



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

June 9, 2022

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

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

Debbie Chacona *DC*  
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 April Quarterly Report for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2022 April Quarterly Report in accordance with 52 U.S.C. § 30104(a). The April Quarterly was due on April 15, 2022.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these 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 APRIL QUARTERLY Not Election Sensitive 04/15/2022 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4290	C00719070	AJA SMITH FOR CONGRESS 2022	AJA SMITH	AJA SMITH	\$234,984	0		Not Filed	\$78,328 (est)	\$5,563
4291	C00792515	COMMITTEE TO ELECT KYLE SINCLAIR FOR CONGRESSIONAL DISTRICT 20	KYLE E. SINCLAIR	ROBERT CASTANEDA	\$177,629	0	5/30/2022	*Not Filed	\$44,594	\$1,346
4292	C00663435	COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS	MAURO EVERETT GARZA	IRIS ELIZABETH CASTILLO	\$1,072,276	9		Not Filed	\$214,455 (est)	\$33,579
4293	C00764191	CREATE CHANGE NOW		KEN CROW	\$480,825	0		Not Filed	\$240,413 (est)	\$10,332
4294	C00610360	DARIN SMITH FOR WYOMING	DARIN DALE SMITH	ROXANNE OSTLUND	\$466,985	0	5/16/2022	*Not Filed	\$2,798	\$373
4295	C00564187	EDUCATE AND INNOVATE PAC		STACEY MONAHAN	\$425,427	0	5/5/2022	20	\$39,752	\$917
4296	C00717025	EMILY ROBINSON FOR CONGRESS	EMILY ROBINSON	EMILY ROBINSON	\$120,240	9		Not Filed	\$120,240 (est)	\$23,250
4297	C00776633	FRIENDS OF CHRIS THEODORE	CHRIS MARK THEODORE	CHRISTOPHER MARK THEODORE	\$461,955	0	4/28/2022	13	\$200,000	\$5,190
4298	C00786384	FRIENDS OF JASON MARINER	JASON MARINER	JASON MARINER	\$254,331	0		Not Filed	\$84,777 (est)	\$5,563
4299	C00764159	GALVESTON COUNTY REPUBLICAN PARTY		DONALD ROBERT POLLOCK	\$113,275	0	5/27/2022	*Not Filed	\$9,891	\$448
4300	C00736736	GEORGE MITRIS FOR CONGRESS	GEORGE MITRIS	THOMAS COSTA	\$145,106	6		Not Filed	\$145,106 (est)	\$17,885
4301	C00765347	GREG LIRETTE FOR CONGRESS	GREGORY LIRETTE	KEVIN KITCHEN	\$144,587	3		Not Filed	\$144,587 (est)	\$12,519
4302	C00780916	JERRY FORD FOR TEXAS	JERRY FORD	SANDRA MARIE FORD	\$136,523	0	5/8/2022	23	\$8,136	\$212
4303	C00732875	JIMMY RODRIGUEZ FOR CONGRESS	JIMMY RODRIGUEZ	JIMMY RODRIGUEZ	\$614,521	7		Not Filed	\$614,521 (est)	\$43,716
4305	C00778886	KATHLEEN FOR CONGRESS	MARY KATHLEEN BROWN	REBECCA RAMIREZ	\$148,617	0	4/22/2022	7	\$37,041	\$527
4307	C00139600	LEAGUE OF SOUTHEASTERN CREDIT UNIONS FEDERAL PAC		BRAD GREEN	\$491,700	0	4/26/2022	11	\$72,483	\$1,798

