



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

April 11, 2022

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *M.H.* for D.C.
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2022 12-Day Pre-Primary Report
(Texas) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to timely file the 2022 12-Day Pre-Primary Report for the Texas Primary Election in accordance with 52 U.S.C. § 30104(a). The 12-Day Pre-Primary Report was due on February 17, 2022 and the Primary Election was held on March 1, 2022.

The committees listed on the attached RTB Circulation Report failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, the committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2022 PRE-PRIMARY Election Sensitive 02/17/2022 AUTH (TX)

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4287	C00792515	COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20	KYLE E. SINCLAIR	ROBERT CASTANEDA	\$105,071	0		Not Filed	\$105,071 (est)	\$7,948
4288	C00790766	DR. LAURA E. CISNEROS FOR CONGRESS	LAURA E. CISNEROS	CHRISTIAN CISNEROS	\$353,273	0	3/4/2022	*Not Filed	\$207,431	\$11,922

* The committee did not file their report prior to four (4) days before the primary election; therefore, per 11 C.F.R. 111.43(e), the report is considered to be not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Reason To Believe Recommendation –)	
2022 12-Day Pre-Primary Report (Texas))	
for the Administrative Fine Program:)	
COMMITTEE TO ELECT KYLE)	AF# 4287
SINCLAIR FOR CONGRESSIONAL)	
DISTRICT 20, and CASTANEDA,)	
ROBERT as treasurer;)	
DR. LAURA E. CISNEROS FOR)	AF# 4288
CONGRESS, and CISNEROS,)	
CHRISTIAN as treasurer;)	

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 13, 2022 the Commission took the following actions on the Reason To Believe Recommendation – 2022 12-Day Pre-Primary Report (Texas) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated April 11, 2022, on the following committees:

AF#4287 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20, and CASTANEDA, ROBERT in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Reason To Believe
Recommendation – 2022 12-Day Pre-
Primary Report (Texas) for the
Administrative Fine Program

Page 2

AF#4288 Decided by a vote of 6-0 to: (1) find reason to believe that DR. LAURA E. CISNEROS FOR CONGRESS, and CISNEROS, CHRISTIAN in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.



Attest:

Laura e
Sinram

Digitally signed by
Laura e Sinram
Date: 2022.04.13
17:28:52 -04'00'

Laura E. Sinram
Acting Secretary and Clerk of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AF

April 14, 2022

Christian Cisneros, in official capacity as Treasurer
Dr. Laura E. Cisneros for Congress
P. O. Box 5624
Brownsville, TX 78520

C00790766

AF#: 4288

Dear Mr. Cisneros,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12-Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election or nomination for election. This report, covering the period January 1, 2022 through February 9, 2022, shall be filed no later than February 17, 2022. 52 U.S.C. § 30104(a). Because records at the Commission indicate that you did not file this report prior to four (4) days before the election, the report is considered not filed for the purpose of calculating the civil money penalty. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 13, 2022, the FEC found that there is reason to believe ("RTB") that Dr. Laura E. Cisneros for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before February 17, 2022. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$11,922. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. *See* <https://www.fec.gov/af/pay.shtml> 11 C.F.R. § 111.34. Your payment of \$11,922 is due within forty (40) days of the finding, or by May 23, 2022, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$207,431

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the Primary Election held on March 1, 2022 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

DR. LAURA E. CISNEROS FOR CONGRESS

Page 2 of 5

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 23, 2022. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

Please note, all challenges to an RTB finding and/or calculated civil money penalty should be converted to PDF (Portable Document Format) and emailed to administrativefines@fec.gov. The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date they are electronically received by staff.

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process

DR. LAURA E. CISNEROS FOR CONGRESS

Page 3 of 5

shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address, and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Dr. Laura E. Cisneros for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the

DR. LAURA E. CISNEROS FOR CONGRESS

Page 4 of 5

Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 C.F.R. § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Allen J. Dickerson
Chairman

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$11,922 for the Pre-Primary Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Ben Holly in the Reports Analysis Division at our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: Dr. Laura E. Cisneros for Congress

DR. LAURA E. CISNEROS FOR CONGRESS

Page 5 of 5

FEC ID#: C00790766

AF#: 4288

PAYMENT DUE DATE: May 23, 2022

PAYMENT AMOUNT DUE: \$11,922

Federal Election Commission
1050 First St. NE
Washington D.C. 20463

May 9, 2022

ATTN: Mr. Allen J. Dickerson - Chairman

RE: Letter of Appeal

Committee ID: C00790766

AF#4288

Dear Mr. Dickerson,

I am sending this letter to address the matter of the late filing of the campaign expense report. There were extenuating circumstances that prevented the timely filing of the report. Unfortunately I, like many others, was seriously affected by Covid-19. My case was severe and left me incapacitated for two months. It was so severe that it impacted all aspects of my campaign, including the filing of the report. Under normal circumstances this would not have happened. And for that, I sincerely apologize.

