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By Office of the Commission Secretary at 11:22 am, Apr 11, 2022



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

April 11, 2022

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer
Staff Director *AP*

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
4289	C00780916	JERRY FORD FOR TEXAS	JERRY FORD	SANDRA MARIE FORD	\$122,607	0		Not Filed	\$40,869 (est)	\$2,093

* 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;)	
JERRY FORD FOR TEXAS, and FORD,)	AF# 4289
SANDRA MARIE MRS. 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

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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.

AF#4289 Decided by a vote of 6-0 to: (1) find reason to believe that JERRY FORD FOR TEXAS, and FORD, SANDRA MARIE MRS. 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

Mrs. Sandra Marie Ford, in official capacity as Treasurer
Jerry Ford for Texas
P. O. Box 682884
Houston, TX 77268

C00780916

AF#: 4289

Dear Mrs. Ford,

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 Jerry Ford for Texas 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 \$2,093. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.55. 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 \$2,093 is due within forty (40) days of the finding, or by May 23, 2022, and is based on these factors:

Sensitivity of Report: Election Sensitive
Level of Activity: \$40,869
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

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

JERRY FORD FOR TEXAS

Page 2 of 5

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 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.

JERRY FORD FOR TEXAS

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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 Jerry Ford for Texas 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 making 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 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

JERRY FORD FOR TEXAS

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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 \$2,093 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: Jerry Ford for Texas

FEC ID#: C00780916

JERRY FORD FOR TEXAS

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AF#: 4289

PAYMENT DUE DATE: May 23, 2022

PAYMENT AMOUNT DUE: \$2,093

TO: FEC Administration

From Jerry Ford

Subject: Late filing fine appeal

To whom it may concern, I was late filling because I needed assistance from Patrick (my assigned campaign analyst). I tried to contact him to help with a technical issue that I was having with the FEC site. I was transferred to him nearly ten times by the operator at phone # 202.694.1130. Please check the voice mails that I left him and phone records. I was persistent in letting the people who answered the phone know that I have called Patrick several times, and he never returned my phone call.

Finally, I was sent to Ben Holly, who helped me with the technical issues and helped me get the reports sent in.

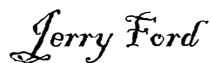
Therefore, I would like to appeal the fine for the delay in reporting.

Jerry Ford for Congress

AF# 4289

ID# C00780916

Best Regards

A handwritten signature in cursive script that reads "Jerry Ford".