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4308	C00386532	LOUIE GOHMERT FOR CONGRESS COMMITTEE	LOUIS GOHMERT	WILLIAM L. LONG	\$406,493	0		Not Filed	\$101,623 (est)	\$7,154
4309	C00791046	LUIS B POZZOLO FOR US CONGRESS	LUIS B. POZZOLO	LUIS B. POZZOLO	\$167,670	0	5/9/2022	24	\$74,437	\$3,358
4310	C00698340	MARKEY VICTORY FUND		STACEY MONAHAN	\$179,368	0	5/5/2022	20	\$33,700	\$917
4311	C00766642	MATT BERG FOR CONGRESS	MATTHEW RICHARD. BERG	GERALD D. GUNN	\$232,836	0		Not Filed	\$77,612 (est)	\$5,563
4312	C00780734	MICHAEL PERKINS FOR CONGRESS	MICHAEL PERKINS	KELLY PERKINS	\$120,011	0		Not Filed	\$40,004 (est)	\$1,346
4313	C00784967	MICHELLE BECKLEY FOR CONGRESS	MICHELLE BECKLEY	MARTIN MIKES	\$196,839	0		Not Filed	\$98,420 (est)	\$5,563
4314	C00475673	NATIONAL SORGHUM PRODUCERS POLITICAL ACTION COMMITTEE		LARRY RICHARDSON	\$258,512	0	5/19/2022	*Not Filed	\$31,900	\$1,346
4315	C00663237	OHIOANS FOR PARENTAL CHOICE		JEFF JACOBSON	\$201,495	0	5/12/2022	27	\$1,480	\$200
4316	C00749069	OUR BLACK PARTY		BETTY CRICHLow-EBERHARDT	\$155,353	0		Not Filed	\$77,677 (est)	\$5,563
4317	C00754283	PATRIOTS FOR AMERICAN LEADERSHIP		EDDIE SHIVERS	\$633,212	1		Not Filed	\$158,303 (est)	\$10,928
4318	C00729624	REBA FOR CONGRESS	REBA SHERRILL	BRYON FREDRICK MCCOMB	\$400,168	6		Not Filed	\$400,168 (est)	\$35,765
4319	C00688069	SUPPORT AMERICAN LEADERS PAC		MATTHEW NELSON TUNSTALL	\$464,815	4		Not Filed	\$154,938 (est)	\$17,486
4320	C00626564	THE SEASONAL EMPLOYER PAC		ELIZABETH WHITLEY	\$155,000	1		Not Filed	\$38,750 (est)	\$1,682
4321	C00522458	TOGETHER WE THRIVE		CHRISTOPHER ZULLO	\$104,451	4		Not Filed	\$104,451 (est)	\$14,308
4322	C00724799	VOTE GABI	GAVRIEL GROSSBARD	ELIZABETH FAUST	\$157,325	0	4/21/2022	6	\$102,911	\$2,146
4323	C00639310	WE HAVE THE PEOPLE PAC	KARA EASTMAN	DAVID PANTOS	\$289,527	0	5/17/2022	*Not Filed	\$83,222	\$5,563
4324	C00616912	WOMEN VOTE SMART		AMY S. KREMER	\$145,616	6		Not Filed	\$145,616 (est)	\$17,885

\* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Reason To Believe Recommendation - 2022	)	
April Quarterly Report for the	)	
Administrative Fine Program:	)	
AJA SMITH FOR CONGRESS 2022, and	)	AF# 4290
SMITH, AJA as treasurer;	)	
COMMITTEE TO ELECT KYLE	)	AF# 4291
SINCLAIR FOR CONGRESSIONAL	)	
DISTRICT 20, and CASTANEDA,	)	
ROBERT as treasurer;	)	
COMMITTEE TO ELECT MAURO	)	AF# 4292
GARZA FOR US CONGRESS, and	)	
CASTILLO, IRIS ELIZABETH as	)	
treasurer;	)	
CREATE CHANGE NOW, and CROW,	)	AF# 4293
KEN as treasurer;	)	
DARIN SMITH FOR WYOMING, and	)	AF# 4294
OSTLUND, ROXANNE as treasurer;	)	
EDUCATE AND INNOVATE PAC, and	)	AF# 4295
MONAHAN, STACEY as treasurer;	)	
EMILY ROBINSON FOR CONGRESS,	)	AF# 4296
and ROBINSON, EMILY as treasurer;	)	
FRIENDS OF CHRIS THEODORE, and	)	AF# 4297
THEODORE, CHRISTOPHER MARK as	)	
treasurer;	)	
FRIENDS OF JASON MARINER, and	)	AF# 4298
JASON MARINER as treasurer;	)	
GALVESTON COUNTY REPUBLICAN	)	AF# 4299
PARTY, and POLLOCK, DONALD	)	
ROBERT as treasurer;	)	
GEORGE MITRIS FOR CONGRESS, and	)	AF# 4300
COSTA, THOMAS as treasurer;	)	
GREG LIRETTE FOR CONGRESS, and	)	AF# 4301
KITCHEN, KEVIN as treasurer;	)	
JERRY FORD FOR TEXAS, and FORD,	)	AF# 4302
SANDRA MARIE as treasurer;	)	
JIMMY RODRIGUEZ FOR CONGRESS,	)	AF# 4303
and RODRIGUEZ, JIMMY as treasurer;	)	

