

OFFICE OF  
GENERAL COUNSEL

April 16, 2018

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

2018 APR 23 AM 11: 51

MUR # 7335

Supplement

Dear General Counsel:

I am seeking immediate investigation and enforcement action against Keep El Paso Honest (C00660076) and the treasurer of Keep El Paso Honest, Lindsey Workman, for failing to meet reporting obligations in the Texas-16 congressional race.

**Complaint:** As of the date of this complaint, Keep El Paso Honest, a Super PAC, has failed to file the April 15 Quarterly report. This failure along with other failures to meet its reporting obligations in the congressional race in Texas-16 and comments to the media indicate a clear pattern of disregard for campaign finance laws. I have alerted the FEC to these other failures to report in Complaint MUR 7335.

These other failures highlighted in Complaint MUR 7335 include:

- Failing to file year-end report timely.
- Failing to file 12-day pre-election report due on February 22, 2018.
- Failing to report aggregate independent expenditures in excess of \$10,000 despite having spent more than \$10,000 on communication that has been publicly disseminated via broadcast advertising. Even after being alerted by an El Paso Times reporter that they had missed their reporting requirements, Keep El Paso Honest failed to file 48-hour independent expenditure reports alerting the public to expenditures in excess of \$10,000.

**Facts:**

1. As of the date of this complaint, Keep El Paso Honest has not filed its April 15 Quarterly Report.
2. Keep El Paso Honest was very active in the March 6 Democratic primary, raising and spending money. Expenditures included TV production, advertizing on TV, billboards and sponsored digital ads. According to Carlos Sierra, a spokesperson for Keep El Paso Honest, they raised at least \$125,000 and spent more than \$10,000. In addition, public records from Television stations indicate that \$20,245 was spent by Keep El Paso Honest on advertising.
3. Because of Keep El Paso Honest's failure to report, the public has no way to know who funded the Super PAC and what expenditures were made.

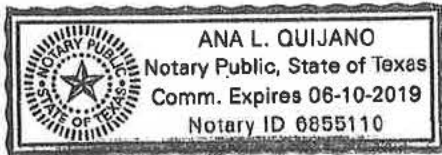
Sincerely,



Veronica Escobar

El Paso, Texas 79930

SWORN TO AND SUBSCRIBED before me on this 16<sup>th</sup> day of April, 2018 by  
Veronica Escobar.



  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
STATE OF TEXAS

**Additional information provided in this complaint:**

- Keep El Paso Honest's advertising spend on television.
- Keep El Paso Honest's Statement of Organization filed on 11/7/2017 identifying Lindsey Workman as the Treasurer. Her mailing address is 5635 Middle Falls Street, Dublin, OH 43016. Her email address is [lindseyworkman8@gmail.com](mailto:lindseyworkman8@gmail.com) and her phone number is 614-372-9249.
- Miscellaneous Report filed by Keep El Paso Honest's Treasurer, Lindsey Workman, stating their intent to make independent expenditures filed on 12/13/2017.
- *El Paso Times* article titled "Anti-Escobar PAC fails to report campaign spending on advertisements," February 16, 2018. In this article, Carlos Sierra admits that the PAC has spent more than \$10,000 and has raised \$125,000.
- *El Paso Times* titled, "Congressional candidate Veronica Escobar files complaint against Keep El Paso Honest PAC." In article, Carlos Sierra says voters don't care about whether or not Keep El Paso Honest follows campaign finance laws.

PAC: Keep El Paso Honest				
TELEVISION				
Start Date	End Date	M	STATION / SYS	Gross \$
1/19/18	1/28/18	KV	KVIA-TV	\$1,680.00
1/19/18	1/28/18	NE	KDBC-TV	\$2,020.00
1/19/18	1/28/18	PH	KFOX-TV	\$2,605.00
1/19/18	1/28/18	PH	KTSM-TV	\$4,000.00
1/29/18	2/5/18	KV	KVIA-TV	\$1,680.00
1/29/18	2/5/18	NE	KDBC-TV	\$2,265.00
1/29/18	2/5/18	PH	KFOX-TV	\$2,920.00
1/29/18	2/5/18	PH	KTSM-TV	\$3,075.00
Total Candidate Spend				\$20,245.00

Image# 201711079086615374

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**FEC  
FORM 1****STATEMENT OF  
ORGANIZATION**

