

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-18-449

NAME: **AMERICANS FOR PROSPERITY ACTION, INC.**

DATE APPEAL RECEIVED: 11/28/18

DATE REPORT DUE: 10/27/18 (2018 D1)

DATE OF ELECTRONIC RECEIPT: 11/02/18

NUMBER OF DAYS LATE: 6

AMOUNT OF FINE: \$1,650.00

FINE BASED ON: (X) NUMBER OF DAYS () 25% OF RECEIPTS () 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$558,877.77

DATE OF FIRST NOTIFICATION: 10/29/18

SUMMARY: Americans for Prosperity Action, Inc. is a political committee (PC) registered with the State of Florida. The PC's chair is Victor Bernson and its treasurer is Gary Casetllaw.

The PC is appealing the fine claiming that they were unable to file the report due to unusual circumstances beyond their control. According to Victor Bernson, the PC attempted to register and begin reporting to DOE on September 27th, however, the initial registration was not accepted due to an "unpublished requirement that the required registered agent must be a natural person, not a corporation".

Mr. Bernson states that due to office closures from Hurricane Michael their registration with the Division was delayed further and not approved until October 25th. During the time Mr. Bernson states that the PC made expenditures that needed to be reported and that DOE staff informed them that they should file the 2018 D1 report on November 2nd. He notes that DOE staff did not expressly mention that the PC would be subject to a fine when it submitted the report as instructed. He requests that the commission waive or reduce the fine due to these circumstances.

- The 2018 D1 Original Report covers the period from 10/20/18-10/26/18; it was due on 10/27/18.
- The 2018 D1 Queued Transaction Report shows that it was created and filed on 11/02/18.
- Americans for Prosperity Action, Inc. reported receiving zero contributions, while making 7 expenditures, all 7 of which were reported as having occurred prior to 10/20/18.
- The Division of Elections has two notes that pertain to Americans for Prosperity Action, Inc's 2018 D1 report. A phone call was noted on 10/26/18 and 11/02/18 regarding credentials.

PRIOR CASES: None.

REC'D: ELEC DIV
29 NOV 10 PM 04

VIA CERTIFIED MAIL, COPY TO ElecRecords@dos.myflorida.com

November 26, 2018

Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, FL 32399-0150

RE: Americans for Prosperity Action, PAC 73899 Appeal of Fine

Gentlemen:

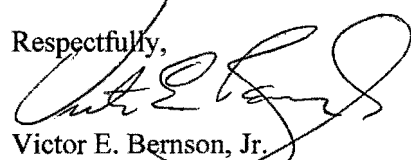
On behalf of Americans for Prosperity Action (AFPA), I respectfully request a waiver or reduction of a proposed fine assessed due to the late filing of a campaign treasurer's report due on October 27, 2018 as contemplated by Fla. Adm. Code Rules 2B-1.005 & 2B-1.0055. As described in detail below, AFPA was unable to file this report due to unusual circumstances beyond its control followed by detrimental reliance on reporting guidance received directly from Division of Elections (DOE) staff.

AFPA attempted to register and begin reporting to DOE on September 27, 2018. DOE initially did not accept AFPA's registration because of an unpublished requirement that the required registered agent must be a natural person, not a corporation. Hurricane Michael then struck, shutting down DOE offices, and delaying AFPA's registration further. Due to these unanticipated and unforeseeable delays, DOE did not get around to approving AFPA's registration until October 25, 2018.

Between AFPA's initial registration filing on September 27, 2018 and final approval of the registration on October 25, 2018, AFPA made expenditures that needed to be reported. AFPA was in constant contact with DOE staff throughout this process in a good faith attempt to comply with Florida law. DOE staff ultimately informed AFPA that it should file the 2018 D1 on November 2, 2018 to report transactions from October 1, October 10, and October 15 because the DOE system would not permit earlier reporting of transactions that occurred prior to the final registration approval on October 25. DOE staff expressly did not mention that AFPA would be subject to a fine when it submitted the D1 form on November 2, as instructed.

Based on the foregoing unusual circumstances, AFPA believes the Commission should waive or reduce the late fine.