Federal Election Commission  
 Certification for Administrative Fines  
 June 13, 2022

Page 2

KATHLEEN FOR CONGRESS, and	)	AF# 4305
RAMIREZ, REBECCA as treasurer;	)	
LEAGUE OF SOUTHEASTERN CREDIT	)	AF# 4307
UNIONS FEDERAL PAC, and GREEN,	)	
BRAD as treasurer;	)	
LOUIE GOHMERT FOR CONGRESS	)	AF# 4308
COMMITTEE, and LONG, WILLIAM L as	)	
treasurer;	)	
LUIS B POZZOLO FOR US CONGRESS,	)	AF# 4309
and POZZOLO, LUIS B as treasurer;	)	
MARKEY VICTORY FUND, and	)	AF# 4310
MONAHAN, STACEY as treasurer;	)	
MATT BERG FOR CONGRESS, and	)	AF# 4311
GUNN, GERALD D as treasurer;	)	
MICHAEL PERKINS FOR CONGRESS,	)	AF# 4312
and PERKINS, KELLY as treasurer;	)	
MICHELLE BECKLEY FOR CONGRESS,	)	AF# 4313
and MIKES, MARTIN as treasurer;	)	
NATIONAL SORGHUM PRODUCERS	)	AF# 4314
POLITICAL ACTION COMMITTEE, and	)	
RICHARDSON, LARRY as treasurer;	)	
OHIOANS FOR PARENTAL CHOICE,	)	AF# 4315
and JACOBSON, JEFF as treasurer;	)	
OUR BLACK PARTY, and CRICHLow-	)	AF# 4316
EBERHARDT, BETTY as treasurer;	)	
PATRIOTS FOR AMERICAN	)	AF# 4317
LEADERSHIP, and SHIVERS, EDDIE as	)	
treasurer;	)	
REBA FOR CONGRESS, and MCCOMB,	)	AF# 4318
BRYON FREDRICK as treasurer;	)	
SUPPORT AMERICAN LEADERS PAC,	)	AF# 4319
and TUNSTALL, MATTHEW NELSON as	)	
treasurer;	)	
THE SEASONAL EMPLOYER PAC, and	)	AF# 4320
ELIZABETH WHITLEY as treasurer;	)	
TOGETHER WE THRIVE, and	)	AF# 4321
CHRISTOPHER ZULLO as treasurer;	)	
VOTE GABI, and FAUST, ELIZABETH as	)	AF# 4322
treasurer;	)	
WE HAVE THE PEOPLE PAC, and	)	AF# 4323
PANTOS, DAVID as treasurer;	)	
WOMEN VOTE SMART, and KREMER,	)	AF# 4324
AMY S as treasurer;	)	

### CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on June 13, 2022 the Commission took the following actions on the Reason To Believe Recommendation - 2022 April Quarterly Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated June 09, 2022, on the following committees:

AF#4290 Decided by a vote of 6-0 to: (1) find reason to believe that AJA SMITH FOR CONGRESS 2022, and SMITH, AJA 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#4291 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.

AF#4292 Decided by a vote. of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MAURO GARZA FOR US CONGRESS, and CASTILLO, IRIS ELIZABETH 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#4293 Decided by a vote. of 6-0 to: (1) find reason to believe that CREATE CHANGE NOW, and CROW, KEN 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#4294 Decided by a vote. of 6-0 to: (1) find reason to believe that DARIN SMITH FOR WYOMING, and OSTLUND, ROXANNE 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#4295 Decided by a vote. of 6-0 to: (1) find reason to believe that EDUCATE AND INNOVATE PAC, and MONAHAN, STACEY 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#4296 Decided by a vote. of 6-0 to: (1) find reason to believe that EMILY ROBINSON FOR CONGRESS, and ROBINSON, EMILY 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#4297 Decided by a vote. of 6-0 to: (1) find reason to believe that FRIENDS OF CHRIS THEODORE, and THEODORE, CHRISTOPHER MARK 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#4298 Decided by a vote. of 6-0 to: (1) find reason to believe that FRIENDS OF JASON MARINER, and JASON MARINER 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#4299 Decided by a vote. of 6-0 to: (1) find reason to believe that GALVESTON COUNTY REPUBLICAN PARTY, and POLLOCK, DONALD 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 Administrative Fines  
June 13, 2022