Office Use Only

1. NAME OF  
COMMITTEE (in full)(Check if name  
is changed)Example: If typing, type  
over the lines.

12FE4M5

Keep El Paso Honest

ADDRESS (number and street)

8001 N. Mesa

(Check if address  
is changed)

PMB 223

El Paso

CITY ▲

TX

STATE ▲

79932

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address  
is changed)

info@keepelpasohonest.com

Optional Second E-Mail Address

lindseyworkman8@gmail.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address  
is changed)

2. DATE

M M / D D / Y Y Y Y  
11 07 2017

3. FEC IDENTIFICATION NUMBER ►

C C00660076

4. IS THIS STATEMENT \*

NEW (N)

OR

AMENDED (A)

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

Type or Print Name of Treasurer Workman, Lindsey, Ms.

Signature of Treasurer

Workman, Lindsey, Ms.

[Electronically Filed]

Date

M M / D D / Y Y Y Y  
11 07 2017NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.  
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.Office  
Use  
OnlyFor further information contact:  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-694-1100**FEC FORM 1**  
(Revised 06/2012)

Image# 201711079086615375

FEC Form 1 (Revised 02/2009)

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## 5. TYPE OF COMMITTEE

**Candidate Committee:**

- (a) ☐ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of  
CandidateCandidate  
Party AffiliationOffice  
Sought:

House

Senate

President

State

District

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of  
Candidate**Party Committee:**

- (d) ☐ This committee is a ☐ (National, State or subordinate) committee of the ☐ (Democratic, Republican, etc.) Party.

**Political Action Committee (PAC):**

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:

Corporation

Corporation w/o Capital Stock

Labor Organization

Membership Organization

Trade Association

Cooperative

In addition, this committee is a Lobbyist/Registrant PAC.

- (f) ☒ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

In addition, this committee is a Lobbyist/Registrant PAC.

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

**Joint Fundraising Representative:**

- (g) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

**Committees Participating in Joint Fundraiser**

1.  FEC ID number C
2.  FEC ID number C
3.  FEC ID number C
4.  FEC ID number C

Image# 201711079066615376

FEC Form 1 (Revised 02/2009)

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Write or Type Committee Name

Keep El Paso Honest

## 6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship:

Connected Organization

Affiliated Committee

Joint Fundraising Representative

Leadership PAC Sponsor

## 7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Workman, Lindsey, , Ms.

Mailing Address

5635 Middle Falls St

Dublin

OH

43016

Title or Position

CITY

STATE

ZIP CODE

Telephone number

614

372

9249

## 8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer

Workman, Lindsey, , Ms.

Mailing Address

5635 Middle Falls St

Dublin

OH

43016

Title or Position

CITY

STATE

ZIP CODE

Telephone number

614

372

9249



Image# 201711079086615377

FEC Form 1 (Revised 02/2009)

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Full Name of  
Designated  
Agent

Mailing Address

Title or Position

Telephone number

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

PNC Bank

Mailing Address

4640 Cemetery Rd

Hilliard

OH

43026

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE

Image# 201712139089185747

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NAME OF COMMITTEE (In Full)  
KEEP EL PASO HONESTFEC IDENTIFICATION NUMBER  
C00660076Mailing Address 8001 N. MESA  
PMB 223

City	State	ZIP Code
EL PASO	TX	79932

Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463

Re: Form 1, Statement of Organization?Unlimited Contributions

To Whom It May Concern:

This committee intends to make independent expenditures, and consistent with the U.S. Court of Appeals for the District of Columbia Circuit decision in *SpeechNow v. FEC*, it therefore intends to raise funds in unlimited amounts. This committee will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to federal candidates or committees.

Respectfully submitted,  
lindsey workman

\*\*\*\*\*



# Anti-Escobar PAC fails to report campaign spending on advertisements

Madlin Mekelburg, USA Today Network Austin Bureau Published 3:25 p.m. MT Feb. 16, 2018



(Photo: RUBEN R. RAMIREZ/EL PASO TIMES FILE)

AUSTIN — A smiling portrait of former County Judge Veronica Escobar looks out at passersby from two identical billboards, positioned at intersections in different parts of El Paso's congressional district.

The text reads: "I doubled my salary and raised your taxes. We good?"

