



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1420

DATE SCANNED 6/6/07

SCANNER NO. 1

SCAN OPERATOR SES

27092601460



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2005 AUG 19 1P 1:49

SENSITIVE

August 19, 2005

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR *[Signature]*

ROBERT J. COSTA *[Signature]*
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON *[Signature]*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REASON TO BELIEVE RECOMMENDATION - 2005 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE
FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2005 July Quarterly Report in accordance with 2 U.S.C. 434(a). On June 20, 2005, Prior Notice was sent to all authorized committees and their treasurers, informing them that the July Quarterly Report was due on July 15, 2005. The July Quarterly Report is required to cover the time frame from April 1, 2005 through June 30, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, these committees should be assessed the civil money penalties highlighted on the report attached.

Recommendation

- (1) Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(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 RTB mailgrams.

27092601461

27092601462

DATE 08/19/2005
PAGE: 1

FEDERAL ELECTION COMMISSION 2005-2006
Reason to Believe Circulation Report
2005 JULY QUARTERLY

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01414	KURITA FOR US SENATE	C00409060	GEORGE I KURITA	07/21/2005	6	\$129,237	\$401,535	IN	KURITA, ROSALIND	No	0	\$1,350
AF01415	COMMITTEE FOR A BETTER FUTURE	C00402958	WHITNEY BURNS			\$177,789 (est)	\$177,789	MI	STABENOW, DEBBIE	No	0	\$5,500
AF01417	STEPHANIE SUMMERS O'NEAL FOR US CONGRESS	C00395863	DEORAH JOHNSON THORNTON			\$110,474 (est)	\$110,474	MS	SUMMERS-O'NEAL, STEHPANIE	No	4	\$9,000
AF01418	LIFFRIG FOR SENATE	C00399618	KEN KRUMM			\$126,912 (est)	\$761,476	ND	LIFFRIG, MICHAEL GEORGE	No	1	\$5,625
AF01419	JAMES A GARNER CONGRESSIONAL COMMITTEE	C00392506	LOUIS M EUSTACHE			\$135,673 (est)	\$678,368	NY	GARNER, JAMES A	No	2	\$6,750
AF01420	COMITE PRATS AL CONGRESO INC	C00387662	JOSE JOAQUIN LEDESMA ESQ			\$222,873 (est)	\$2,228,736	PR	PRATS PALERM, ROBERTO L	No	0	\$6,500
AF01421	CHRISTENSEN 4 CONGRESS	C00393462	LAURA BESKAR			\$110,694 (est)	\$442,778	TX	CHRISTENSEN, GENE	No	1	\$5,625
AF01422	SOCAS FOR CONGRESS	C00399345	ANDREW T O'DELL			\$458,073 (est)	\$1,832,292	VA	SOCAS, JAMES ROBERT	No	2	\$14,250

FEDERAL ELECTION COMMISSION
Reason to Believe Circulation Report
2005 JULY QUARTERLY

AF # COMMITTEE NAME COMMITTEE ID RECEIPT DATE TREASURER DAYS LATE STATE THRESHOLD AMOUNT LEVEL OF ACTIVITY CANDIDATE NAME SENSITIVE PREVIOUS VIOLATIONS CIVIL MONEY PENALTY

AF01423 MAGNUM FOR CONGRESS
C00401067
Not Filed
WI \$1,327,097
\$221,182 (est)
MAGNUM, DAVID ROBERT
No 0
\$6,500



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, August 22, 2005 11:00

BALLOT DEADLINE: Thursday, August 25, 2005 4:00

COMMISSIONER: MASON, McDONALD, THOMAS, TONER, WEINTRAUB

SUBJECT: **Reason to Believe Recommendation – 2005 July Quarterly Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated August 19, 2005.**

- I approve the recommendation(s)
- I object to the recommendation(s)
- I approve the recommendations except those following to which I object (please insert AF#)

- I approve the recommendations except those following in which I abstain (please insert AF#)

- I approve the recommendations except those following in which I am recused (please insert AF#)

- I am not voting on this tally.

A definite vote is required. All ballots must be signed and dated. Please return **ONLY THE BALLOT** to the Commission Secretary. Please return ballot no later than date and time shown above.

DATE: _____ SIGNATURE: _____

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

2709260146A

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2005)
July Quarterly Report for the)
Administrative Fines Program:)

KURITA FOR US SENATE, and GEORGE) AF# 1414
I KURITA as treasurer;)
COMMITTEE FOR A BETTER FUTURE,) AF# 1415
and WHITNEY BURNS as treasurer;)
STEPHANIE SUMMERS O'NEAL FOR) AF# 1417
US CONGRESS, and DEBORAH)
JOHNSON THORNTON as treasurer;)
LIFFRIG FOR SENATE, and KEN) AF# 1418
KRUMM as treasurer;)
JAMES A GARNER CONGRESSIONAL) AF# 1419
COMMITTEE, and LOUIS M EUSTACHE)
as treasurer;)
COMITE PRATS AL CONGRESO INC,) AF# 1420
and JOSE JOAQUIN LEDESMA ESQ as)
treasurer;)
CHRISTENSEN 4 CONGRESS, and) AF# 1421
LAURA BESKAR as treasurer;)
SOCAS FOR CONGRESS, and ANDREW) AF# 1422
T O'DELL as treasurer;)
MAGNUM FOR CONGRESS, and DIEHL,) AF# 1423
THOMAS as treasurer;)

27092601465

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 25, 2005 the Commission took the following actions on the Reason To Believe Recommendation - 2005 July Quarterly Report for the Administrative Fines Program as recommended in the Reports Analysis Division's Memorandum dated August 19, 2005, on the following committees:

AF#1414 Decided by a vote of 4-0 to: (1) find reason to believe that KURITA FOR US SENATE, and GEORGE I KURITA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1415 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE FOR A BETTER FUTURE, and WHITNEY BURNS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1417 Decided by a vote of 4-0 to: (1) find reason to believe that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

27092601466

mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1418 Decided by a vote of 4-0 to: (1) find reason to believe that LIFFRIG FOR SENATE, and KEN KRUMM as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1419 Decided by a vote of 4-0 to: (1) find reason to believe that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1420 Decided by a vote of 4-0 to: (1) find reason to believe that COMITE PRATS AL CONGRESO INC, and JOSE JOAQUIN LEDESMA ESQ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1421 Decided by a vote of 4-0 to: (1) find reason to believe that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1422 Decided by a vote of 4-0 to: (1) find reason to believe that SOCAS FOR CONGRESS, and ANDREW T O'DELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1423 Decided by a vote of 4-0 to: (1) find reason to believe that MAGNUM FOR CONGRESS, and DIEHL, THOMAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

27092601467

Federal Election Commission
Certification for Administrative Fines
August 25, 2005

Attest:

August 26, 2005
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

27092601468

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF CMGM

TO: JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PME 138 202 A
SAN JUAN PR 00901

FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

AUGUST 26, 2005

JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PME 138 202 A
SAN JUAN PR 00901

C00387662
AF#: 1420

DEAR JOSE JOAQUIN LEDESMA ESQ:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A JULY QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS EVERY CALENDAR YEAR. THIS REPORT, COVERING THE PERIOD THROUGH JUNE 30TH, SHALL BE FILED NO LATER THAN JULY 15TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS NOT FILED WITHIN THIRTY (30) DAYS OF THE DUE DATE. YOU SHOULD FILE THIS REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 08/25/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT COMITE PRATS AL CONGRESO INC AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JULY 15TH. 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 \$6,500. IT IS DUE BY 10/04/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$222873
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

TO PAY THE CALCULATED CIVIL MONEY PENALTY
TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.

27092601469



WESTERN UNION COMMERCIAL SERVICES

UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AP# FOUND ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 10/04/2005. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE FEC WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE 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. EXAMPLES OF CIRCUMSTANCES THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 C.F.R. 111.35(b)(1)(III) AND (4).

YOUR 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 DISTRICT COURT UNDER 2 U.S.C. 4376. 11 C.F.R. 111.36.

IF YOU INTEND TO BE REPRESENTED BY COUNSEL, PLEASE ADVISE THE OFFICE OF ADMINISTRATIVE REVIEW. YOU SHOULD PROVIDE, IN WRITING, THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR COUNSEL AND AUTHORIZE COUNSEL TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS RELATING TO THIS CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT COMITE PRATS AL CONGRESO INC AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(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. 111.43.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY RESPONSIBILITIES. 2 U.S.C. 4376(A)(2). IT WILL REMAIN CONFIDENTIAL IN ACCORDANCE WITH 2 U.S.C. 4376(A)(4)(B) AND 4376(A)(12)(A) UNTIL IT IS PLACED ON THE PUBLIC RECORD IN ACCORDANCE WITH 11 C.F.R. 111.42, UNLESS YOU NOTIFY THE FEC IN WRITING THAT YOU WISH THE MATTER TO BE MADE PUBLIC.

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM,

2709260147



WESTERN UNION COMMERCIAL SERVICES

INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT ELIZABETH GOINGS 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. 1660) OR (202)694-1660.

SINCERELY,

SCOTT THOMAS
CHAIRMAN

* * * * *
ADMINISTRATIVE FINE REMITTANCE & 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 \$6,500 FOR THE 2005 JULY QUARTERLY REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:
FEDERAL ELECTION COMMISSION
P.O. BOX 952182
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR REMITTANCE AND PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:
U.S. BANK - GOVERNMENT LOCKBOX
FEC #952182
1005 CONVENTION PLAZA
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 10/04/2005. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: COMITE PRATS AL CONGRESO INC

FEC ID#: C00387662

AF#: 1420

PAYMENT DUE DATE: 10/04/2005

PAYMENT AMOUNT DUE: \$6,500

2709260147



September 30, 2005

Director
Office of Administrative Review
999 E Street, N.W.
Washington, D.C. 20463

Re: Challenge to RTB Finding
C00387662
AF #1420

Dear Sir/Madam:

I acknowledge receipt of your communication dated August 26, 2005 informing the imposition of a civil money penalty for late filing of the July Quarterly Report. We respectfully submit this letter with the intention of challenging the RTB Finding and request that such determination be dismissed.

While the COMITÉ PRATS AL CONGRESO acknowledges the fact that the report was untimely filed, we sustain that due to extraordinary circumstances our intention of filing the July Quarterly Report on time could not have been attained. In fact, a brief perusal of ALL the filings made to the FEC during the active period of COMITÉ PRATS AL CONGRESO will show that since 2003 all of the filings were filed on time. While our intention of complying with the July Report was consistent with our filing history, even after the election cycle was over for COMITE PRATS AL CONGRESO, the following reasons are cited in support of our request for dismissal:

- a. On or around the July quarter, we identified that there was an approximate \$3,000 inconsistency between our FEC Reports and our Bank statements. In order to fully comply with the FEC request of April 7, 2005 to correct this discrepancy, a determination was made by COMITÉ PRATS AL CONGRESO to conduct a full and extensive audit which made use of all of our dwindled resources.