Respectfully,



Victor E. Bernson, Jr.
Americans for Prosperity Action

Copy to:
Florida Division of Elections,
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, FL 32399-025011



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

November 7, 2018

Victor Bernson, Chairperson
Americans for Prosperity Action, Inc.
2200 Wilson Boulevard
Suite 102-177
Arlington, VA 22201-2201

PAC 73889

Dear Mr. Bernson:

The campaign treasurer's report that was due on October 27, 2018, was filed on November 2, 2018. By law, you are automatically assessed a late fine of \$1,650.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

October 29, 2018

Victor Bernson, Chairperson
Americans for Prosperity Action, Inc.
2200 Wilson Boulevard
Suite 102-177
Arlington, VA 22201-2201

PAC 73889

Dear Mr. Bernson:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 27, 2018.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 per day for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

cc: Gary Castellaw, Treasurer

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Americans for Prosperity Action, Inc. (2) 73889
 Candidate, Committee or Party Name I.D. Number

(3) 2200 Wilson Boulevard Arlington VA 22201
 Address (number and street) City State Zip Code

☐ Check box if address has changed since last report

(4) Check appropriate box(es):

☐ Candidate (office sought):
☒ Political Committee ☐ Check If PC has DISBANDED
☐ Committee of Continuous Existence ☐ Check If CCE has DISBANDED
☐ Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 10/20/2018 To 10/26/2018 Report Type: D1

☒ Original ☐ Amendment ☐ Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$0.00
<i>Total Monetary</i>	\$0.00
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$558,877.77
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$558,877.77

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of ☐ Treasurer ☐ Deputy Treasurer

X
Signature

I certify that I have examined this report and it is true, correct and complete

Name of ☐ Candidate ☒ Chairman (PC/PTY Only)

X
Signature

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

Page 1 of 1

Name: Americans for Prosperity Action, Inc.Report: 2018 D1Period: 10/20/2018 to 10/26/2018**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	Amend

Name: Americans for Prosperity Action, Inc.

Report: 2018 D1

Period: 10/20/2018 to 10/26/2018

**** Records in Filed Report ****

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend
* 1 10/01/2018	IN PURSUIT OF 2300 WILSON BLVD, STE 500 ARLINGTON, VA 22201	IEC	DIGITAL AD PRODUCTION AND PLACEMENT OPPOSING ANDREW GILLUM FOR GOVERNOR.	\$114,000.00
* 2 10/10/2018	PRESSTIGE PRINTING 10940 HARMONY PARK DRIVE BONITA SPRINGS, FL 34135	IEC	MAILERS OPPOSING ANDREW GILLUM FOR GOVERNOR.	\$43,981.40
* 3 10/10/2018	UNITED STATES POSTAL SERVICE 470 L'ENFANT PLAZA SW, STE 604 WASHINGTON, DC 20024	IEC	POSTAGE FOR MAILERS OPPOSING ANDREW GILLUM FOR GOVERNOR	\$154,723.86
* 4 10/15/2018	PRESSTIGE PRINTING 109 BONITA SPRINGS, FL 34135	IEC	MAILERS OPPOSING ANDREW GILLUM FOR GOVERNOR.	\$70,587.86
* 5 10/15/2018	PRESSTIGE PRINTING 10 BONITA SPRINGS, FL 34135	IEC	POSTAGE FOR MAILERS OPPOSING ANDREW GILLUM FOR GOVERNOR	\$159,544.96
* 6 10/15/2018	PRESSTIGE PRINTING 10940 HARMONY PARK DRIVE BONITA SPRINGS, FL 34135	IEC	MAILERS SUPPORTING RON DESANTIS FOR GOVERNOR	\$4,321.20
* 7 10/15/2018	UNITED STATES POSTAL SERVICE 470 L'ENFANT PLAZA SW, STE 604 WASHINGTON, DC 20024	IEC	POSTAGE FOR MAILERS SUPPORTING RON DESANTIS FOR GOVERNOR	\$11,718.49

Name: Americans for Prosperity Action, Inc.