The billboards were purchased by a new political action committee called Keep El Paso Honest, which was formed last year with one objective in mind: ensure that Escobar is not elected to replace U.S. Rep. Beto O'Rourke in Congress.

**More:** [What you need to know about the March primary election in Texas \(/story/news/2018/02/12/what-you-need-know-voter-guide-march-2018-primary-election-el-paso/1066406001/\)](https://www.elpasotimes.com/story/news/2018/02/12/what-you-need-know-voter-guide-march-2018-primary-election-el-paso/1066406001/)

The political action committee has spent more than \$10,000 in advertising this year, but has failed to report those expenditures to the Federal Election Commission, a violation of campaign finance laws, according to two experts.

"They are not following the guidelines that are prescribed by the FEC," said Victoria Farrar-Myers, a senior fellow at Southern Methodist University's Tower Center for Political Studies.

Under federal campaign finance laws, any candidate or PAC that spends more than \$10,000 in a calendar year on communications to advocate for or against a particular candidate is required to submit a "48-Hour Report" detailing those expenses.

The Keep El Paso Honest Super PAC has submitted no such reports, even though Carlos Sierra, the political consultant behind the PAC, said they have spent over \$10,000.

"Since January 1, yes," Sierra said. "We have spent more than \$10,000."

Roger Borgelt, an Austin-based attorney who focuses on government-related issues, said the failure of the political action committee to disclose its spending, as required by law, is worrisome.

"That sounds like a problem to me," Borgelt said.

Sierra is amplifying his advertising efforts as the March 6 primary election draws closer, buying ad space on local television channels and radio stations, sending fliers to residents through the mail and purchasing billboard displays. The PAC supports former EPISD board president Dori Fenenbock.

Sierra said Super PACs like his are only required to file quarterly and monthly reports, but then referred questions to his attorneys, saying they are responsible for handling his campaign finance reports and he might not be aware of all the requirements.

"My attorneys handle that," he said. "That's not what I personally do. I just buy everything, design everything and run the PAC. I don't do the filings, the reporting. That's not what I do. My attorney can answer anything having to do with FEC and the filings."

Matthew Sanderson, the attorney Sierra identified, would not confirm that he represented Sierra or the Keep El Paso Honest PAC.

## Heated race for Congress

While the district is seen as safely blue and is not counted among the few competitive Texas congressional races this cycle, the battle between the six Democrats running to fill the seat has been a tough one, verging on hostile.

Escobar and the five other Democrats vying to represent El Paso's 16th congressional district have been fighting a tough campaign and have collectively raised at least \$1.5 million ([/story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/](https://www.elpasotimes.com/story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/)) to spend on campaign operations and advertising efforts.

That is separate from the money being raised and spent by Keep El Paso Honest.

Escobar said the PAC is working with Fenenbock to craft its message, using information her campaign shared with a blogger to build its attack ads.

"Keep El Paso Honest is a Republican Super PAC that is misleading voters to elect their candidate Dori Fenenbock," Escobar said.

Fenenbock said her campaign is not involved with the Keep El Paso Honest PAC, but said they are raising "important questions."

"They have raised some serious issues and concerns that I am hearing in the community as well, and people want answers," Fenenbock said.

Escobar and Fenenbock are the financial frontrunners in the crowded Democratic field vying for the seat. Escobar raised \$609,148 in 2017 and Fenenbock raised \$263,000 in contributions and loaned herself \$300,000.

Other candidates running in the Democratic Primary include former state Rep. Norma Chávez, immigration attorney Enrique Garcia, KTEP public radio executive John Carrillo, and retired Army Maj. Jerome Tilghman.

Republicans Alia Garcia-Ureste and Rick Seeberger are also competing for the seat.

Buy Photo



Seven candidates vying for the 16th Congressional District of Texas seat attend a candidate forum sponsored by the WE (fillintheblank) student political group from Coronado High School on Feb. 13. They are from left: Jerome Tilghman, Norma Chávez, Rick Seeberger, Veronica Escobar, Alia Garcia-Ureste, Dori Fenenbock and Enrique Garcia. (Photo: RUDY GUTIERREZ/EL PASO TIMES)

**More:** [Political consultant Carlos Sierra's PACs target Veronica Escobar's bid for Congress \(/story/news/politics/2017/11/16/el-paso-political-consultant-says-hes-out-ensure-escobar-loses-congressional-race/868998001/\)](https://www.elpasotimes.com/story/news/politics/2017/11/16/el-paso-political-consultant-says-hes-out-ensure-escobar-loses-congressional-race/868998001/)

## Federal Reporting Laws

Campaign finance reports that have been submitted to the Federal Election Commission shed little light on the Keep El Paso Honest PAC and its operations.