After reviewing bank reports and statements, cancelled checks, FEC reports, and all financial information available, our full audit was finally concluded and informed to the FEC. See letter from the undersigned to Mr. Christopher A. Whyrick, Senior Campaign Analyst, dated June 20, 2005, attached hereto as EXHIBIT A.

27092601472

Director
Page 2
September 30, 2005

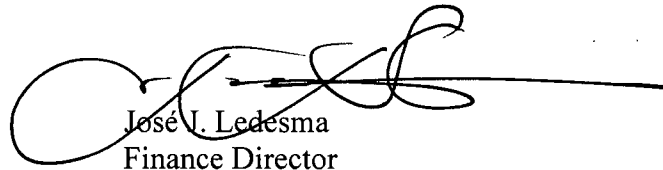
We employed our best effort in timely completing the full audit so that the Quarterly Report reflected the corrected discrepancies. While we are cognizant of the fact of our lateness, it is equally true that we employed our best effort in assuring that our FEC reports reflected accurate information. We also had several communications difficulties with our assigned FEC Financial Analyst on and around this period. See EXHIBIT B.¹

- b. On January 31, 2005, COMITÉ PRATS AL CONGRESO electronically filed a change of address with the FEC FORM 3. This change of address went unnoticed by the FEC and, consequently, we received notice of the July 15, 2005 and the August 26, 2005 RTB Findings in early September 2005. This, inter alia, affected our right to timely challenge the July RTB Finding. See FEC stamped copy of change of address dated 1/31/2005 attached hereto as EXHIBIT C.

Our filing record with FEC, the quality and timeliness of our report history with the FEC is impeccable. Now that the COMITÉ PRATS AL CONGRESO is coming to a closure, we respectfully request your attention to this challenge and vacate your decision of imposing a civil money penalty. As presented in this challenge, let there be no doubt that had it not been for the full audit that had to be conducted, communication difficulties and timely address correction by the FEC, our reports would have been timely filed.

We appreciate your kind attention to this matter. Should you need additional information regarding this challenge, please do not hesitate to contact me at your convenience at 787.622.3939.

Sincerely yours,



José I. Ledesma
Finance Director

/mec

¹ The fact that during that time we failed to have communication with our FEC Financial Analyst, that is not reflective of Mr. Whyrik's assistance, professionalism and prompt responsiveness during the election period to the present date. His help was always instrumental in our understanding of the rules and proper manner of filing the FEC report.



RECEIVED
FEC MAIL
OPERATIONS CENTER
PMB 138 202 A Calle San Justo San Juan, PR 00901-1711
2005 JUN 21 10:13
www.pratsawashington.com

June 20, 2005

Mr. Christopher A. Whyrick
Senior Campaign Finance Analyst
Federal Election Commission
Washington, D.C. 20463

Re: C00387662

Dear Mr. Whyrick:

We have concluded a full audit of the committee's finances in our efforts to correct and/or explain the findings made by the Commission in its April 7, 2005 communication.

It is our intention to file the corresponding amendments to our prior reports within the following days. However, we wish to discuss with you certain aspects of how we can correct our past reports. A call was made to you on the date of this letter with regards to such issue.

Sincerely,

José J. Ledesma
Finance Director

reverted to each of
reverted to each of
reverted to each of
reverted to each of
reverted to each of

reverted to each of
reverted to each of
reverted to each of
reverted to each of
reverted to each of

27092601474
2583830315

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

27092601475
 25938830316

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> USPS First Class Mail	Postmarked 6-20-05
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

SL
 PREPARER
 (3/2005)

6-27-05
 DATE PREPARED

24038432852



ROBERTO PRATS
WASHINGTON 2004

RECEIVED
FEC MAIL
OPERATIONS CENTER

PMB 138 202 A Calle San Justo San Juan, PR 00901-1711
www.pratsawashington.com

JUN 25 A 9 29

June 8, 2004

Mr. Christopher A. Whyrick
Senior Campaign Finance Analyst
Federal Election Commission
Washington, D.C. 20463

Re: C00387662

Dear Mr. Whyrick:

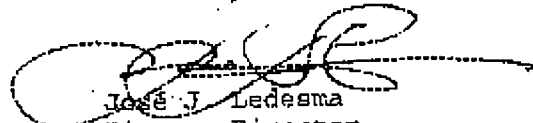
We acknowledge receipt of your May 4, 2004 correspondence regarding the Amended Year End Report. Such was received on June 7, 2004 and was delivered at my firm's address.

As explained to you during our last telephone conversation, we have not changed our committee's address and with the exception of the above correspondence, we have not experienced any problems with our mail.

We would appreciate that you contact us in the event that any more mail is returned to the FEC. Had it not been for our constant watch of the FEC internet site, we would not have been able to correct the report by the response due date of June 3, 2004.

Your cooperation with this matter is appreciated.

Sincerely,


José J. Ledesma
Finance Director

27092601476

01/31/2005 16:07

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines

COMITE PRATS AL CONGRESO INC

ADDRESS (number and street) PO BOX 19328

Check if different than previously reported. (ACC)

SAN JUAN PR 00910 1328

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

C00387662

3. IS THIS REPORT

x

NEW (N)

OR

AMENDED (A)

STATE DISTRICT

PR

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X 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

In the State of

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

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period 11 23 2004 through 12 31 2004

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

Type or Print Name of Treasurer JOSE JOAQUIN LEDESMA

Signature of Treasurer Electronically Filed by JOSE JOAQUIN LEDESMA Date 01 31 2005

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office Use Only

FEC FORM 3 (Revised 02/2005)

27092601477



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

October 4, 2005

Jose Joaquin Ledesma, Esq., as Treasurer
Comite Prats al Congreso Inc.
PO Box 19328
53 Calle San Justo
San Juan, PR 00910

C00387662
AF# 1420

Dear Mr. Ledesma:

On October 3, 2005, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Seiler".

