



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

September 16, 2022

**Via Email**

Robert George Lucero, Jr.

Culver City, CA 90232

RE: MUR 7905 (Robert Lucero)

Dear Mr. Lucero:

On September 13, 2022, the Federal Election Commission accepted the signed conciliation agreement and civil penalty in settlement of violations of 52 U.S.C. §§ 30102(c), 30102(d), and 30104(b), and 11 C.F.R. §§ 102.9, 104.3(a), 104.3(b) and 104.14 of the Federal Election Campaign Act of 1971, as amended and Commission regulations. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 90 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1021.

Sincerely,

*Richard Weiss*

Richard L. Weiss  
Attorney

Enclosure  
Conciliation Agreement

# **BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

Robert George Lucero Jr.

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MUR 7905

## **CONCILIATION AGREEMENT**

This matter was initiated by a signed, sworn, and notarized Complaint. The Commission found reason to believe that Robert George Lucero Jr. ("Respondent") in his personal capacity violated 52 U.S.C. §§ 30102(c), 30102(d), and 30104(b) and 11 C.F.R. §§ 102.9, 104.3(a), 104.3(b) and 104.14 by failing to keep complete records and file accurate reports with the Commission.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
  1. UtePAC (the "Committee") is a political committee within the meaning of 52 U.S.C. § 30101(4).
  2. Respondent was the treasurer and director of the Committee from September 2016, to February 26, 2020.

3. The Act and Commission regulations require treasurers to accurately keep a record of and report receipts and disbursements. 52 U.S.C. §§ 30102(c), 30104(b); 11 C.F.R. §§ 102.9(b), 104.3(a)-(b).

4. Respondent understated total receipts by \$248,162 and total disbursements by \$255,268 in UtePAC's 2017 and 2018 reports; failed to maintain contribution documentation to support the receipt of \$202,912; failed to maintain invoices or receipts to support \$93,742.85 of disbursements; failed to keep records for \$140,675.84 of disbursements; and failed to properly disclose the correct payee or correct memo text indicating disbursement was from a non-contribution account of \$94,998.32 of disbursements.

5. Respondent further understated total receipts and disbursements on reports filed with the Commission between January 2019 and February 2020. UtePAC made at least \$317,619.98 in disbursements during this time period, but only disclosed \$10,606.30 in total receipts and \$20,943.61 in total disbursements for the entire 2019-2020 election cycle.

6. Respondent did not keep records of his disbursements and deposits.

7. Respondent contends he had insufficient financial and staff resources to perform his duties as treasurer. Respondent further contends that he made attempts to obtain further help and support from UtePac to improve accounting standards and compliance with the recordkeeping and disclosure requirements of the Act. Respondent contends that his requests were ignored.

V. Respondent committed the following violations:

1. Respondent in his personal capacity violated 52 U.S.C. §§ 30102(c), 30102(d), and 30104(b) and 11 C.F.R. §§ 102.9, 104.3(a), 104.3(b) and 104.14 by failing to keep complete records and file accurate reports with the Commission.

VI. Respondent will take the following actions:

1. Respondent will pay a civil penalty of Three Thousand Five Hundred Dollars (\$3,500) pursuant to 52 U.S.C. § 30109(a)(5)(B).

2. Respondent will cease and desist from violating 52 U.S.C. §§ 30102(c), 30102(d), and 30104(b) and 11 C.F.R. §§ 102.9, 104.3(a), 104.3(b) and 104.14.

3. Respondent, through the submission of financial documentation to the Commission, has indicated that although financial hardship prevents him from paying the full civil penalty to the Commission, he is able to pay a substantially reduced civil penalty of Three Thousand Five Hundred Dollars (\$3,500). The Commission regards this submission as a material representation. Due to Respondent's financial condition, the Commission agrees to depart from the civil penalty that it would normally seek for the violations at issue, and the Commission agrees that the reduced civil penalty of \$3,500 shall be due. If evidence is uncovered indicating that the Respondent's financial condition is not as stated, a total civil penalty of Thirty-Three Thousand Dollars (\$33,000), which represents the amount the Commission would ordinarily seek for the violations the Respondent committed, shall be immediately due, pursuant to 52 U.S.C. § 30109(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.



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IX. Respondent shall have no more than ninety (90) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

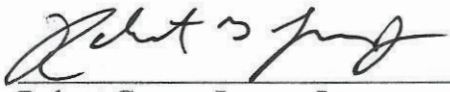
FOR THE COMMISSION:

Lisa Stevenson  
Acting General Counsel

BY: **Charles  
Kitcher** Digitally signed  
by Charles Kitcher  
Date: 2022.09.16  
12:40:01 -04'00'

Charles Kitcher  
Associate General Counsel  
for Enforcement

9/16/22  
Date

  
Robert George Lucero Jr.  
Respondent

8-8-22  
Date