

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: October 15, 2009

ANALYST: Rhiannon Magruder

- I. COMMITTEE: Houston Fire Fighters Political Action Fund,
International Association of Fire Fighters
C00203497
Roland M. Chavez, Treasurer (10/23/04 – 12/20/06)
Michael Thorp, Treasurer (12/21/06 – 3/12/08)
Jeffery Caynon, Treasurer (3/13/08 – present)
1907 Freeman Street
Houston, TX 77009
- II. RELEVANT STATUTES: 2 U.S.C. § 434a
11 CFR § 104.5(c)(1)
11 CFR § 104.18
11 CFR § 111.31

III. BACKGROUND:

Failure to File Reports and Late Filing

The Houston Fire Fighters Political Action Fund, International Association of Fire Fighters (“the Committee”) failed to timely file reports disclosing \$56,068.50 in total receipts and \$76,950.00 in total disbursements during the 2005-2006 election cycle (Attachments 2 and 3).

During the 2005-2006 election cycle, the Committee received Notices of Failure to File (RQ-7s) for the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports (Attachment 4).¹

On April 15, 2008, a Committee representative, Jody Vizena, called the Reports Analysis Division (RAD) Analyst and discussed, among other things, the Committee’s failure to file the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports. During the

¹ The Committee filed the 2006 July Quarterly Report thirteen (13) days late. The Committee did not receive an RQ-7 for this report because it was filed prior to the 8/1/06 mailing of RQ-7s for the 2006 July Quarterly Report.

10190290323

discussion, Ms. Vizena indicated that the Committee had changes in staff over the past few years. The Analyst advised that the Committee file the missing reports (Attachment 5).

On May 6, 2008, Ms. Vizena called the RAD Analyst to provide an update of the Committee filing outstanding reports, among other things. The Analyst confirmed that the Committee is to file the missing reports, among other reports (Attachment 5).

On July 18, 2008, the RAD Analyst called Ginger Lopez, a Committee representative, and among other things, reminded Ms. Lopez that the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports had not yet been filed (Attachment 5).

On October 6, 2008, Ms. Vizena and Ms. Lopez called the RAD Analyst and mentioned that they would like to file paper amendments of other reports, which they would later electronically file. The Analyst advised that they also send in paper filings for the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports, which they would also need to file electronically (Attachment 5).

On October 21, 2008, the Committee submitted the 2006 October Quarterly and 2006 Year End Reports² on paper (Images 28039883647 and 28039883654). Since the Committee had crossed the mandatory electronic filing threshold during the 2006 April Quarterly reporting period, RAD sent the Committee Notices of Failure to File an Original Report in an Electronic Format (MS-Ps) on November 4, 2008, requiring them to re-file both reports (Images 28039913462-63). The paper reports were reclassified as Miscellaneous Reports to FEC (MS-Ts) on the public record (Attachment 6).

On December 9, 2008, the RAD Analyst called Ms. Lopez and left a message inquiring about the status of electronically filing the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports, among other reports. The Analyst acknowledged receipt of the paper filings, but reminded Ms. Lopez that they must now be filed electronically (Attachment 5).

On December 17, 2008, the RAD Analyst called Ms. Lopez and left a message inquiring about the status of electronically filing the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports (Attachment 5).

Also on December 17, 2008, the RAD Analyst attempted to contact Jeffery Caynon, Treasurer, to inquire about the status of electronically filing the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports. Mr. Caynon was unavailable, and the RAD Analyst was unable to leave a message (Attachment 5).

On January 8, 2009, the RAD Analyst called Ms. Lopez to inquire about the status of electronically filing the 2006 October Quarterly, 2006 30 Day Post-General and 2006 Year-End Reports. Ms. Lopez informed the Analyst that she hoped to have the reports, among others, electronically filed within a few weeks (Attachment 5).

² The Committee was required to file a 2006 30 Day Post-General Report covering 10/1/06-11/27/06 and a 2006 Year End Report covering 11/28/06-12/31/06. Instead, the Committee submitted a paper-filed 2006 Year End Report covering 10/1/06-12/31/06.

10190290324

On March 9, 2009, the Committee re-filed the 2006 October Quarterly and 2006 Year End Reports³ in electronic format, with no changes in activity from the paper-filed reports (Attachment 2).

To date, no further communication has been received from the Committee regarding this matter.

10190290325

³ The Committee was required to file a 2006 30 Day Post-General Report covering 10/1/06-11/27/06 and a 2006 Year End Report covering 11/28/06-12/31/06. Instead, the Committee filed a 2006 Year End Report covering 10/1/06-12/31/06.

**Houston Fire Fighters Political Action Fund, International Association of Fire Fighters
(C00203497)**

Overview of Additional Receipts/Disbursements

Report Type	Coverage Dates	Date Filed	Receipts	Disbursements	Image No.
2006 October Quarterly	7/1/06-9/30/06	3/9/09	\$18,145.50	\$28,500.00	29991684456
2006 30 Day Post-General ¹	10/1/06-11/27/06	3/9/09	\$23,907.98	\$42,500.00	29991684467
2006 Year End	11/28/06-12/31/06	3/9/09	\$14,015.02	\$5,950.00	29991684467
Total			\$56,068.50	\$76,950.00	

¹ The Committee was required to file a 2006 30 Day Post-General Report covering 10/1/06-11/27/06 and a 2006 Year End Report covering 11/28/06-12/31/06. Instead, the Committee filed a 2006 Year End Report covering 10/1/06-12/31/06. Not all activity reported on the 2006 Year End Report was itemized; therefore, RAD calculated and assigned a portion of the unitemized activity to the 2006 30 Day Post-General Report based on a per diem rate.

10190290326

**Houston Fire Fighters Political Action Fund, International Association of Fire Fighters
(C00203497)**

Administrative Fine Estimated Penalty Amounts

Report Type	Date Report Filed	Receipts	Disbursements	Estimated Penalty Amount
2006 October Quarterly	3/9/2009	\$18,145.50	\$28,000.00	\$1,400.00
2006 30 Day Post-General ¹	3/9/2009	\$23,907.98	\$22,500.00	\$900.00
2006 Year End	3/9/2009	\$14,015.02	\$4,500.00	\$500.00
Total		\$56,068.50	\$55,000.00	\$2,800.00

¹ Activity disclosed on 2006 Year End Report, see Attachment 2, Footnote 1.

10190290327

**Houston Fire Fighters Political Action Fund, International Association of Fire Fighters
(C00203497)**

Summary of Failure to File Notices (RQ-7s) Sent by RAD

Required Report	Coverage Dates Required	RQ-7 Mail Date	Image No.	Date Report Filed
2006 October Quarterly	7/1/06-9/30/06	11/2/06	26039263434	3/9/09
2006 30 Day Post-General	10/1/06-11/27/06	12/21/06	26039320719	3/9/09 ¹
2006 Year End	11/28/06-12/31/06	2/20/07	27039392401	3/9/09

10190290328

¹ Committee filed a 2006 Year End Report covering 10/1/06-12/31/06.