Report: 2018 D1

Period: 10/20/2018 to 10/26/2018

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount
				Amend

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS

Page 1 of 1

Name: Americans for Prosperity Action, Inc.

Report: 2018 D1

Period: 10/20/2018 to 10/26/2018

** Records in Filed Report **

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

Queued Items for 2018-D1

Account: 73889

Americans for Prosperity Action, Inc.

Rpt Seq: 1

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	73889	11/2/2018 10:54:21 AM	11/2/2018 10:54:21 AM
Delete Pending Report	Processing Complete	73889	11/2/2018 10:55:25 AM	11/2/2018 10:55:25 AM
Create Pending Report	Processing Complete	73889	11/2/2018 11:01:27 AM	11/2/2018 11:01:27 AM
Review Pending Report	Processing Complete	73889	11/2/2018 11:32:34 AM	11/2/2018 11:32:34 AM
File Pending Report	Processing Complete	73889	11/2/2018 3:49:22 PM	11/2/2018 3:49:32 PM
Review Filed Report	Processing Complete	73889	11/19/2018 4:21:33 PM	11/19/2018 4:21:33 PM
Review Filed Report	Processing Complete	73889	11/19/2018 4:21:47 PM	11/19/2018 4:21:47 PM


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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Americans for Prosperity Action, Inc.Name: **prosperity action****Account:** 73889

Election:

Acct: **73889**Type: **Committee**

Search

Reset

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/2/2018	G7	11/2/2018						
11/1/2018	D6	11/2/2018	CLO	1	\$0.00		\$0.00	\$0.00
10/31/2018	D5	11/2/2018	CLO	2	\$0.00		\$0.00	\$0.00
10/30/2018	D4	11/2/2018	CLO	3	\$0.00		\$0.00	\$0.00
10/29/2018	D3	11/2/2018	CLO	4	\$0.00		\$0.00	\$0.00
10/28/2018	D2	11/2/2018	CLO	5	\$0.00		\$0.00	\$0.00
10/27/2018	D1	11/2/2018	SNT	6	\$1,650.00		\$1,650.00	\$0.00

**REGISTERED AGENT
STATEMENT OF APPOINTMENT**
(Section 106.022, F.S.)

RECEIVED
DEPARTMENT OF STATE

2018 SEP 27 OFFICE USE ONLY

DIVISION OF ELECTIONS
TALLAHASSEE, FL

INCOMPLETE

☒ Original Appointment ☐ Change of Appointment
☐ Change of Mailing Address ☐ Change of Physical Address

Registered Agent and Office Information

Name Corporation Services Company		Telephone 302-636-5400
Street Address 251 Little Falls Drive		
City Wilmington	State DE	Zip Code 19808
Mailing Address 251 Little Falls Drive		
City Wilmington	State DE	Zip Code 19808

I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer.


Signature of Registered Agent

9/26/2018
Date

Former Registered Agent and Office Information (for changes only)

Name		Telephone
Street Address		
City	State	Zip Code

Committee or Organization Information

Name of Committee or Organization Americans For Prosperity Action, Inc.		
Street Address 2200 Wilson Blvd Ste 102-177		Telephone 571-775-5866
City Arlington	State VA	Zip Code 22201


Signature of Chairperson

Victor Bernson

Printed Name of Chairperson

9/25/18
Date

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(2) and 106.021(1), F.S.)

RECEIVED
DEPARTMENT OF STATE

2018 SEP 27 AM 11:34

DIVISION OF ELECTIONS
TALLAHASSEE, FL

INCOMPLETE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY



Initial Filing of Form

Re-filing to Change:



Treasurer/Deputy



Primary/Secondary Depository

1. Committee or Organization

Americans For Prosperity Action, Inc.