Mary E. Seiler
Reviewing Analyst
Office of Administrative Review

27092601478

Date: October 6, 2005

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 1420

Committee Name: Comite Prats Al Congreso Inc.

Committee ID#: C00387662

Committee Address (if different than in RTB mailgram):

P. O. Box 19328
53 Calle San Justo
San Juan, PR 00910

Treasurer Name (if different than in RTB finding): N/A

Attachments:

Copy of RTB Circulation Report Dated August 22, 2005 (Y/PF): PF

Attachment #: N/A

RTB Certification Dated August 25, 2005 (Y/PF): PF

Attachment #: N/A

Certified Return Receipt (to be forwarded at later date if not yet received) -

Attachment #: 1

Original Correspondence Received by RAD in Response to
RTB Mailgram (Y/N): N

Attachment #: N/A

RAD Staff Declaration - Attachment #: 9

27092601479

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PMB 138 202 A
SAN JUAN PR 00901

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) F. Alvarez B. Date of Rec. 9/2/05

C. Signature [Signature] Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)
7051 0360 0003 8514 1708

27092601480

DECLARATION OF PATRICIA CARMONA

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 research conducted with regard to 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. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Comite Prats Al Congreso Inc. committee:
 - A) Prior Notice dated June 20, 2005 referencing the 2005 July Quarterly Report;
 - B) Non-Filer Mailgram dated August 2, 2005 referencing the 2005 July Quarterly Report.
 - C) Reason-to-Believe Mailgram dated August 26, 2005, referencing the 2005 July Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that the Comite Prats Al Congreso Inc. committee filed the July Quarterly Report with the Commission on September 15, 2005.
4. 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 case have been forwarded. This declaration was executed at Washington, D.C. on the 6th day of October, 2005.



Patricia Carmona
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 20, 2005

REPORTING DATES

<u>REPORT</u>	<u>REPORTING PERIOD¹</u>	<u>REG./CERT. & OVERNIGHT MAILING DATE</u>	<u>FILING DATE</u>
July Quarterly	04/01/05 - 06/30/05	07/15/05	07/15/05

WHO MUST FILE

Principal campaign committees of congressional candidates² (including unopposed candidates and candidates whose names do not appear on the ballot) must file a July Quarterly Report on July 15, 2005.³ Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHOD OF FILING

Reports sent by registered or certified mail must be postmarked by the mailing date. Committees should keep the mailing receipt with its postmark as proof of filing.

If using overnight mail, the delivery service must receive the report by the mailing date. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system. Reports filed by any other means must be received by the Commission (or Secretary of the Senate for Senate committees) by the filing date.

¹These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

²An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

³If the campaign has more than one authorized committee in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z.

(over)

27092601482

REPORTING SCHEDULE FOR REMAINDER OF 2005

REPORTING DATES

REPORT	REPORTING PERIOD¹	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
October Quarterly	07/01/05 - 09/30/05	10/15/05	10/15/05 ⁴
Year-End	10/01/05 - 12/31/05	01/31/06	01/31/06

COMPLIANCE

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program," and visit the FEC web site at <http://www.fec.gov/af.shtml>.
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5" diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).
- Please note that principal campaign committees of candidates for the U.S. House and the U.S. Senate must file FEC Form 3Z-1 as part of their July Quarterly and Year-End Reports in the year preceding the year in which the general election for the office sought is held.

ELECTRONIC FILING

U.S. House committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at <http://www.fec.gov/elecfil/electron.shtml>.

¹ See footnote #1, on reverse side.

⁴ Notice that this deadline falls on a weekend. Filing dates are not extended when they fall on nonworking days.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

27092601A8E

**WESTERN
UNION**

CONFIRMATION OF MAILGRAM TO: JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PMB 138 202 A
SAN JUAN PR 00901

FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

AUGUST 2, 2005

IDENTIFICATION NUMBER: C00387662

REFERENCE: JULY QUARTERLY REPORT (04/01/2005 - 06/30/2005)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C., 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 FOR SENATE CANDIDATES. A COPY OF THIS REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER, UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT TODD GARLAND IN THE REPORTS ANALYSIS DIVISION ON OUR TOLL FREE NUMBER (800)424-9530. OUR LOCAL NUMBER IS (202)694-1130.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

PAWTE 03/21/2005 09:24:21 AM

27092601484
253238889414



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 MAR 21 A 10: 03

March 15, 2007

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK *PMC*
STAFF DIRECTOR

MARGARITA MAISONET *mm*
CHIEF COMPLIANCE OFFICER

FROM: SHAWN WOODHEAD WERTH *SW*
REVIEWING OFFICER
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: AF# 1420 – COMITE PRATS AL CONGRESO, INC. AND JOSE
JOAQUIN LEDESMA, ESQ., AS TREASURER (C00387662)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Because the respondents raised best efforts in their challenge and it appeared on initial review that their best efforts defense applied to the late filing of the report, this case was held for the Commission's decision in the earlier best efforts cases. Upon further review, it appears that the respondents raise this defense solely as it relates to the audit they conducted in 2005 in response to the request sent to them by the Reports Analysis Division for a prior election year report. For that reason, we have not included an analysis of the best efforts defense in our recommendation.