Jerry Ford

TO: FEC Administration

From Jerry Ford

Subject: Late filing fine appeal

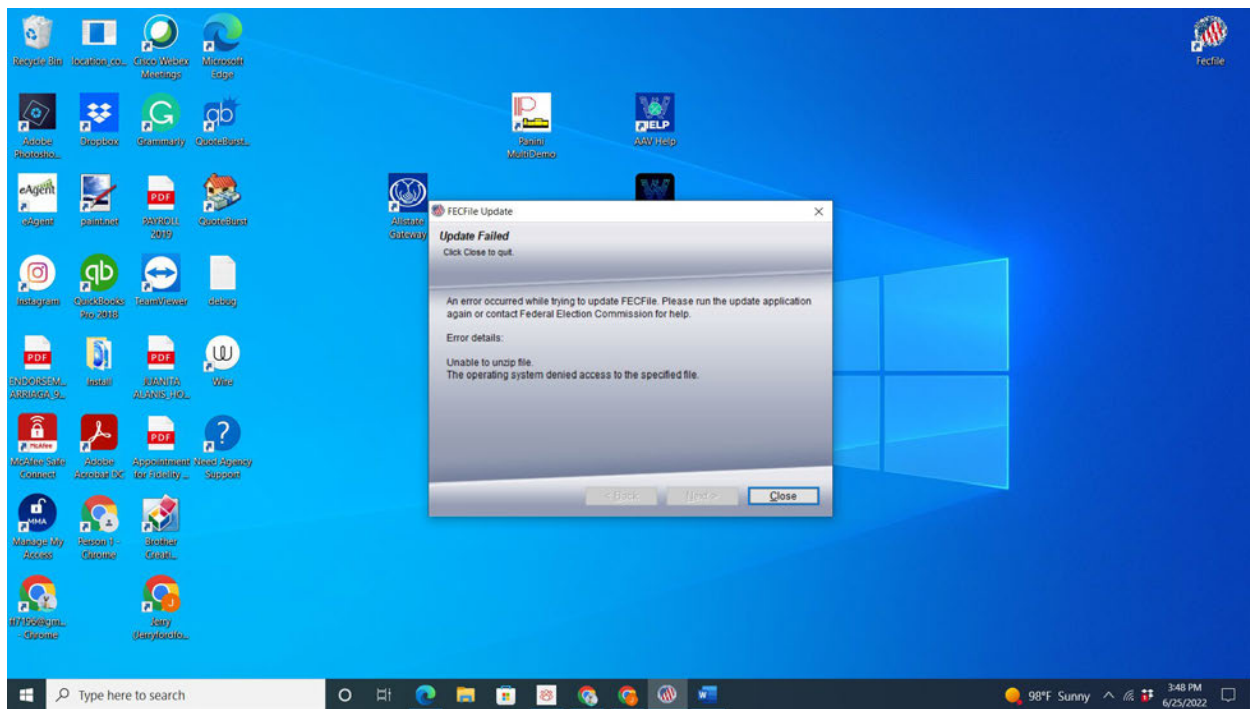
The FEC website was down during the time that I tried to submit the April report. I keep notes on file, and when I reviewed my notes, I found that when I tried to file the April report, the system was not working, and I reached out to my assigned analyst (Patrick) several times to no avail. Also, around May 23, 2022, I submitted a letter to you telling you that I called my assigned analysts (Patrick) several times to get help, but he never returned my calls. Attached is a copy of that letter sent around Mar 23, 2022, and a copy of the screen shot that I took to show Patrick (my assigned analysts) but each time I called, I always got his voicemail and couldn't get any help.

Also, when I filed the last report around May, I thought that covered April also, and any outstanding reports. Further, I would like to appeal the fine for the April report.

C00780916 AF#: 4302

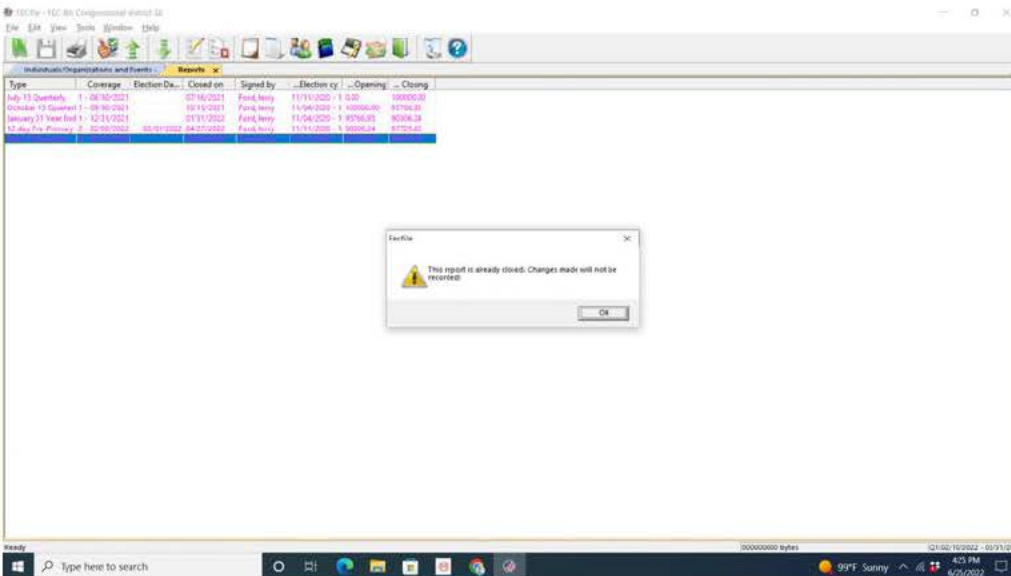
Best Regards

Jerry Ford



From: [Jerry Ford](#)
To: [RAD](#)
Cc: [FEC Administrative Fines](#)
Subject: Re: URGENT: FEC Administrative Fine Program Notification – Respond Immediately
Date: Saturday, June 25, 2022 5:33:48 PM
Attachments: [image.png](#)
[April appeal letter.docx](#)
[FEC late filing letter.docx](#)

See attached letters, also I just remembered that each time that I tried to file the April report, I got this message (see below) and I tried calling my assigned analyst (Patrick) but he never returned any of my calls. From the message below, I thought that I had filed it already.