2. Telephone

(571) 775-5866

3. Name of Treasurer or Deputy Treasurer

4. Email (optional)

Gary Castellaw

5. Telephone (optional)

()

6. Mailing Address

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

7. Street Address

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

8. The following bank has been designated as the



Primary Depository



Secondary Depository

9. Name of Bank

BB&T Bank

10. Street Address

2200 Wilson Blvd Ste 200

11. City

Arlington

12. State

VA

13. Zip Code

22201

14. Signature of Chairman

X

15. Name of Chairman (Print or Type)

Campaign Treasurer's Acceptance of Appointment

I, Gary Castellaw

, do hereby accept the appointment as

(Please Print or Type)

treasurer or deputy treasurer for

Americans For Prosperity Action, Inc.

(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

9/25/2018

Date

X Gary A. Castellaw

Signature of Campaign Treasurer or Deputy Treasurer

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2018 SEP 27 AM 11:33
DIVISION OF ELECTIONS
TALLAHASSEE, FL

INCOMPLETE

1. Full Name of Committee

Americans For Prosperity Action, Inc.

Telephone

571-775-5866

Mailing Address (include city, state and zip code)

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

Street Address (include city, state and zip code)

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or Connected Organization	Mailing Address	Relationship
N/A		

3. Area, Scope and Jurisdiction of the Committee

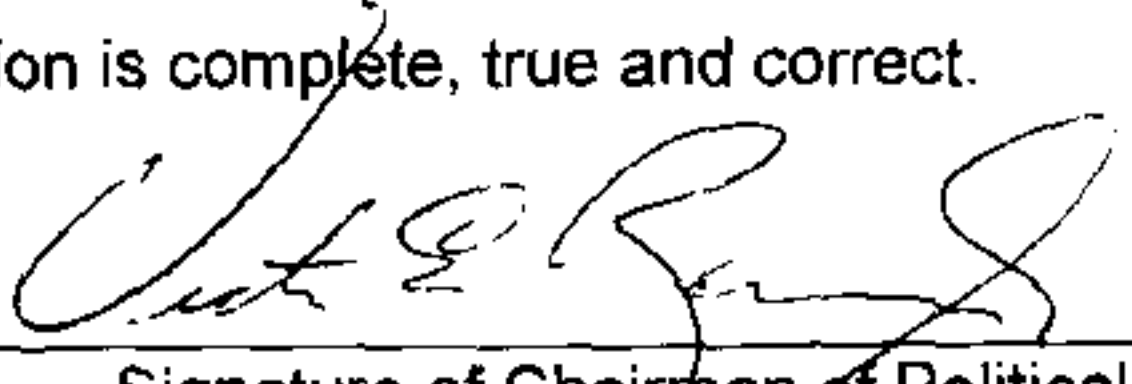
Political committee supporting or opposing statewide, legislative, multicounty candidates or issues.

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Political organization - Support the election of candidates who promote freedom

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name	Mailing Address	Committee Title or Position
Gary Castellaw	2200 Wilson Blvd Ste 102-177 Arlington, VA 22201	Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)			
Full Name	Mailing Address	Committee Title or Position	
Victor Bernson	2200 Wilson Blvd Ste 102-177 Arlington, VA 22201	Officer	
7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)			
Full Name	Mailing Address	Office Sought	Party
To be determined			
8. List Any Issues this Committee is Supporting: N/A List Any Issues this Committee is Opposing: N/A			
9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party N/A			
10. In the Event of Dissolution, What Disposition will be Made of Residual Funds? If there are residual funds remaining from this committee's activities, the funds will be refunded to the donors.			
11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds			
Name of Bank or Depository & Account Number		Mailing Address	
BB&T Bank		2200 Wilson Blvd Ste 200 Arlington, VA 22201	
12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any			
Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
N/A			
STATE OF <u>Virginia</u> <u>Arlington</u> COUNTY			
I, <u>Victor E. Bernson Jr.</u> , certify that the information in this Statement of Organization is complete, true and correct.			
X  Signature of Chairman of Political Committee		<u>09/26/18</u> Date	

**REGISTERED AGENT
STATEMENT OF APPOINTMENT**
(Section 106.022, F.S.)

RECEIVED
DEPARTMENT OF STATE
2018 OCT -1 AM 11:09
DIVISION OF ELECTIONS
TALLAHASSEE, FL

☒ Original Appointment ☐ Change of Appointment
☐ Change of Mailing Address ☐ Change of Physical Address

INCOMPLETE

Registered Agent and Office Information

Name
Corporation Services Company

Telephone
850-521-1000

Street Address
1201 Hays Street

City
Tallahassee

State
Florida

Zip Code
32301

Mailing Address
1201 Hays Street

City
Tallahassee

State
Florida

Zip Code
32301

I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer.