Attachment

27092601485



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 15, 2007

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

AF # 1420 – Comite Prats al Congreso, Inc. and Jose Joaquin Ledesma, Esq., as
Treasurer (C00387662)

On August 25, 2005, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2005 July Quarterly Report and made a preliminary determination that the civil money penalty was \$6,500 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified of the Commission's finding and RTB civil money penalty by the Reports Analysis Division ("RAD") on August 26, 2005.

Respondents' Response

On October 3, 2005, the Commission received the written response and supporting documentation ("challenge") from the Treasurer. He cites extraordinary circumstances and raises three arguments in requesting dismissal. The arguments raised are: 1) the filing of the report was delayed due to their efforts to conduct an audit of the Committee's finances to address issues raised in an April 2005 Request For Additional Information ("RFAI") from RAD; 2) they had difficulties communicating with their RAD Analyst, as evidenced by a June 8, 2004 letter to the RAD analyst; and 3) the Commission did not acknowledge a January 2005 change of address which affected their ability to timely challenge the RTB finding.

Analysis

The Federal Election Campaign Act ("Act") requires that a report for the quarter ending June 30, 2005 be filed no later than July 15th. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(a)(1)(i). Reports filed electronically must be received and validated at or before 11:59 p.m. Eastern Standard/Daylight Time on July 15th. 11 C.F.R. §§ 104.5(e) and 100.19(c). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). The level of activity is defined as the total amount of receipts and disbursements for the period covered by the late report. A non-election sensitive report is considered not filed if it is filed more than 30 days after the due date. 11 C.F.R. § 111.43(a)(2) and (e).

The challenge fails to address any of the three valid excuses enumerated at 11 C.F.R. § 111.35(b). These are: (i) the existence of factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) the existence of

27092601486

extraordinary circumstances that were beyond their control and that were for a duration of at least 48 hours and that prevented them from filing the report in a timely manner.

With respect to the first argument raised in the challenge, the respondents' June 20, 2005 letter to the RAD Analyst states that the audit was completed as of that date, ten days before the close of books for the July Quarterly Report and nearly three weeks before the report was due. With respect to the second argument, RAD's telecom records show there were seven conversations in June and September of 2005. The June 2004 letter does not appear to be relevant to the filing of the report in July of 2005 and the Analyst's conversation with them in June of 2005 specifically addressed how to correct the problems referenced in the April RFAI. With respect to the third argument, the address change did not affect their ability to timely submit the challenge within 40 days of the August 25th RTB finding.

At the time of the RTB finding, the Commission had not received the report; therefore, the estimated level of activity (\$222,873) was used to calculate the RTB civil money penalty. They filed the July Quarterly Report on September 15, 2005, 62 days late. It discloses total receipts of \$10 and total disbursements of \$373, resulting in a level of activity of \$383. Based on the actual level of activity (\$383) for a non-election sensitive report considered not filed, and respondents with no previous violations, the amount of the civil money penalty is $\$250 \times [1 + (.25 \times 0)]$ or \$250.

The last issue raised in the challenge (their "impeccable" filing history) also does not fall within the list of defenses outlined in 11 C.F.R. § 111.35(b). The Reviewing Officer, therefore, recommends that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$250.

OAR Recommendations

- (1) Make a final determination in AF # 1420 that Comite Prats al Congreso, Inc. and Jose Joaquin Ledesma, Esq., as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity on the July Quarterly Report (\$383), assess a civil money penalty of \$250 (reduced from the RTB penalty of \$6,500); and
- (2) Send the appropriate letter.

Attachments:

- Attachment 1 - Respondents' Challenge
- Attachment 2 - RAD Declaration
- Attachment 3 - OAR Declaration



September 30, 2005

Director
Office of Administrative Review
999 E Street, N.W.
Washington, D.C. 20463

Re: Challenge to RTB Finding
C00387662
AF #1420

Dear Sir/Madam:

I acknowledge receipt of your communication dated August 26, 2005 informing the imposition of a civil money penalty for late filing of the July Quarterly Report. We respectfully submit this letter with the intention of challenging the RTB Finding and request that such determination be dismissed.

While the COMITÉ PRATS AL CONGRESO acknowledges the fact that the report was untimely filed, we sustain that due to extraordinary circumstances our intention of filing the July Quarterly Report on time could not have been attained. In fact, a brief perusal of ALL the filings made to the FEC during the active period of COMITÉ PRATS AL CONGRESO will show that since 2003 all of the filings were filed on time. While our intention of complying with the July Report was consistent with our filing history, even after the election cycle was over for COMITE PRATS AL CONGRESO, the following reasons are cited in support of our request for dismissal:

- a. On or around the July quarter, we identified that there was an approximate \$3,000 inconsistency between our FEC Reports and our Bank statements. In order to fully comply with the FEC request of April 7, 2005 to correct this discrepancy, a determination was made by COMITÉ PRATS AL CONGRESO to conduct a full and extensive audit which made use of all of our dwindled resources.

After reviewing bank reports and statements, cancelled checks, FEC reports, and all financial information available, our full audit was finally concluded and informed to the FEC. See letter from the undersigned to Mr. Christopher A. Whyrick, Senior Campaign Analyst, dated June 20, 2005, attached hereto as EXHIBIT A.