Page 5

AF#4300 Decided by a vote. of 6-0 to: (1) find reason to believe that GEORGE MITRIS FOR CONGRESS, and COSTA, THOMAS 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#4301 Decided by a vote. of 6-0 to: (1) find reason to believe that GREG LIRETTE FOR CONGRESS, and KITCHEN, KEVIN 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#4302 Decided by a vote. of 6-0 to: (1) find reason to believe that JERRY FORD FOR TEXAS, and FORD, SANDRA MARIE 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#4303 Decided by a vote. of 6-0 to: (1) find reason to believe that JIMMY RODRIGUEZ FOR CONGRESS, and RODRIGUEZ, JIMMY 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#4305 Decided by a vote. of 6-0 to: (1) find reason to believe that KATHLEEN FOR CONGRESS, and RAMIREZ, REBECCA 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#4307 Decided by a vote. of 6-0 to: (1) find reason to believe that LEAGUE OF SOUTHEASTERN CREDIT UNIONS FEDERAL PAC, and GREEN, BRAD 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#4308 Decided by a vote. of 6-0 to: (1) find reason to believe that LOUIE GOHMERT FOR CONGRESS COMMITTEE, and LONG, WILLIAM L 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#4309 Decided by a vote. of 6-0 to: (1) find reason to believe that LUIS B POZZOLO FOR US CONGRESS, and POZZOLO, LUIS B 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#4310 Decided by a vote. of 6-0 to: (1) find reason to believe that MARKEY VICTORY FUND, and MONAHAN, STACEY 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#4311 Decided by a vote. of 6-0 to: (1) find reason to believe that MATT BERG FOR CONGRESS, and GUNN, GERALD D 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#4312 Decided by a vote. of 6-0 to: (1) find reason to believe that MICHAEL PERKINS FOR CONGRESS, and PERKINS, KELLY 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#4313 Decided by a vote. of 6-0 to: (1) find reason to believe that MICHELLE BECKLEY FOR CONGRESS, and MIKES, MARTIN 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#4314 Decided by a vote. of 6-0 to: (1) find reason to believe that NATIONAL SORGHUM PRODUCERS POLITICAL ACTION COMMITTEE, and RICHARDSON, LARRY 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#4315 Decided by a vote. of 6-0 to: (1) find reason to believe that OHIOANS FOR PARENTAL CHOICE, and JACOBSON, JEFF 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#4316 Decided by a vote. of 6-0 to: (1) find reason to believe that OUR BLACK PARTY, and CRICHLow-EBERHARDT, BETTY 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#4317 Decided by a vote. of 6-0 to: (1) find reason to believe that PATRIOTS FOR AMERICAN LEADERSHIP, and SHIVERS, EDDIE 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#4318 Decided by a vote. of 6-0 to: (1) find reason to believe that REBA FOR CONGRESS, and MCCOMB, BRYON FREDRICK 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#4319 Decided by a vote. of 6-0 to: (1) find reason to believe that SUPPORT AMERICAN LEADERS PAC, and TUNSTALL, MATTHEW NELSON 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#4320 Decided by a vote. of 6-0 to: (1) find reason to believe that THE SEASONAL EMPLOYER PAC, and ELIZABETH WHITLEY in their official capacity

Federal Election Commission  
 Certification for Administrative Fines  
 June 13, 2022

Page 8

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#4321 Decided by a vote. of 6-0 to: (1) find reason to believe that TOGETHER WE THRIVE, and CHRISTOPHER ZULLO 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#4322 Decided by a vote. of 6-0 to: (1) find reason to believe that VOTE. GABI, and FAUST, ELIZABETH 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#4323 Decided by a vote. of 6-0 to: (1) find reason to believe that WE HAVE THE PEOPLE PAC, and PANTOS, DAVID 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#4324 Decided by a vote. of 6-0 to: (1) find reason to believe that WOMEN VOTE. SMART, and KREMER, AMY S 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:



**Vicktoria J  
 Allen**

Vicktoria J. Allen  
 Acting Deputy Secretary of the  
 Commission

Digitally signed by Vicktoria J  
 Allen  
 Date: 2022.06.13 13:37:29  
 -04'00'



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

June 15, 2022

Christopher Mark Theodore, in official capacity as Treasurer  
Friends of Chris Theodore  
5660 Tamarisk Way  
San Luis Obispo, CA 93401

C00776633

AF#: 4297

Dear Christopher Mark Theodore,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period January 1, 2022 through March 31, 2022, shall be filed no later than April 15, 2022. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on April 28, 2022, 13 days late.