The PAC's reports for 2017 show that the group raised just \$250 and had a \$148 deficit at the end of December.

The only contribution listed was \$250 from Renegade Public Affairs, Sierra's political consulting firm. The only expense listed is \$250 paid to Renegade Public Affairs.

Sierra said he has now raised about \$125,000, but declined to name specific donors.

"They're all El Paso donors," he said. "I've given myself, obviously. I paid for the website and getting everything up and running, so I probably have about \$10,000 from myself and the rest is El Paso donors."

A report detailing spending from Jan. 1 through Wednesday is due to the Federal Election Commission on Feb. 22, a deadline Sierra said the committee would meet. His paperwork detailing his campaign finance information for the end of last year was submitted six days late.

More: [Escobar, Fenenbock raise combined \\$1.5 million, have more than \\$400,000 each in bank \(/story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/\)](#)

Farrar-Myers said Sierra could face penalties for failing to file spending reports on advertising money he spent this year, whether he realized he needed to submit the reports or not.

"Ignorance is no defense in the law," she said.

In order for Sierra to face penalties or fines, someone would have to report him to the Federal Election Commission, Farrar-Myers said. As a regulatory body, it does not pursue potential violations but investigates reports of wrongdoing.

But it might be too late for a complaint to make a difference, she said. Early voting starts on Feb. 20.

"This person is probably calculating a risk which says the FEC can fine me, but they don't take me out of the game," Farrar-Myers said. "We're so close to the primaries being decided that the risk and rewards scenario is the issue here."

Borgelt said the commission is not set up to handle these complaints quickly, which means most complaints are filed so a candidate can tell voters they took action — not because they expect to see results.

"That's why so much of the complaints that go on with the FEC and Texas Ethics Commission are for purely political purposes," he said. "Everybody kind of knows that nothing is going to happen until the election is over."

Brandon Rottinghaus, a political science professor at the University of Houston, said groups like the Keep El Paso Honest PAC have the ability to "rampage through an election," especially a primary contest where less voters come to the polls.

"In general, these kind of PACs have the potential to have a pretty dramatic impact on elections," he said. "These groups can serve as an accelerant in competitive races and magnify issues in a district."

Even though Fenenbock said her campaign is not affiliated with the Keep El Paso Honest PAC, Rottinghaus said she can capitalize on their messaging by using arguments it raises for her own campaign, and vice versa.

"The line of demarcation between the messaging from various groups is very thin," Rottinghaus said. "They can't officially coordinate, but it doesn't mean that the PAC can't see what line of argument is working and what line of argument is being pitched and follow up on it. That's a line that, at this point, is too murky to be actionable but is definitely something the campaigns need to walk carefully."



**DORI FENENBOCK** (Photo: RUBEN R. RAMIREZ/EL PASO TIMES)

**More:** [House Democratic Whip talks DACA, endorsement of Escobar \(/story/news/politics/2018/01/25/house-democratic-whip-talks-dreamers-endorsement-veronica-escobar/1065917001/\)](https://www.elpasotimes.com/story/news/politics/2018/01/25/house-democratic-whip-talks-dreamers-endorsement-veronica-escobar/1065917001/)

## Ads against Escobar

Sierra said Escobar became his "enemy" after the 2013 mayoral race in El Paso.

During the election, Sierra said he backed former Mayor Oscar Leeser and Escobar supported former city Rep. Steve Ortega, who ended up losing to Leeser. Sierra said Escobar attacked him personally after the election.

"I've never met Veronica Escobar," he said. "After that race, with Oscar and Steve Ortega, she became my enemy, not from my choosing but because we won the race."

Sierra is president of Sierra Public Affairs and is a partner at Renegade Public Affairs, which both offer consulting services to candidates seeking political office.

Sierra said he worked for Arizona Republican John McCain's presidential campaign in 2000 and continued to work in his office for 10 years. In 2016, Sierra said he was a field organizer for Libertarian candidate Gary Johnson, the former governor of New Mexico.