On Wed, Jun 15, 2022 at 1:01 PM <rad@fec.gov> wrote:



Federal Election Commission

JUN 15, 2022

Dear Treasurer,

This important e-mail is being sent by the Reports Analysis Division (RAD) of the Federal Election Commission to notify your committee of a potential administrative fine due to a late or unfiled report.

Please find the Letter/Notification is attached to this email.

Please note that this is an automated e-mail; any response to this request for information should not be made via e-mail, as your response will not be accepted. To confirm receipt, please contact Ben Holly, Compliance Analyst, at (202) 694-1129. Alternatively, please call our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or our local number (202) 694-1130.

To ensure delivery, add rad@fec.gov and rad@fecgov.onmicrosoft.com to your address book.

To update your e-mail address, please file an amended Statement of Organization (FEC Form

1). You may include up to two email addresses on your FEC Form 1.

For more information regarding the administrative fine program, please go to <https://www.fec.gov/legal-resources/enforcement/administrative-fines/>.

If you would like to view all of your filings, simply click [here](#).

For general filing information, please go to <https://www.fec.gov/help-candidates-and-committees/>.

Sincerely,

Federal Election Commission (FEC)

This email was sent to: JERRYFORDFORCONGRESS@GMAIL.COM

Your Committee ID at FEC: C00780916

FEC-RAD20225151756727

This e-mail is intended only for the use of the committee/filer designated as recipient.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 22, 2022

REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW ("OAR")

AF# 4289 and AF# 4302– Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer (C00780916)

Summary of Recommendation

Terminate the proceedings in AF# 4289 in accordance with 11 C.F.R. § 111.37(b) and close the file.

Make a final determination in AF# 4302 that the respondents violated 52 U.S.C. § 30104(a) and assess a \$212 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 April 27, 2022, 69 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 \$2,093 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.

The 2022 April Quarterly Report was due on April 15, 2022. The respondents filed the report on May 8, 2022, 23 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On June 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 April Quarterly Report and made a preliminary determination that the civil money penalty was \$212 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 RAD on June 15, 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. In addition, the treasurer of a principal campaign committee shall file a quarterly report for the period ending March 30 no later than April 15. 52 U.S.C. § 30104(a)(2) and 11 C.F.R. § 104.5(a). 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’ Challenges

On May 23, 2022, the Commission received the written response (“challenge”) for AF# 4289 from the Candidate stating the 2022 Pre-Primary Report was delayed because he needed filing assistance. He further explains that he made multiple calls to RAD in an attempt to reach his assigned RAD Analyst but was unsuccessful. Ultimately, he received the required assistance from another RAD Analyst and filed the Committee’s outstanding reports.

On June 27, 2022, the Commission received the challenge for AF# 4302 from the Candidate stating the FEC website was down when he attempted to file the 2022 April Quarterly Report. The Candidate also provided a screen shot of the error message he received when attempting to file the April Quarterly Report. The error message states: “This report is already closed. Changes made will not be recorded!” In addition, the Candidate refers to the challenge submitted for AF# 4289, noting he was unable to reach his assigned RAD Analyst for assistance.

Analysis

In both challenges, the Candidate refers to technical issues which prevented the Committee from timely filing the 2022 Pre-Primary and April Quarterly Reports. According to the Commission’s Electronic Filing Office (“EFO”), there were no FEC system or software issues which would have prevented the Committee from timely filing these reports.¹ Based on the screenshots provided and review of RAD communication logs, the Reviewing Officer concludes the technical issues are attributed to inexperience with FECFile and reporting requirements, and issues with the Candidate’s computer.