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 June 13, 2022, the FEC found that there is reason to believe ("RTB") that Friends of Chris Theodore 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 April 15, 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 \$5,190. 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 \$5,190 is due within forty (40) days of the finding, or by July 23, 2022, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$200,000  
Number of Days Late: 13  
Number of Previous Civil Money Penalties Assessed: 0

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

FRIENDS OF CHRIS THEODORE

Page 2 of 5

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 July 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](mailto: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.

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

FRIENDS OF CHRIS THEODORE

Page 3 of 5

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 Friends of Chris Theodore 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 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



FRIENDS OF CHRIS THEODORE

Page 4 of 5

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 \$5,190 for the April Quarterly 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](http://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: Friends of Chris Theodore

FEC ID#: C00776633

AF#: 4297

PAYMENT DUE DATE: July 23, 2022

FRIENDS OF CHRIS THEODORE

Page 5 of 5

PAYMENT AMOUNT DUE: \$5,190



To: The Honorable Allen J. Dickerson  
Chairman  
Federal Election Commission  
Washington D.C. 20463

July 20, 2022

From: Christopher M. Theodore  
Friends of Chris Theodore  
5660 Tamarisk Way  
San Luis Obispo, CA 93401

C0076633

AF#: 4297

OFFICIAL DECLARATION OF CHRISTOPHER M. THEODORE

Dear Chairman Dickerson,

Thank you for your letter dated June 15, 2022.

I would have responded sooner but the letter did not reach me until July 15 as a result of an error in transmission. Following your instructions in your June 15 letter, I will share with you the basis of my challenge to the Reason To Believe (RTB) finding.

To start, I believe the general record will show a clear pattern of my earnest compliance with all FEC instructions, guidelines and deadlines. This can be verified through your call and email records which show I have consistently sought out information about compliance. This underscores the fact that I have taken the FEC's guidelines and deadlines quite seriously.

The FEC team did an exemplary job of returning my many calls (perhaps as many as twenty) that I have made, and of answering my many questions sent via email through the FEC website, and over the phone, assisting me with technical questions when it came to using the efile software.

As for the reason the late report,

During these events, I served as her primary care giver. These were emotional, scary days and her pain levels were very high. If you have ever been in a situation in which your spouse's life is on the line, you will understand why my report was late and my focus entirely on her. As soon as her condition stabilized, I filed the necessary paperwork and report.

Thank you for your kind consideration of my letter. I've endeavored to provide you the truest picture of our circumstances at the time in question. Please do not hesitate to contact me directly at \_\_\_\_\_ if you have any questions, which I will be happy to answer.

Best Regards,

A handwritten signature in black ink, appearing to read "Chris Theodore", written over a horizontal line.

Christopher M. Theodore



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 15, 2022

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

AF# 4297 – Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer (C00776633)

### **Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$5,190 civil money penalty.

### **Reason-to-Believe Background**

The 2022 April Quarterly Report was due on April 15, 2022. The respondents filed the report on April 28, 2022, 13 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 \$5,190 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 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' Challenge

On July 20, 2022, the Commission received the written response (“challenge”) from the Candidate who also serves as Treasurer. He notes the Committee’s pattern of compliance and requests the Commission’s consideration. He explains that in March and April 2022,

During these events, I served as her primary care giver. These were emotional, scary days and her pain levels were very high. If you have ever been in a situation in which your spouse’s life is on the line, you will understand why my report was late and my focus entirely on her. As soon as her condition stabilized, I filed the necessary paperwork and report.

## Analysis

The Candidate, who also serves as the Committee’s Treasurer, explains the 2022 April Quarterly Report was not timely filed because his wife experienced health complications prior to the April 15, 2022 filing deadline. The Reviewing Officer is sympathetic to the circumstances presented and recognizes these circumstances may have impacted 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, unavailability of the treasurer 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. Therefore, a “best efforts” defense does not succeed in this matter.

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)

The circumstances presented do not qualify as a “best efforts” defense because unavailability of the treasurer 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. 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 \$5,190 civil money penalty.

**OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4297 involving Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4297 that Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$5,190 civil money penalty; and
3. Send the appropriate letter.