**VERONICA ESCOBAR** (Photo: RUBEN R. RAMIREZ/EL PASO TIMES FILE)

So far, ads from Sierra's PAC have attacked Escobar's record in El Paso's County government, claiming that she doubled her salary and that taxes saw a drastic increase under her leadership.

Escobar's salary was \$50,000 a year when she first took office as county commissioner in 2007. Her salary increased significantly when she was elected County Judge, which is a higher paying position than that of commissioners.

In Aug. 2016, Commissioners Court voted for salary increases that included raising the County Judge's annual salary from \$87,577 to \$112,000.

The pay increases were part of a staff recommendation to raise county elected officials' salaries to the 70 percent market level of what other 10 largest counties in Texas pay. A survey in 2016 indicated that of 11 positions studied, including County Judge and commissioners, eight were behind market levels when compared to other counties.

Escobar voted against the raise and said she couldn't vote for a salary increase for herself. Last year, the Commissioners Court gave itself a 1 percent pay increase bumping Escobar's salary to \$103,020 a year. Escobar and County Commissioner Carlos Leon were absent for the vote.

Escobar said her salary was similar to her predecessor who left office making \$98,000 a year.

"I ran for that seat and was elected to that office by the voters — and the position of county judge carries with it greater responsibility, duties and representation of more people, and a higher salary," Escobar said in an email. "But of course, they won't tell you that because it doesn't fit their narrative."

The other charge raised by the group is that Escobar raised property taxes while in office, without voter approval.

During Escobar's tenure, the County Commissioners Court approved more than \$250 million in certificates of obligation, including \$110 million in 2012 to improve the county's infrastructure and \$152 million to build the primary care clinics for the University Medical Center. The certificates of obligation don't require voter approval and are paid back through property taxes.

Property tax rates for the county and county hospital district have fluctuated since Escobar joined the Commissioners Court in 2007.

The County tax rate dropped by 2.1 cents per \$100 property valuation between fiscal year 2008 and 2010, before increasing by 8.9 cents through 2014. Since then, the tax rate has remained flat.

Escobar said she voted to increase taxes and said the property tax increases were "investments used to expand access to healthcare, improve public safety and improve quality of life."

*El Paso Times reporter Aileen Flores contributed to this report.*

*Madlin Mekelburg is a reporter with the USA Today Network Austin Bureau; she may be reached at 512-479-6606; mmekelburg@elpasotimes.com; @madlinmek on Twitter.*

Read or Share this story: <http://www.elpasotimes.com/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/>

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# Congressional candidate Veronica Escobar files complaint against Keep El Paso Honest PAC

Madlin Mekelburg, USA Today Network Austin Bureau Published 3:09 p.m. MT Feb. 26, 2018 | Updated 4:22 p.m. MT Feb. 26, 2018



(Photo: RUBEN R. RAMIREZ/EL PASO TIMES FILE)

AUSTIN — Veronica Escobar on Monday asked the Federal Election Commission to investigate a political action committee that has targeted her campaign for El Paso's congressional seat.

The Keep El Paso Honest PAC submitted a campaign finance report to federal authorities six days late and has failed to file at least two subsequent reports required by campaign finance laws — the basis of Escobar's complaint.

"Keep El Paso Honest is neither honest nor law abiding; their name is somewhat of a misnomer," Escobar said in an interview. "There are rules and laws in place for a reason, and people who choose to run campaigns that fly in the face of those laws should be held accountable."

**More:** [Anti-Escobar PAC fails to report campaign spending on advertisements](http://www.elpasotimes.com/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/)  
([/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/](http://www.elpasotimes.com/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/))

The Keep El Paso Honest PAC, which was formed late last year, is campaigning hard against Escobar and endorsed another Democrat in the race to replace U.S. Rep. Beto O'Rourke: Dori Fenenbock, a former president of the El Paso Independent School District board of trustees.

Carlos Sierra, the political consultant behind the PAC, said voters aren't concerned with whether his PAC is following federal guidelines.

Instead, he said, El Pasoans are concerned about Escobar's record while she was county judge and the fact that she took a pay increase while raising property taxes — claims that feature prominently in the PAC's advertising materials ([/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/](http://www.elpasotimes.com/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/)) but contain some factual inaccuracies.



"I have personally spoken to and heard from thousands of voters in Congressional District 16," Sierra said in an email. "Not once have they asked or brought up filing an FEC report a few days late. ... The voters are genuinely concerned with Veronica going to Congress because everything she touches ends up failing."