27092601488



Director
Page 2
September 30, 2005

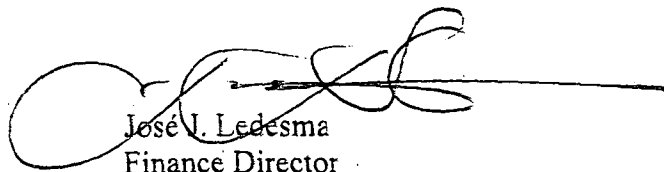
We employed our best effort in timely completing the full audit so that the Quarterly Report reflected the corrected discrepancies. While we are cognizant of the fact of our lateness, it is equally true that we employed our best effort in assuring that our FEC reports reflected accurate information. We also had several communications difficulties with our assigned FEC Financial Analyst on and around this period. See EXHIBIT B.¹

- b. On January 31, 2005, COMITÉ PRATS AL CONGRESO electronically filed a change of address with the FEC FORM 3. This change of address went unnoticed by the FEC and, consequently, we received notice of the July 15, 2005 and the August 26, 2005 RTB Findings in early September 2005. This, inter alia, affected our right to timely challenge the July RTB Finding. See FEC stamped copy of change of address dated 1/31/2005 attached hereto as EXHIBIT C.

Our filing record with FEC, the quality and timeliness of our report history with the FEC is impeccable. Now that the COMITÉ PRATS AL CONGRESO is coming to a closure, we respectfully request your attention to this challenge and vacate your decision of imposing a civil money penalty. As presented in this challenge, let there be no doubt that had it not been for the full audit that had to be conducted, communication difficulties and timely address correction by the FEC, our reports would have been timely filed.

We appreciate your kind attention to this matter. Should you need additional information regarding this challenge, please do not hesitate to contact me at your convenience at 787.622.3939.

Sincerely yours,



Jose V. Ledesma
Finance Director

/mec

¹ The fact that during that time we failed to have communication with our FEC Financial Analyst, that is not reflective of Mr. Whyrik's assistance, professionalism and prompt responsiveness during the election period to the present date. His help was always instrumental in our understanding of the rules and proper manner of filing the FEC report.

27092601489



ROBERTO PRATS
WASHINGTON 2004

RECEIVED
FEC MAIL
OPERATIONS CENTER

PMB 138 202 A Calle San Justo San Juan, PR 00901-1711

2005 JUN 21 10:13 www.pratsawashington.com

June 20, 2005

Mr. Christopher A. Whyrick
Senior Campaign Finance Analyst
Federal Election Commission
Washington, D.C. 20463

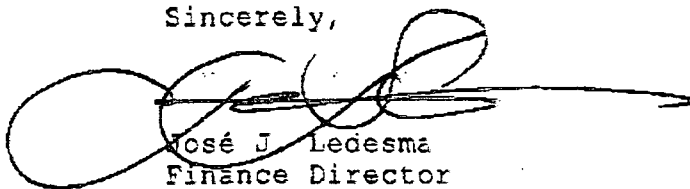
Re: C00387662

Dear Mr. Whyrick:

We have concluded a full audit of the committee's finances in our efforts to correct and/or explain the findings made by the Commission in its April 7, 2005 communication.

It is our intention to file the corresponding amendments to our prior reports within the following days. However, we wish to discuss with you certain aspects of how we can correct our past reports. A call was made to you on the date of this letter with regards to such issue.

Sincerely,



José J. Ledesma
Finance Director

27092601490

RECEIVED
FEC MAIL
OPERATIONS CENTER
PMB 138 202 A Calle San Justo San Juan, PR 00901-1711
2005 JUN 21 10:13 www.pratsawashington.com

RECEIVED
FEC MAIL
OPERATIONS CENTER
PMB 138 202 A Calle San Justo San Juan, PR 00901-1711
2005 JUN 21 10:13 www.pratsawashington.com

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

Hand Delivered Date of Receipt

USPS First Class Mail Postmarked
6-20-05

USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark


Overnight Delivery Service (Specify): Shipping Date
Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): Date of Receipt or Postmarked


 PREPARER
 (3/2005)

6-27-05
 DATE PREPARED

20050627051431

EXHIBIT B

24038432852



ROBERTO PRATS
WASHINGTON 2004

RECEIVED
FEC MAIL
OPERATIONS CENTER

PMD 136 202 A Calle San Justo San Juan, PR 00901-1711

www.pratsowashington.com

JUN 25 A 9 21

June 8, 2004

Mr. Christopher A. Whyrick
Senior Campaign Finance Analyst
Federal Election Commission
Washington, D.C. 20463

Re: CG0387662

Dear Mr. Whyrick:

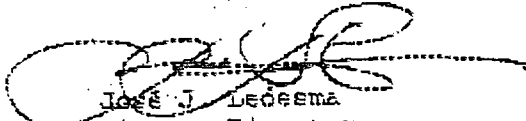
We acknowledge receipt of your May 4, 2004 correspondence regarding the Amended Year End Report. Such was received on June 7, 2004 and was delivered at my firm's address.

As explained to you during our last telephone conversation, we have not changed our committee's address and with the exception of the above correspondence, we have not experienced any problems with our mail.

We would appreciate that you contact us in the event that any more mail is returned to the FEC. Had it not been for our constant watch of the FEC internet site, we would not have been able to correct the report by the response due date of June 3, 2004.

Your cooperation with this matter is appreciated.