I respectfully ask that you take this into consideration and waive the fine, given the critical nature of the situation. I am still having many lingering symptoms (long haulers). Enclosed is a letter from Dr. Diana Lozano, confirming the severity of my case. Also enclosed are my positive Covid-19 test results.

I thank you for your care and understanding in reviewing this matter, and I hope that you will take these special circumstances into consideration. Please contact me with any questions you may have.

Sincerely,



Dr. Laura Cisneros

Brownsville, TX 78520



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 2022

REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW (“OAR”)

AF# 4288 – Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer (C00790766)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty.

Reason-to-Believe Background

The 2022 Texas Pre-Primary Report was due on February 17, 2022. The respondents filed the report on March 4, 2022, 15 days late. The report is election sensitive and was not filed prior to four days before the 2022 Texas Primary Election held March 1, 2022; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(2).

On April 13, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Texas Pre-Primary Report and made a preliminary determination that the civil money penalty was \$11,922 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was sent to the respondents’ email address of record from the Reports Analysis Division (“RAD”) on April 14, 2022 to notify them of the Commission’s RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act (“Act”) states that the treasurer of a principal campaign committee shall file a pre-election report no later than 12 days before any primary election in which the candidate seeks election. 52 U.S.C. § 30104(a)(2)(A)(i) and 11 C.F.R. § 104.5(a)(2)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 16, 2022, the Commission received the written response (“challenge”) from the Candidate stating the Committee’s 2022 Pre-Primary Report was not timely filed due to extenuating circumstances. She explains that she experienced a severe case of COVID-19, which impacted all aspects of her campaign. She states that the illness left her incapacitated for two months and provides medical documentation to support the severity of her illness.

Analysis

The Candidate indicates the 2022 Pre-Primary Report was not timely filed due to her COVID-19 illness. The Reviewing Officer is sympathetic to the Candidate’s circumstances and recognizes these circumstances may have impacted Committee operations. However, a committee’s treasurer shall be personally responsible for the timely filing of reports.¹ 11 C.F.R. § 104.14(d). Moreover, illness of committee staff is specifically included at 11 C.F.R. § 111.35(d) as an example of a circumstance that will not be considered reasonably unforeseen and beyond the respondents’ control.

The Reviewing Officer acknowledges COVID-19 and its related impacts may be considered a reasonably unforeseen circumstance beyond a committee’s control. 11 C.F.R. § 111.35. The “best efforts” defense is a two-part test: the respondents used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control, and they filed the report no later than 24 hours after the end of these circumstances.

The Commission states in its *Explanation and Justification for Revised 11 CFR § 111.35(b)(3) – “Best Efforts” Defense*, 72 Fed. Reg. 14662, 14664-14666 (Mar. 29, 2007) that respondents must show

...that the reasonably unforeseen circumstances in fact *prevented* the timely and proper filing of the required report...[T]his rule requires a strict causal relationship between the circumstances described in the challenge...and the respondent's inability to file the report timely. It is not sufficient for reasonably unforeseen circumstances to make it merely more difficult than usual for the respondent to file on time. The circumstance must cause the respondent to be *unable* to file in a timely and proper manner, despite the respondent attempting to use all available methods of filing. (emphasis included)

However, the Committee did not demonstrate that the circumstances directly *prevented* the respondents from filing the report. Nor did the respondents demonstrate that they filed the report no later than 24 hours after the end of a circumstance considered to be unforeseen and beyond the

¹ On 12/21/21, the Committee filed an Amended Statement of Organization (“FEC Form 1”) to designate Christian Cisneros as the Committee’s Treasurer. At the time of the 2022 Pre-Primary Report filing deadline on 2/17/22, and to date, Christian Cisneros is personally responsible for the timely filing of reports. See <https://docquery.fec.gov/pdf/670/202112259474738670/202112259474738670.pdf>.

respondents' control. Therefore, a "best efforts" defense with respect to COVID-19 does not succeed in this matter.