The Candidate also generally refers to multiple attempts to contact RAD for assistance for which he received no response. In order to further research the Candidate’s call attempts, the Reviewing Officer requested the Candidate provide the number(s) from which he made calls to the FEC. After receiving this information, the Reviewing Officer requested the Office of the Chief Information Officer (“OCIO”) research the Commission’s telephone service call records from January 1, 2022 through May 31, 2022, to cover any relevant contacts between the FEC and the Candidate. The Reviewing Officer also requested that RAD review its records of contacts with the Committee and note any instances in which RAD did not follow its normal business procedures.

¹ See Attachment 3.

OCIO provided relevant call data and RAD reviewed its records of contact with the Committee.² Commission records indicate RAD has provided filing assistance to the Candidate on numerous occasions, assisting him in filing each report since July 15, 2021. However, after additional research, RAD discovered an isolated incident in which staff inadvertently failed to return one call from the Candidate. The Reviewing Officer notes that Commission records do not support the Candidate's contention that RAD failed to respond to multiple requests for assistance.

The Reviewing Officer provides additional analysis for each RTB finding as follows.

2022 Pre-Primary Report (AF# 4289)

Commission records indicate the Commission appropriately notified and reminded the Committee of its requirement to file the 2022 Pre-Primary Report on multiple occasions.³ On February 18, 2022, the day following the filing deadline, EFO sent a late notification email regarding the 2022 Pre-Primary Report to jerryfordforcongress@gmail.com and ff7196@gmail.com because the report had not yet been filed. On the same day, RAD sent the non-filer notification via email to the same email addresses. Commission records indicate the Candidate contacted RAD for filing assistance that same day, suggesting the Candidate had received the notifications. However, RAD inadvertently failed to return this call and provide the requested assistance.

While the Candidate states he requested assistance multiple times with no response, Commission records indicate the Candidate did not make any subsequent efforts to contact the Commission prior to the RTB finding in this matter. On April 25, 2022, RAD contacted the Candidate regarding the RTB finding. The RAD Analyst provided filing guidance on that day and additional technical assistance on April 26 and 27, 2022. On April 27, 2022, the Committee filed the 2022 Pre-Primary Report, 69 days late.

Their challenge to AF# 4829 fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they 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. 11 C.F.R. § 104.14(d). However, the Reviewing Officer recognizes that the Candidate's February 18, 2022 request for assistance was not handled in accordance with the Commission's normal business practices. If the Candidate had received assistance when originally requested on February 18, 2022, the Committee may have been able to file the 2022 Pre-Primary Report that same day. Therefore, the Reviewing Officer recommends that the Commission terminate the proceedings in AF# 4289 in accordance with 11 C.F.R. § 111.37(b) and close the file.

² See Attachments 4 and 5.

³ See Attachments 3, 6, and 7.

2022 April Quarterly Report (AF# 4302)

Commission records indicate the Commission appropriately notified and reminded the Committee of its requirement to file the 2022 April Quarterly Report on multiple occasions.⁴ The Reviewing Officer recognizes the Committee may have been experiencing on-going technical issues, but Commission records indicate the Committee did not request assistance related to the 2022 April Quarterly Report until after the report was due. On April 25, 2022, ten days after the report was due, RAD contacted the Candidate regarding the RTB finding in AF# 4289. During the discussion, the RAD Analyst also encouraged the Committee to file the April Quarterly Report. RAD provided guidance on that day and additional technical assistance on April 26, April 27, April 29, and May 6, 2022. On May 8, 2022, the Committee filed the 2022 April Quarterly Report, 23 days late.

Their challenge to AF# 4302 fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they 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. 11 C.F.R. § 104.14(d). The Reviewing Officer concludes that the Commission followed its normal business practices and adequately responded to the Committee's requests for filing assistance. Failure to use filing software properly and inexperience of a treasurer or committee staff 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 in AF# 4302 that the respondents violated 52 U.S.C. § 30104(a) and assess a \$212 civil money penalty.

OAR Recommendations

1. Terminate the proceedings in AF# 4289 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file;
2. Adopt the Reviewing Officer recommendation for AF# 4302 involving Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, in making the final determination;
3. Make a final determination in AF# 4302 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$212 civil money penalty; and
4. Send the appropriate letters.