Sandra Younker
Signature of Registered Agent

9/28/2018
Date

Former Registered Agent and Office Information (for changes only)

Name

Telephone

Street Address

City

State

Zip Code

Committee or Organization Information

Name of Committee or Organization

Americans For Prosperity Action, Inc.

Street Address
2200 Wilson Blvd Ste 102-177

Telephone
571-775-5866

City
Arlington

State
VA

Zip Code
22201

Victor E. Bernson
Signature of Chairperson

Victor Bernson

Printed Name of Chairperson

9/28/2018

Date

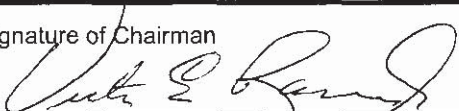
**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(2) and 106.021(1), F.S.)

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DEPARTMENT OF STATE
2018 OCT -1 AM 11:09
DIVISION OF ELECTIONS
TALLAHASSEE FL

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

☒ Initial Filing of Form Re-filing to Change: ☐ Treasurer/Deputy ☐ Primary/Secondary Depository

1. Committee or Organization Americans For Prosperity Action, Inc.		2. Telephone (571) 775-5866	
3. Name of Treasurer or Deputy Treasurer Gary Castellaw		4. Email (optional) ()	
5. Telephone (optional) ()			
6. Mailing Address 2200 Wilson Blvd Ste 102-177 Arlington, VA 22201			
7. Street Address 2200 Wilson Blvd Ste 102-177 Arlington, VA 22201			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank BB&T Bank		10. Street Address 2200 Wilson Blvd Ste 200	
11. City Arlington		12. State VA	13. Zip Code 22201
14. Signature of Chairman X 		15. Name of Chairman (Print or Type) Victor Bernson	

Campaign Treasurer's Acceptance of Appointment

I, **Gary Castellaw**, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for **Americans For Prosperity Action, Inc.**
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

9/28/2018

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer

STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY
RECEIVED
DEPARTMENT OF STATE
2018 OCT -1 AM 11:08
DIVISION OF ELECTIONS
CALLAHAN, PHELIP

1. Full Name of Committee

Americans For Prosperity Action, Inc.

Telephone

571-775-5866

Mailing Address (include city, state and zip code)

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

Street Address (include city, state and zip code)

2200 Wilson Blvd Ste 102-177 Arlington, VA 22201

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

N/A

3. Area, Scope and Jurisdiction of the Committee

Political committee supporting or opposing statewide, legislative, multicounty candidates or issues.

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Political organization - Support the election of candidates who promote freedom

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

Gary Castellaw

2200 Wilson Blvd
Ste 102-177
Arlington, VA 22201

Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Victor Bernson	2200 Wilson Blvd Ste 102-177 Arlington, VA 22201	Chairperson

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
To be determined			

8. List Any Issues this Committee is Supporting: To be determined

List Any Issues this Committee is Opposing: To be determined

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party

N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?

If there are residual funds remaining from this committee's activities, the funds will be refunded to the donors.

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
BB&T Bank	2200 Wilson Blvd Ste 200 Arlington, VA 22201

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address
N/A			

STATE OF Virginia Arlington COUNTY

I, Victor Bernson, certify that the information in this Statement of

Organization is complete, true and correct.

X


Signature of Chairman of Political Committee

9/28/2018

Date

RECEIVED

OFFICE USE ONLY

**REGISTERED AGENT
STATEMENT OF APPOINTMENT**

(Section 106.022, F.S.)