The Reviewing Officer also notes that Commission records indicate the Committee contacted RAD on multiple occasions in the days and weeks surrounding the February 17, 2022 filing deadline, yet the Committee did not mention any extenuating circumstances. On February 1, 2022, a Committee representative called regarding the 2021 Year-End Report, and the RAD Analyst explained the upcoming 2022 Pre-Primary reporting requirements.² On February 14, 2022, the Candidate called requesting information on upcoming reporting requirements, and the RAD Analyst explained the 2022 Pre-Primary reporting requirements. On February 17, 2022, the 2022 Pre-Primary Report filing deadline, the Candidate called and asked if the Committee would be penalized if the report was filed a few days late. The RAD Analyst confirmed the potential for a penalty and advised the Committee to file the report as soon as possible. On March 4, 2022, the Candidate contacted RAD regarding the missing Pre-Primary Report, which she believed was filed. The RAD Analyst confirmed the report had not been received, and the Candidate indicated the campaign manager must have forgotten to file the report. The RAD Analyst stressed the importance of the report and encouraged the Committee to file. The Committee filed the report that same day, 15 days late.

The Reviewing Officer is sympathetic to the Candidate's illness and its potential impact on Committee operations. However, a committee's treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Moreover, illness, unavailability, and inexperience of a treasurer or committee staff, and negligence are specifically included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 4288 involving Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4288 that Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty; and
3. Send the appropriate letter.

² Commission records also indicate the Commission appropriately notified and reminded the Committee of its 2022 Pre-Primary reporting requirements via email on multiple occasions. *See* Attachments 2, 3, and 4.

Attachments

Attachment 1 –

Attachment 2 –

Attachment 3 –

Attachment 4 – Declaration from RAD

Attachment 5 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission (“Commission”). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Dr. Laura E. Cisneros for Congress:
 - A) Non-Filer Letter, dated February 18, 2022, referencing the 2022 12-Day Pre-Primary Report (sent via electronic mail to: lcisneros2000@yahoo.com);
 - B) Reason-to-Believe Letter, dated April 14, 2022, referencing the 2022 12-Day Pre-Primary Report (sent via electronic mail to: lcisneros2000@yahoo.com).
4. I hereby certify that I have searched the Commission’s public records and find that Dr. Laura E. Cisneros for Congress filed the 2022 12-Day Pre-Primary Report with the Commission on March 4, 2022.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed on the 22nd day of June, 2022.

Kristin D. Roser

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 18, 2022

CISNEROS, CHRISTIAN, TREASURER
DR. LAURA E. CISNEROS FOR CONGRESS
P. O. BOX 5624
BROWNSVILLE, TX 78520

IDENTIFICATION NUMBER: C00790766

REFERENCE: PRE-PRIMARY REPORT (01/01/2022 - 02/09/2022)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

You will be allowed until 5:00 pm est on the fourth (4th) business day from the date of this notice to file this report to avoid publication. If you have already filed the report by express, certified or registered mail or are planning to file it within four (4) business days from the date of this notice, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

If you are a paper filer, the report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note, the Federal Election Commission's office remains closed to visitors and most of its employees are continuing to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing campaign finance reports filed by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. As a result, paper filers may continue to receive non-filer letters. Nevertheless, filers should continue to file their reports on time. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail will be considered filed when actually received by Commission staff, subject to delays resulting from the agency's limited mail processing. The Commission will not be able to receive or process reports filed by courier service at this time. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. See 11 CFR 111.35.

Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the state is exempt from the federal requirement to receive and

DR. LAURA E. CISNEROS FOR CONGRESS

Page 2 of 2

maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

In addition, the failure to timely file this report may result in civil money penalties, an audit or other legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,

A handwritten signature in black ink that reads "Debbie Chacona". The signature is written in a cursive, slightly slanted style.

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission (“Commission”). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A principal campaign committee of a candidate shall file a pre-election report no later than 12 days before any primary election in which the candidate seeks election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on February 17, 2022 for the 2022 Texas Pre-Primary Report to be timely filed.
- 3) I hereby certify that I have searched the Commission’s public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover Page, Summary Page, and Detailed Summary Pages of the 2022 Pre-Primary Report filed by Dr. Laura E. Cisneros for Congress. The report includes the coverage period of January 1, 2022 through February 9, 2022 and was electronically filed on March 4, 2022
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 14th day of July, 2022.