Sincerely,


Jose J. Ledesma
Finance Director

27092601492

EXHIBIT C

01/31/2006 16:07

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

COMITE PRATS AL CONGRESO INC

ADDRESS (number and street)

PO BOX 19328

Check if different than previously reported. (ACC)

SAN LUIZ

PR

00910

1328

2. FEC IDENTIFICATION NUMBER

C00387662

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT X NEW (N) OR AMENDED (A)

PR

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X 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

In the State of

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

General (30G)

Runoff (30R)

Special (30S)

Election on

in the State of

5. Covering Period 11 23 2004 through 12 31 2004

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

Type or Print Name of Treasurer: JOSE JOAQUIN LEDESMA

Signature of Treasurer Electronically Filed by JOSE JOAQUIN LEDESMA Date 01 31 2006

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

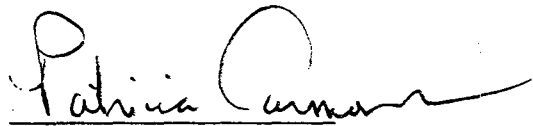
Office Use Only

FEC FORM 3 (Revised 03/2005)

27092601493

DECLARATION OF PATRICIA CARMONA

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 research conducted with regard to 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. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Comite Prats Al Congreso Inc. committee:
 - A) Prior Notice dated June 20, 2005 referencing the 2005 July Quarterly Report;
 - B) Non-Filer Mailgram dated August 2, 2005 referencing the 2005 July Quarterly Report.
 - C) Reason-to-Believe Mailgram dated August 26, 2005, referencing the 2005 July Quarterly Report.
3. I hereby certify that I have searched the Commission's public records and find that the Comite Prats Al Congreso Inc. committee filed the July Quarterly Report with the Commission on September 15, 2005.
4. 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 case have been forwarded. This declaration was executed at Washington, D.C. on the 6th day of October, 2005.



Patricia Carmona
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

27092601494

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

June 20, 2005

REPORTING DATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
July Quarterly	04/01/05 - 06/30/05	07/15/05	07/15/05

WHO MUST FILE

Principal campaign committees of congressional candidates² (including unopposed candidates and candidates whose names do not appear on the ballot) must file a July Quarterly Report on July 15, 2005.³ Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHOD OF FILING

Reports sent by registered or certified mail must be postmarked by the mailing date. Committees should keep the mailing receipt with its postmark as proof of filing.

If using overnight mail, the delivery service must receive the report by the mailing date. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system. Reports filed by any other means must be received by the Commission (or Secretary of the Senate for Senate committees) by the filing date.

¹These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

²An individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports.

³If the campaign has more than one authorized committee in addition to the principal campaign committee, the principal campaign committee must also file a consolidated report on Form 3Z.

(over)

27092601495

REPORTING SCHEDULE FOR REMAINDER OF 2005

REPORTING DATES

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DATE	FILING DATE
October Quarterly	07/01/05 - 09/30/05	10/15/05	10/15/05 ⁴
Year-End	10/01/05 - 12/31/05	01/31/06	01/31/06

COMPLIANCE

- Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.
- Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers). For additional information, see the enclosed handout entitled, "Administrative Fine Program," and visit the FEC web site at <http://www.fec.gov/af.shtml>.
- In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.
- Electronic filers who instead file on paper or submit an electronic report (either by direct transmission or on 3.5" diskette) that does not pass the validation test will be considered non-filers and may be subject to enforcement actions (including administrative fines).
- Please note that principal campaign committees of candidates for the U.S. House and the U.S. Senate must file FEC Form 3Z-1 as part of their July Quarterly and Year-End Reports in the year preceding the year in which the general election for the office sought is held.

ELECTRONIC FILING

U.S. House committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that expect to do so, must submit their reports electronically. For additional information, review the enclosed handout entitled "Electronic Filing," call the FEC's Electronic Filing office at (800) 424-9530 or (202) 694-1642, and visit our web site at <http://www.fec.gov/elecfil/electron.shtml>.

¹ See footnote #1, on reverse side.

⁴ Notice that this deadline falls on a weekend. Filing dates are not extended when they fall on nonworking days.

27092601496

**WESTERN
UNION**

CONFIRMATION OF MAILGRAM

WESTERN UNION COMMERCIAL SERVICES
TO: JOSE JOAQUIN LEDESMA ESC
COMITE PRATS AL CONGRESO INC
PKE 138 202 A
SAN JUAN PR 00901

FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

AUGUST 2, 2005

IDENTIFICATION NUMBER: C00387662

REFERENCE: JULY QUARTERLY REPORT (04/01/2005 - 06/30/2005)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C., 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 FOR SENATE CANDIDATES. A COPY OF THIS REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER, UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT TODD GARLAND IN THE REPORTS ANALYSIS DIVISION ON OUR TOLL FREE NUMBER (800)424-9530. OUR LOCAL NUMBER IS (202)694-1130.

SINCERSLY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

27092601497

PWF GIBSON/2005

WESTERN
UNION

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PMB 138 202 A
SAN JUAN PR 00901

FEDERAL ELECTION COMMISSION
TODD GARLAND
999 E ST NW # 709
WASHINGTON DC 20463

AUGUST 26, 2005

JOSE JOAQUIN LEDESMA ESQ
COMITE PRATS AL CONGRESO INC
PMB 138 202 A
SAN JUAN PR 00901

C00387662
AF#: 1420

DEAR JOSE JOAQUIN LEDESMA ESQ:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A JULY QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS EVERY CALENDAR YEAR. THIS REPORT, COVERING THE PERIOD THROUGH JUNE 30TH, SHALL BE FILED NO LATER THAN JULY 15TH. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS NOT FILED WITHIN THIRTY (30) DAYS OF THE DUE DATE. YOU SHOULD FILE THIS REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 08/25/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT COMITE PRATS AL CONGRESO INC AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JULY 15TH. 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 \$6,500. IT IS DUE BY 10/04/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$222873
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0

TO PAY THE CALCULATED CIVIL MONEY PENALTY

TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3.