**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 Friends of Chris Theodore :
  - A) Reason-to-Believe Letter, dated June 15, 2022, referencing the 2022 April Quarterly Report (sent via electronic mail to: ctheodore@reader.us and hello@reader.us).
4. I hereby certify that I have searched the Commission’s public records and find that Friends of Chris Theodore filed the 2022 April Quarterly Report with the Commission on April 28, 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 15<sup>th</sup> day of September, 2022.

*Ben Holly for Kristin D. Roser*

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



**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 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.
- 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 April Quarterly Report filed by Friends of Chris Theodore. The report includes the coverage period of January 1, 2022 through March 31, 2022 and was electronically filed on April 28, 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 15<sup>th</sup> day of September, 2022.



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

Friends of Chris Theodore

ADDRESS (number and street)

5660 Tamarisk Way



Check if different than previously reported. (ACC)

San Luis Obispo

CA

93401

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00776633

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

STATE ▼ DISTRICT

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

01 / 01 / 2022

through

M M / D D / Y Y Y Y

03 / 31 / 2022

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

Theodore, Chris, Mark, Mr.,

Type or Print Name of Treasurer

Signature of Treasurer

Theodore, Chris, Mark, Mr.,

[Electronically Filed]

Date

M M / D D / Y Y Y Y

04 / 28 / 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

PAGE 2 / 8

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name  
Friends of Chris Theodore

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  
03 31 2022

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans) (from Line 11(e)) ....	0.00	0.00
(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)) .....	0.00	0.00
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures (from Line 17) .....	0.00	0.00
(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)) .....	0.00	0.00
<b>8. Cash on Hand at Close of Reporting Period (from Line 27) .....</b>	4669.74	
<b>9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....</b>	200000.00	
<b>10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....</b>	222500.00	

## 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 / 8

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

Friends of Chris Theodore

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
03		31		2022

**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) .....

(ii) Unitemized .....

(iii) TOTAL of contributions from individuals ▶

**(b) Political Party Committees** .....**(c) Other Political Committees (such as PACs)** .....**(d) The Candidate** .....**(e) TOTAL CONTRIBUTIONS (other than loans)**  
(add Lines 11(a)(iii), (b), (c), and (d))..**12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES** .....**13. LOANS:****(a) Made or Guaranteed by the Candidate** .....**(b) All Other Loans** .....**(c) TOTAL LOANS**  
(add Lines 13(a) and (b)) .....**14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)** .....**15. OTHER RECEIPTS (Dividends, Interest, etc.)** .....**16. TOTAL RECEIPTS** (add Lines 11(e), 12, 13(c), 14, and 15)  
(Carry Total to Line 24, page 4) .....

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 8

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	0.00	0.00
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 .....	200000.00	200000.00
22. <b>TOTAL DISBURSEMENTS</b> (add Lines 17, 18, 19(c), 20(d), and 21) ►	200000.00	200000.00

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	204669.74
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24) .....	204669.74
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	200000.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	4669.74





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 16, 2022

Christopher Mark Theodore, in official capacity as Treasurer  
Friends of Chris Theodore  
5660 Tamarisk Way  
San Luis Obispo, CA 93401

C00776633  
AF# 4297

Dear Treasurer:

On June 13, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Chris Theodore 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 \$5,190 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](mailto: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

**RECEIVED**

By Office of the Commission Secretary at 3:21 pm, Dec 13, 2022

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE**

December 14, 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# 4297 – Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer (C00776633)

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 \$5,190 based on the schedule of penalties at 11 C.F.R. § 111.43. On July 20, 2022, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated September 15, 2022 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Candidate, who also serves as Treasurer, explained the 2022 April Quarterly Report was not timely filed because his wife was seriously ill, and he was serving as her primary caregiver. While sympathetic to their circumstances, the Reviewing Officer determined that the circumstances presented did not qualify as a “best efforts” defense because unavailability of the treasurer 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. 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 \$5,190 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 September 20, 2022, the Candidate requested more information, including legal interpretation and the Commission's precedent in similarly situated matters. *See* Attachment 1, pages 3-4. After consultation with the Commission's Office of the General Counsel, the Reviewing Officer provided the following response:

No step or process in the administrative fines program regulations authorizes the Commission to provide a respondent information or research on the legal interpretation of an issue in the respondent's preparation of a formal response to a ROR. *See* 11 C.F.R. §§ 111.30-111.46. Given the regulatory provisions, and the posture of the respondent and Commission staff in this matter, it would be inappropriate for me, as the Reviewing Officer, to conduct or provide research on your questions, nor would it be appropriate for me to provide any legal interpretation of specific facts posed by you. I encourage you to provide your best response to the ROR. This part of the review process is found in 11 C.F.R. § 111.35, and the administrative review process is generally located in 11 C.F.R. §§ 111.30-111.46 (links to eRegulations available at the bottom of [FEC | Legal | Administrative fines](#)).