Escobar and Fenenbock are the financial front-runners in a field of six Democrats fighting to represent Texas' 16th congressional district. Former state Rep. Norma Chávez, immigration attorney Enrique Garcia, KTEP public radio executive John Carrillo and retired Army Maj. Jerome Tilghman also are in the running.

Republicans Alia Garcia-Ureste and Rick Seeberger also are competing for the seat.

**More:** [Political consultant Carlos Sierra's PACs target Veronica Escobar's bid for Congress \(/story/news/politics/2017/11/16/el-paso-political-consultant-says-hes-out-ensure-escobar-loses-congressional-race/868998001/\)](#)

Candidates running for federal office are required to submit information about their fundraising and expenses to the Federal Election Commission, as are political action committees.

They are required to submit quarterly reports detailing their spending and additional reports. Early voting in Texas ends March 2 and the primary election is March 6.

**More:** [El Paso Democratic voter turnout up 86 percent over 2014 on first day of early voting \(/story/news/politics/elections/2018/02/21/first-day-early-voting-march-primary-sees-large-increase-democratic-party/360043002/\)](#)

The Keep El Paso Honest PAC submitted a report for the last fundraising quarter of 2017 six days after the deadline and it showed that the committee raised only \$250 and had a \$148 deficit at the end of December.

Sierra said the committee has raised at least \$125,000 since then, but no reports reflecting this fundraising have been filed.

A pre-primary campaign finance report was due to the Federal Election Commission on Thursday, detailing fundraising and spending for the first 44 days of 2018. As of Monday afternoon, the PAC had not yet filed the report.

Campaign finance laws also require candidates or political action committees to submit "48-hour reports" to the election commission if they spend more than \$10,000 in a calendar year on communications that advocate for or against a candidate for office.

The Keep El Paso Honest PAC has filed no such reports, even though the political consultant behind the organization said earlier this month that it has spent more than \$10,000 this year.

"Since Jan. 1, yes," Sierra said earlier this month. "We have spent more than \$10,000."

**More:** [Hear from the Democratic candidates running for the 16th Congressional District seat \(/story/news/politics/elections/2018/02/20/democratic-candidates-running-16th-congressional-district/355312002/\)](#)

The PAC has aired television ads, sent flyers through the mail and rented billboards in different parts of the city since it was established.

As a regulatory agency, the Federal Election Commission only investigates violations of campaign finance laws when it receives a formal complaint from an individual or receives a referral from another government agency or its own audit division.

Once a complaint is filed, the commission contacts the candidate or PAC in question and gives them 15 days to either correct the complaint or explain why no action should be taken by the commission, [according to a guidebook on FEC policies \(https://transition.fec.gov/em/respondent\\_guide.pdf\)](https://transition.fec.gov/em/respondent_guide.pdf).

A committee can be fined if it doesn't file reports on time, doesn't file reports at all or fails to file required 48-hour reports. The entire process can take as long as six months.

Although it is unlikely action will be taken on the complaint until well after the primary, Escobar said she wants to protect future candidates from the committee.



"I absolutely know that nothing will happen in time for our election or before March 6," she said. "My hope is that they can't do this to somebody else again without consequences."

**More:** [What you need to know about the March primary election in Texas \(story/news/2018/02/12/what-you-need-know-voter-guide-march-2018-primary-election-el-paso/1066406001/\)](http://www.elpasotimes.com/story/news/2018/02/12/what-you-need-know-voter-guide-march-2018-primary-election-el-paso/1066406001/)

But Victoria Farrar-Myers, a senior fellow at Southern Methodist University's Tower Center for Political Studies, said the Federal Election Commission can't ensure compliance in the future.

Even if the commission finds that the committee violated the law and decides to levy a fine, there is no mechanism to ensure that the committee actually pays the fine or starts abiding by the law.

"The FEC is a political body and it has no enforcement power," Farrar-Myers said. "Even if it is to rule, it wouldn't stop this behavior in the future."

It could serve as the basis for future reforms at the commission, as Farrar-Myers said previous changes to policy were enacted after similar issues were raised across a number of cases.

"Short term, it's not as satisfying, perhaps because there really isn't winning this case," she said. "Yes, you win it. But it's a more hollow win."

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