⁴ See Attachments 3, 6, and 7.

Attachments

Attachment 1 –

Attachment 2 –

Attachment 3 –

Attachment 4 –

Attachment 5 –

Attachment 6 –

Attachment 7 – Declaration from RAD

Attachment 8 – 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 Jerry Ford for Texas:
 - A) Non-Filer Letter, dated February 18, 2022, referencing the 2022 12-Day Pre-Primary Report (sent via electronic mail to: jerryfordforcongress@gmail.com and ff7196@gmail.com);
 - B) Non-Filer Letter, dated May 3, 2022, referencing the 2022 April Quarterly Report (sent via electronic mail to: jerryfordforcongress@gmail.com and ff7196@gmail.com);
 - C) Reason-to-Believe Letter, dated April 14, 2022, referencing the 2022 12-Day Pre-Primary Report (sent via electronic mail to: jerryfordforcongress@gmail.com and ff7196@gmail.com).
 - D) Reason-to-Believe Letter, dated June 15, 2022, referencing the 2022 April Quarterly Report (sent via electronic mail to: jerryfordforcongress@gmail.com and ff7196@gmail.com).
4. I hereby certify that I have searched the Commission’s public records and find that Jerry Ford for Texas filed the 2022 12-Day Pre-Primary Report with the Commission on April 27, 2022 and filed the 2022 April Quarterly Report with the Commission on May 8, 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 15th day of July, 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

FORD, SANDRA MARIE MRS., TREASURER
JERRY FORD FOR TEXAS
P. O. BOX 682884
HOUSTON, TX 77268

IDENTIFICATION NUMBER: C00780916

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

JERRY FORD FOR TEXAS

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, flowing style.

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

May 3, 2022

FORD, SANDRA MARIE MRS., TREASURER
JERRY FORD FOR TEXAS
P. O. BOX 682884
HOUSTON, TX 77268

IDENTIFICATION NUMBER: C00780916

REFERENCE: APRIL QUARTERLY REPORT (02/10/2022 - 03/31/2022)

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 or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. 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 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.

The failure to timely file a complete report may result in civil money penalties, an audit or 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. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

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.

JERRY FORD FOR TEXAS

Page 2 of 2

Sincerely,

A handwritten signature in black ink that reads "Debbie Chacona". The script is cursive and fluid, with the first name "Debbie" and last name "Chacona" clearly distinguishable.

Deborah Chacona
Assistant Staff Director

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) A principal campaign committee of a candidate shall file a report for the period ending March 31 no later than April 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time April 15, 2022 for the 2022 April Quarterly Report to be timely filed.
- 4) 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 Jerry Ford for Texas. The report includes the coverage period of January 1, 2022 through February 9, 2022 and was electronically filed on April 27, 2022.
 - b) Cover Page, Summary Page, and Detailed Summary Pages of the 2022 Pre-Primary Report filed by Jerry Ford for Texas. The report includes the coverage period of February 10, 2022 through March 31, 2022 and was electronically filed on May 8, 2022
- 5) 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 22nd 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

Jerry Ford for Texas

ADDRESS (number and street)

P. O. Box 682884

Check if different
than previously
reported. (ACC)

Houston

TX

77268

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00780916

3. IS THIS
REPORTNEW
(N)

OR

AMENDED
(A)

STATE ▼ DISTRICT

TX

08

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

M M / D D / Y Y Y Y
03 / 01 / 2022in the
State of

TX

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

M M / D D / Y Y Y Y

in the
State of

5. Covering Period

M M / D D / Y Y Y Y
01 / 01 / 2022

through

M M / D D / Y Y Y Y
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.

Ford, Jerry, , Mr., Sr.

Type or Print Name of Treasurer

Signature of Treasurer

Ford, Jerry, , Mr., Sr.