You will be provided an additional 10 days to respond to the ROR. Your response must be received by October 13, 2022. Attachment 1, page 2.

On October 13, 2022, the Candidate provided a preliminary response to the ROR and requested an additional 10 days to fully respond. The Reviewing Officer advised the Candidate to submit a formal response by October 24, 2022. Further, if a formal response was not received by that date, the Candidate's October 13, 2022 response would serve as the Committee's formal response. *See* Attachment 1, pages 1-2. To date, the Commission has not received another response.

The Reviewing Officer considered the Candidate's October 13, 2022 response, in which he suggests "...life-threatening medical emergency circumstances are more akin to a disaster than circumstances that merely cause unavailability." While sympathetic to the circumstances presented, 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 \$5,190 civil money penalty.

### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4297 involving Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4297 that Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$5,190 civil money penalty; and
3. Send the appropriate letter.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 4297  
 Final Determination Recommendation: )  
 Friends of Chris Theodore and )  
 Christopher Mark Theodore, in their )  
 official capacity as Treasurer )  
 (C00776633) )

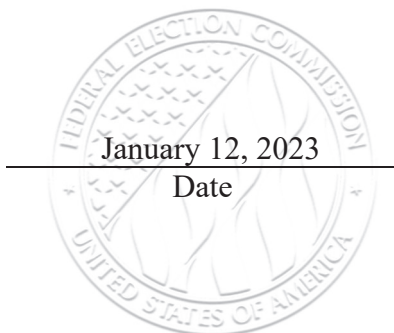
CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on January 11, 2023, the Commission decided by a vote of 6-0 to take the following actions in AF 4297:

1. Adopt the Reviewing Officer recommendation for AF# 4297 involving Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 4297 that Friends of Chris Theodore and Christopher Mark Theodore, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$5,190 civil money penalty.
3. 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: 2023.01.12 15:21:04 -05'00'

Vicktoria J. Allen  
 Acting Deputy Secretary of the  
 Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 13, 2023

Christopher Mark Theodore, in official capacity as Treasurer  
Friends of Chris Theodore  
5660 Tamarisk Way  
San Luis Obispo, CA 93401

C00776633  
AF# 4297  
\$5,190

Dear Christopher Mark Theodore:

On June 13, 2022, the Federal Election Commission (the "Commission") found reason to believe ("RTB") that Friends of Chris Theodore and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 April Quarterly Report. By letter dated June 15, 2022, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$5,190 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On July 20, 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 Friends of Chris Theodore 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 \$5,190 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on September 16, 2022.

On January 11, 2023, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Friends of Chris Theodore 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 \$5,190. 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 must submit a written petition requesting that the final determination be modified or set aside. This request must be made within

thirty (30) days of receipt of this letter and sent to the U.S. District Court for the district in which the committee or you reside or transact business. *See* 52 U.S.C. § 30109(a)(4)(C)(iii). If you did not timely raise a factual argument in a challenge to the Commission’s RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38.

## **2. If You Choose to Not Pay the Civil Money Penalty and to Not 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 thirty (30) days and do not appeal the Commission’s final determination to the U.S. District Court (see above), the Commission will transfer the debt to the U.S. Department of the Treasury (“Treasury”) for collection. Treasury will contact you to request payment within five (5) days of the receiving the debt. 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. 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 by Treasury to enforce recovery of a delinquent debt may also include: (1) offset of any payments, which 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, please follow the payment instructions below. You should make payment within thirty (30) days of receipt of this letter.

You may remit payment by Automated Clearinghouse (“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](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov’s Administrative Fine Program Payment form. Please use the details above to complete the required fields.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS****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.

**Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes 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. 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 thirty (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 black ink, appearing to read 'Dara Lindenbaum', with a stylized flourish at the end.

Dara Lindenbaum  
Chair