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT Example: If typing, type over the lines. 12FE4M5
Dr. Laura E Cisneros for Congress

ADDRESS (number and street) po box 5624
bro
brownsville TX 78520
CITY STATE ZIP CODE

2. FEC IDENTIFICATION NUMBER C C00790766
3. IS THIS REPORT NEW (N) OR AMENDED (A)
STATE DISTRICT TX 34

4. TYPE OF REPORT (Choose One)
(a) Quarterly Reports:
April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)
Termination Report (TER)

(b) 12-Day PRE-Election Report for the:
Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)
Election on 03 / 01 / 2022 in the State of TX
(c) 30-Day POST-Election Report for the:
General (30G) Runoff (30R) Special (30S)
Election on / / in the State of

5. Covering Period 01 / 01 / 2022 through 02 / 09 / 2022

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.
Cisneros, Laura, , Dr.,
Type or Print Name of Treasurer
Signature of Treasurer Cisneros, Laura, , Dr., [Electronically Filed] Date 02 / 09 / 2022

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

SUMMARY PAGE
of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 21

Write or Type Committee Name
Dr. Laura E Cisneros for Congress

Report Covering the Period: From: / / To: / /

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))....	780.00	1480.00
(b) Total Contribution Refunds (from Line 20(d))	0.00	0.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	780.00	1480.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	81651.49	151792.92
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	81651.49	151792.92
8. Cash on Hand at Close of Reporting Period (from Line 27).....	49687.08	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	200000.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

Dr. Laura E Cisneros for Congress

Report Covering the Period: From: / / To: / /

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	500.00	500.00
(ii) Unitemized	280.00	980.00
(iii) TOTAL of contributions from individuals	780.00	1480.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) The Candidate	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))..	780.00	1480.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate.....	125000.00	200000.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	125000.00	200000.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	0.00	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.)	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....	125780.00	201480.00

DETAILED SUMMARY PAGE

of Disbursements

FEC Form 3 (Revised 05/2016)

II. DISBURSEMENTS

**COLUMN A
Total This Period**

**COLUMN B
Election Cycle-to-Date**

17. OPERATING EXPENDITURES.....	81651.49	151792.92
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of All Other Loans	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	81651.49	151792.92

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	5558.57
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	125780.00
25. SUBTOTAL (add Line 23 and Line 24).....	131338.57
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	81651.49
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	49687.08



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 15, 2022

Christian Cisneros, in official capacity as Treasurer
Dr. Laura E. Cisneros for Congress
PO Box 5624
Brownsville, TX 78520

C00790766
AF# 4288

Dear Treasurer:

On April 13, 2022, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Dr. Laura E. Cisneros for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 Pre-Primary Report. The Commission also made a preliminary determination that the civil money penalty was \$11,922 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess a civil money penalty. A copy of the Reviewing Officer’s recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Please note, all written responses and supporting documentation should be converted to PDF (Portable Document Format) and emailed to the Commission Secretary at secretary@fec.gov. The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer’s recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

THE ARMSTRONG FIRM**50 YEARS OF PROFESSIONAL LAW**

August 30, 2022

Hon. Allen J. Dickerson, Chairman
FEDERAL ELECTIONS COMMISSION
105 First Street NE
Washington, DC 20463

Re: AF# 4288-Dr. Laura E. Cisneros for Congress (C00790766)

Dear Chairman Dickerson:

On behalf of Dr. Laura Cisneros, I am writing to assist Dr. Cisneros in her conundrum with the Federal Elections Commission (FEC). There is little to argue concerning the fact that the required Federal Elections Commission's Report was not timely filed, as it was not. However, there are more than adequate reasons which in ordinary circumstances would allow the FEC not to assess a harsh penalty for this failure. Dr. Cisneros has previously provided the reasons for her late filing of the report, which under ordinary human standards would be more than sufficient to justify her inability to comply with the reporting requirements. COVID and its variants of this disease have been rampant in our community, especially to those meeting and greeting hundreds, if not thousands of potential voters over the course of a campaign.

In this regard, and in reviewing the various correspondences, I see that the FEC takes COVID-19 exposure very seriously, as many of the employees reviewing this correspondence are working "telework" in an effort to limit the spread of coronavirus (COVID-19). Unfortunately, Dr. Cisneros did not have that luxury and was exposed and contracted the COVID-19, even though she was vaccinated. This disease directly affected her ability to manage her campaign, and equally important to direct the Committee and its' assignments and accomplish the administrative obligations. I additionally note that a representative of the FEC had spoken with the candidate, and this candidate reportedly failed to mention that she has COVID-19 or the lingering effects of the disease. My only observation is which of the hundreds of FEC employees ever has discussed their personal medical conditions with a stranger on a phone call? Not likely to have occurred.