[Electronically Filed]

Date

M M / D D / Y Y Y Y
04 / 27 / 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.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

SUMMARY PAGE

of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 10

Write or Type Committee Name
Jerry Ford for Texas

Report Covering the Period:

From:

M M / D D / Y Y Y Y
01 01 2022

To:

M M / D D / Y Y Y Y
02 09 2022

	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))	1600.00	8056.40
(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))	1600.00	8056.40
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	4180.62	20330.78
(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))	4180.62	20330.78
8. Cash on Hand at Close of Reporting Period (from Line 27)	87725.62	
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)	0.00	

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

PAGE 3 / 10

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

Jerry Ford for Texas

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
0	1		0	1		2	0	2	2

To:

M	M	/	D	D	/	Y	Y	Y	Y
0	2		0	9		2	0	2	2

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)**

1500.00

7436.40

(ii) Unitemized

100.00

620.00

(iii) TOTAL of contributions from individuals

1600.00

8056.40

(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))..

1600.00

8056.40

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

0.00

0.00

13. LOANS:**(a) Made or Guaranteed by the Candidate**

0.00

100000.00

(b) All Other Loans

0.00

0.00

(c) TOTAL LOANS

(add Lines 13(a) and (b))

0.00

100000.00

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)**

1600.00

108056.40

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 10

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	4180.62	20330.78
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) ►	4180.62	20330.78

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	90306.24
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	1600.00
25. SUBTOTAL (add Line 23 and Line 24)	91906.24
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	4180.62
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	87725.62

**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

Jerry Ford for Texas

ADDRESS (number and street)

P. O. Box 682884



Check if different than previously reported. (ACC)

Houston

TX

77268

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00780916

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

STATE ▼ DISTRICT

TX

08

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

M M / D D / Y Y Y Y

in the State of

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

M M / D D / Y Y Y Y

in the State of

5. Covering Period

M M / D D / Y Y Y Y

02

D D / Y Y Y Y

10

Y Y Y Y

2022

through

M M / D D / Y Y Y Y

03

D D / Y Y Y Y

31

Y Y Y Y

2022

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Ford, Jerry, , Mr., Sr.

Type or Print Name of Treasurer

Signature of Treasurer

Ford, Jerry, , Mr., Sr.

[Electronically Filed]

Date

M M / D D / Y Y Y Y

05

D D / Y Y Y Y

08

Y Y Y Y

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.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

SUMMARY PAGE

of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 7

Write or Type Committee Name
Jerry Ford for Texas

Report Covering the Period:

From:

M M / D D / Y Y Y Y
02 10 2022

To:

M M / D D / Y Y Y Y
03 31 2022

	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))	7534.99	15591.39
(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))	7534.99	15591.39
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	601.27	20932.05
(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))	601.27	20932.05
8. Cash on Hand at Close of Reporting Period (from Line 27)	94659.34	
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)	0.00	

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

PAGE 3 / 7

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

Jerry Ford for Texas

Report Covering the Period:

From:

M	M	/	D	D	/	Y	-	Y	-	Y	-	Y	-	Y
0	2		1	0		2	0	2	2					

To:

M	M	/	D	D	/	Y	-	Y	-	Y	-	Y	-	Y
0	3		3	1		2	0	2	2					

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

7936.40

(ii) Unitemized

0.00

620.00

(iii) TOTAL of contributions from individuals

500.00

8556.40

(b) Political Party Committees

0.00

0.00

(c) Other Political Committees (such as PACs)

7034.99

7034.99

(d) The Candidate

0.00

0.00

(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))..

7534.99

15591.39

12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES

0.00

0.00

13. LOANS:**(a) Made or Guaranteed by the Candidate**

0.00

100000.00

(b) All Other Loans

0.00

0.00

(c) TOTAL LOANS (add Lines 13(a) and (b))

0.00

100000.00

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)

7534.99

115591.39

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 7

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	601.27	20932.05
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) ►	601.27	20932.05

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	87725.62
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	7534.99
25. SUBTOTAL (add Line 23 and Line 24)	95260.61
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	601.27
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	94659.34



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 25, 2022

Mrs. Sandra Marie Ford, in official capacity as Treasurer
Jerry Ford for Texas
PO Box 682884
Houston, TX 77268

C00780916
AF# 4289 and AF# 4302

Dear Treasurer:

On April 13, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Jerry Ford for Texas 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 \$2,093 based on the schedule of penalties at 11 C.F.R. § 111.43. On June 13, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Jerry Ford for Texas and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 April Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$212 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 terminate the proceedings and close the file in AF# 4289 and make a final determination and assess a civil money penalty in AF# 4302. 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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

October 12, 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# 4289 and AF# 4302 – Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer (C00780916)

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 \$2,093 based on the schedule of penalties at 11 C.F.R. § 111.43. On June 13, 2022, the Commission found reason RTB that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 April Quarterly Report and made a preliminary determination that the civil money penalty was \$212 based on the schedule of penalties at 11 C.F.R. § 111.43. On May 23 and June 27, 2022, respectively, the Commission received their written responses (“challenges”).

In both challenges, the Candidate referred to technical issues which prevented the Committee from timely filing the 2022 Pre-Primary and April Quarterly Reports. The Reviewing Officer concluded the technical issues were attributed to inexperience with FECFile and reporting requirements, and issues with the Candidate’s computer. *See* ROR. The Reviewing Officer noted that both challenges failed to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they 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. 11 C.F.R. § 104.14(d). Moreover, failure to use filing software properly and inexperience of a treasurer or committee staff 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.

The Candidate also generally referred to multiple attempts to contact the Reports Analysis Division ("RAD") for assistance for which he received no response. In AF# 4289, the Reviewing Officer recognized that the Candidate's February 18, 2022 request for assistance was not handled in accordance with the Commission's normal business practices. If the Candidate had received assistance when originally requested on February 18, 2022, the Committee may have been able to file the 2022 Pre-Primary Report that same day. Therefore, the Reviewing Officer recommended that the Commission terminate the proceedings in AF# 4289 in accordance with 11 C.F.R. § 111.37(b) and close the file. In AF# 4302, the Reviewing Officer concluded that the Commission followed its normal business practices and adequately responded to the Committee's requests for filing assistance. Therefore, the Reviewing Officer recommended that the Commission make a final determination in AF# 4302 that the respondents violated 52 U.S.C. § 30104(a) and assess a \$212 civil money penalty. *See* ROR.

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). The respondents subsequently indicated their intent to terminate and pay the recommended civil money penalty of \$212. On September 12, 2022, the RAD Analyst assisted the Committee with filing a termination report. *See* Attachment 1. The Committee is now eligible to terminate upon closure of these matters.

OAR Recommendations

1. Terminate the proceedings in AF# 4289 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file;
2. Adopt the Reviewing Officer recommendation for AF# 4302 involving Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, in making the final determination;
3. Make a final determination in AF# 4302 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$212 civil money penalty; and
4. Send the appropriate letters.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AFs 4289 and 4302
 Final Determination Recommendation:)
 Jerry Ford for Texas and Mrs. Sandra)
 Marie Ford, in their official capacity as)
 Treasurer (C00780916))

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on November 02, 2022, the Commission decided by a vote of 6-0 to take the following actions in AF# 4289 and AF# 4302:

1. Terminate the proceedings in AF# 4289 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and close the file.
2. Adopt the Reviewing Officer recommendation for AF# 4302 involving Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, in making the final determination.
3. Make a final determination in AF# 4302 that Jerry Ford for Texas and Mrs. Sandra Marie Ford, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$212 civil money penalty.
4. Send the appropriate letter.

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

Attest:



Vicktoria J Allen

Digitally signed by Vicktoria J
Allen
Date: 2022.11.03 11:42:10 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 2022

Mrs. Sandra Marie Ford, in official capacity as Treasurer
Jerry Ford for Texas
P.O. Box 682884
Houston, TX 77268

C00780916
AF# 4289

Dear Mrs. Sandra Marie Ford:

On April 13, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Jerry Ford for Texas 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 \$2,093 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 23, 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 terminate the proceedings and close the file. The Reviewing Officer Recommendation was sent to you on July 25, 2022.

On November 2, 2022, the Commission adopted the Reviewing Officer's recommendation to terminate the proceedings with respect to 52 U.S.C. § 30104(a) and close the file. A copy of the Final Determination Recommendation is attached.

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 this matter, 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", is written over a blue ink stamp that reads "Allen Dickerson, Chairman".

Allen Dickerson
Chairman