2018 OCT 25 AM 9:13

DIVISION OF ELECTIONS
TALLAHASSEE, FL

- ☒ Original Appointment ☐ Change of Appointment
☐ Change of Mailing Address ☐ Change of Physical Address

Registered Agent and Office Information

Name Madonna Cuddihy Telephone (954) 473-5503

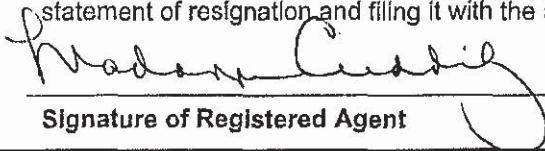
Street Address
1200 South Pine Island Road

City Plantation State Florida Zip Code 33324

Mailing Address
1200 South Pine Island Road

City Plantation State Florida Zip Code 33324

I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer.


Signature of Registered Agent

10/18/2018

Date

Former Registered Agent and Office Information (for changes only)

Name Telephone

Street Address

City State Zip Code

Committee or Organization Information

Name of Committee or Organization
Americans For Prosperity Action, Inc.

Street Address 2200 Wilson Blvd Ste 102-177 Telephone (571) 775-5866

City Arlington State VA Zip Code 22201


Signature of Chairperson

Victor Bernson

Printed Name of Chairperson

10/18/2018

Date



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 26, 2018

Victor Bernson, Chairperson
Americans for Prosperity Action, Inc.
2200 Wilson Boulevard
Suite 102-177
Arlington, Virginia 22201

Dear Mr. Bernson:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Americans for Prosperity Action, Inc.**, which were placed on file in our office on October 25, 2018. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 27, 2018**. The report will cover the period of October 20-26, 2018 (2018 D1). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

EFS Access

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 73889

Timely Filing

All reports must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) dos.myflorida.com/elections/



Victor Bernson, Chairperson

October 26, 2018

Page Two

the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Willis". The signature is fluid and cursive, with the first name "Kristi" and last name "Willis" being the most prominent parts.

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosures

pc: Gary Castellaw, Treasurer

Electronic Filing System (EFS) Credential Request Form

2018 NOV -2 PM 2:41

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Use this form to request verification or reset of credentials for the Division of Election's EFS.

All fields are required to properly fulfill your request.

Name/Committee

Americans For Prosperity Action, Inc.

Signature (Required)

[Handwritten Signature]

User Identification Number/Account Number (if known)

73889

Are you the:

☒ Candidate/Chairperson

☐ Treasurer

☐ Deputy Treasurer

Check the Box for All Information Needed:

☐ User ID #/Account #

☐ Password

☒ PIN

List below the individual the credentials may be released to:

Britton Giroux

Contact Phone Number:

703-822-4813

Requests can be faxed, mailed, or emailed to our office.

Fax: (850) 245-6259 or (850) 245-6260 Email: ElecRecords@dos.myflorida.com

Mailing Address: 500 S. Bronough Street, Tallahassee, FL 32399

***NOTE:** Passwords can be requested by and released to the candidate/chairperson or any treasurer. PINs can only be requested by the authorized user. PINs may be released to the assigned user or a designee referenced above.

HISTORY NOTES
Americans for Prosperity Action, Inc. - 73889

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
61766	11/2/2018 2:55:00 PM		zjsantos
RE: Credentials			
I released the chairperson PIN to Mr Giroux over the phone.			
61672	10/26/2018 11:33:00 AM		jcsoria
Re: Credentials			
I called and released credentials for treasurer (including password) and left a message for chair requesting a call back.			



Florida Department of State Division of Elections

Americans for Prosperity Action, Inc.

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base](#). If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	10/20/2018 - 10/26/2018	0.00	0.00	0.00	558,877.77	0.00	0.00
W	10/27/2018 - 10/27/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/28/2018 - 10/28/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/29/2018 - 10/29/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/30/2018 - 10/30/2018	0.00	0.00	0.00	0.00	0.00	0.00
W	10/31/2018 - 10/31/2018	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	10/20/2018 - 11/01/2018	0.00	0.00	0.00	271,809.49	0.00	0.00
<input type="radio"/>	11/02/2018 - 11/30/2018	0.00	0.00	0.00	84,523.58	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	0.00	0.00	0.00	915,210.84	0.00	0.00

Note: ^(E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and **L** Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