The 12-Day Pre-Primary Report of Receipts and Disbursements was in fact filed. This is not a situation where an individual just ignored the law, ignored their obligations and failed to file. She was not able to complete her obligations because she was ill. Interestingly enough COVID -19 is one of the unforeseen circumstances that prevented the timely and proper filing of the report in question. No question this disease caused the untimely filing of the report and absolute inability to file. Being mentally and physically able to comprehend the circumstances surrounding your obligations is a byproduct of any debilitating disease. COVID-19 is a disease that

PHONE: 956.546.5556 FAX: 956.546.0470
2600 OLD ALICE, STE. A, BROWNSVILLE, TX 78521-1450

Page 2 of 2
Ltr Chairman Diskerson
August 30, 2022

causes all of these symptoms. The "*Best Efforts*" Defense fails to explain the difficulties Dr. Cisneros encountered in functioning in life. The Committee did through the evidence produced, clearly demonstrate that it was prevented from filing the report.

The FEC officer who made the finding that the Committee failed to demonstrate the circumstances that directly prevented the Committee from filing the report, evidently has never encountered COVID-19 as Dr. Cisneros. Furthermore, the FEC employee totally ignored the report from a medical doctor as to Dr. Cisneros's condition and substituted their own medical opinion. One must ask what medical school did this person attend and what medical degree did they attain? In all probability, none.

For all the above reasons stated, the punishment far exceeds the infraction. Levying a charge of \$11,922.00 for the late filing of the FEC report seems not only excessive, but entirely out of line under the circumstances.

Thank you for your consideration.

THE ARMSTRONG FIRM



RW ARMSTRONG



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

September 21, 2022

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 4288 – Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer (C00790766)

On April 13, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Texas Pre-Primary Report and made a preliminary determination that the civil money penalty was \$11,922 based on the schedule of penalties at 11 C.F.R. § 111.43. On May 16, 2022, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated July 14, 2022 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Reviewing Officer was sympathetic to the Candidate’s COVID-19 illness and its potential impact on Committee operations. However, a committee’s treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Moreover, illness, unavailability, and inexperience of a treasurer or committee staff, and negligence are specifically included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents’ control. Therefore, the Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On August 30, 2022, the Commission received a written response from counsel reiterating points made in the original

challenge and asserting that the Candidate's COVID-19 illness should be considered a reasonably unforeseen circumstance which prevented the Committee from timely filing the report. *See* Attachment 1.

The Reviewing Officer's analysis and recommendations are unchanged. The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 4288 involving Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4288 that Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty; and
3. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

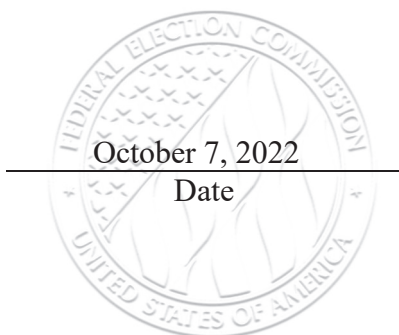
In the Matter of)
) AF 4288
 Final Determination Recommendation:)
 Dr. Laura E. Cisneros for Congress and)
 Christian Cisneros, in their official)
 capacity as Treasurer (C00790766))

CERTIFICATION

I, Laura E. Sinram, Secretary and Clerk of the Federal Election Commission, do hereby certify that on October 07, 2022, the Commission decided by a vote of 6-0 to take the following actions in AF 4288:

1. Adopt the Reviewing Officer recommendation for AF# 4288 involving Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 4288 that Dr. Laura E. Cisneros for Congress and Christian Cisneros, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,922 civil money penalty.
3. Send the appropriate letter.

Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.



Attest:

**Laura e
Sinram**

Digitally signed by
Laura e Sinram
Date: 2022.10.07
12:09:16 -04'00'

Laura E. Sinram
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 14, 2022

Christian Cisneros, in official capacity as Treasurer
Dr. Laura E. Cisneros for Congress
P. O. Box 5624
Brownsville, TX 78520

C00790766
AF# 4288

Dear Christian Cisneros:

On April 13, 2022, the Federal Election Commission (“the Commission”) found reason to believe (“RTB”) that Dr. Laura E. Cisneros for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 12-Day Pre-Primary Report. By letter dated April 14, 2022, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$11,922 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 16, 2022, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission’s RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Dr. Laura E. Cisneros for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$11,922 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on July 15, 2022. On August 30, 2022, the Commission received your written response to the ROR.

On October 7, 2022, the Commission adopted the Reviewing Officer’s recommendation and made a final determination that Dr. Laura E. Cisneros for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$11,922. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside.

See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701, *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments that the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not

constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

A handwritten signature in blue ink, appearing to read "Allen Dickerson", written over a horizontal line.

Allen Dickerson
Chairman

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at final determination is \$11,922 for the 12-Day Pre-Primary Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Rhiannon Magruder on our toll-free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

COMMITTEE NAME: Dr. Laura E. Cisneros for Congress

FEC ID#: C00790766

AF#: 4288

PAYMENT AMOUNT DUE: \$11,922