.F.R. § 110.1(g)(3). In addition, no officer or director of a corporation may consent to a corporate contribution to a federal candidate or their campaign. 52 U.S.C. § 30118(a).

5. American Ethane contends that it believed the above-referenced contributions were permissible based on an incorrect interpretation of the contribution rules as applied to LLCs.

6. American Ethane made a total of \$36,200 in prohibited corporate contributions to federal candidates and committees. Houghtaling consented to American Ethane making the contributions at issue.

V. Respondents violated 52 U.S.C. § 30118(a) by making and consenting to making corporate contributions.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Commission in the amount of Nine Thousand Five Hundred Dollars (\$9,500) pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Respondents will cease and desist from violating 52 U.S.C. § 30118(a).
3. Respondents waive any rights it may have to a refund of any of the illegal contributions referred to in this agreement. To the extent it has not already done so, American Ethane shall seek disgorgement of all such funds from all recipient candidates and committees to the U.S. Treasury.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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X. This conciliation agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:


Lisa J. Stevenson
Acting General Counsel

BY: **Charles
Kitcher** Digitally signed by
Charles Kitcher
Date: 2022.09.23
11:14:38 -04'00'

Charles Kitcher
Associate General Counsel
for Enforcement

9/23/22
Date

FOR THE RESPONDENTS:



John Houghtaling, CEO
American Ethane Co., LLC

Aug. 10, 2022
Date