27092601498

WESTERN
UNION

WESTERN UNION COMMERCIAL SERVICES

UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AF# FOUND ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 10/04/2005. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE FEC WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE 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. EXAMPLES OF CIRCUMSTANCES THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 C.F.R. 111.35(B)(1)(III) AND (4).

YOUR 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 DISTRICT COURT UNDER 2 U.S.C. 437G. 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 THIS CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT COMITE PRATS AL CONGRESO INC AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(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. 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(B) AND 437G(A)(12)(A) UNTIL IT IS PLACED ON THE PUBLIC RECORD IN ACCORDANCE WITH 11 C.F.R. 111.42, UNLESS YOU NOTIFY THE FEC IN WRITING THAT YOU WISH THE MATTER TO BE MADE PUBLIC.

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM,

27092601499



WESTERN UNION COMMERCIAL SERVICES

INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT ELIZABETH GOINGS 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. 1660) OR (202)694-1660.

SINCERELY,

SCOTT THOMAS
CHAIRMAN

* * * * *
ADMINISTRATIVE FINE REMITTANCE & 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 \$6,500 FOR THE 2005 JULY QUARTERLY REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:
FEDERAL ELECTION COMMISSION
P.O. BOX 952182
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR REMITTANCE AND PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:
U.S. BANK - GOVERNMENT LOCKBOX
FEC #952182
1005 CONVENTION PLAZA
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 10/04/2005. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FDR: COMITE PRATS AL CONGRESO INC

FEC ID#: C00387662

AF#: 1420

PAYMENT DUE DATE: 10/04/2005

PAYMENT AMOUNT DUE: \$6,500

27092601500

DECLARATION OF SHAWN WOODHEAD WERTH

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. The 2005 July Quarterly Report, covering the period from April 1 through June 30, 2005, is due July 15, 2005. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m.. Eastern Standard/Daylight Time on July 15 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are true and accurate copies of the:
 - a) Request for Additional Information dated May 4, 2004 which is addressed to Comite Prats al Congreso Inc. and Jose Joaquin Ledesma, Esq., as Treasurer. According to Commission records, the Request was sent by the Reports Analysis Division and references the 2003 Amended Year End Report;
 - b) Page 1 of the Summary Page for the 2004 Amended 30 Day Post-General Report filed by Comite Prats al Congreso Inc. and Jose Joaquin Ledesma, Esq., as Treasurer. According to Commission records, it was received on January 24, 2005 and the address change box on Line 1 is checked;
 - c) Request for Additional Information dated April 7, 2005 which is addressed to Comite Prats al Congreso Inc. and Jose Joaquin Ledesma, Esq., as Treasurer. According to Commission records, the Request was sent by the Reports Analysis Division and references the 2004 Year End Report; and
 - d) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page for the 2005 July Quarterly Report electronically filed by Comite Prats al Congreso Inc. and Jose Joaquin Ledesma, Esq., as Treasurer. According to Commission records, the report was received on September 15, 2005 and covers the period from April 1 through June 30, 2005. Line 24 lists \$10.37 as total receipts for the period and Line 26 lists \$373.92 as total disbursements for the period.
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 at Washington on the 15th of March, 2007.



Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review
Federal Election Commission

27092601501



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

May 4, 2004

Jose Joaquin Ledesma, Esq., Treasurer
Comité Prats al Congreso, Inc.
PMB 138 202 A
53 Calle San Justo
San Juan, PR 00901

Response Due Date:
June 3, 2004

Identification Number: C00387662

Reference: Amended Year End Report (10/21/03 - 12/31/03) received 4/15/04

Dear Mr. Ledesma:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. An adequate response must be received at the Commission by the response date noted above. An itemization of the information needed follows:

-Schedule A of your report discloses information which deflates your cash on hand. Please be advised that memo entries are used only to provide supplemental information on a reporting schedule. The dollar value of a memo entry is not incorporated into the total amount for each schedule. Please amend your report to correct this discrepancy. (11 CFR §104.3(a)(3))

-Schedule B of your report discloses information which inflates your cash on hand. Please be advised that memo entries are used only to provide supplemental information on a reporting schedule. The dollar value of a memo entry is not incorporated into the total amount for each schedule. Please amend your report to correct this discrepancy. (11 CFR §104.3(a)(3))

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee.

27092601502

Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1161.

Sincerely,



Christopher A. Whyrick
Senior Campaign Finance Analyst
Reports Analysis Division

FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines

COMITE PRATS AL CONGRESO INC

ADDRESS (number and street) PO BOX 19328

X Check if different than previously reported. (ACC)

SAN JUAN PR 00910 1328

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00367662

3. IS THIS REPORT

NEW (N) OR

X AMENDED (A)

PR

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

In the State of

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

X General (30G)

Runoff (30R)

Special (30S)

Election on

11

02

2004

In the State of

PR

5. Covering Period

10

14

2004

through

11

22

2004

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

Type or Print Name of Treasurer

JOSE JOAQUIN LEDESMA

Signature of Treasurer

Electronically Filed by JOSE JOAQUIN LEDESMA

Date

01

24

2005

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office Use Only

FEC FORM 3 (Revised 03/2005)

27092601504



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 7, 2005

Jose Joaquin Ledesma, Treasurer
Comité Prats al Congreso, Inc.
P. O. Box 19328
San Juan, PR 00910

Response Due Date:
May 9, 2005

Identification Number: C00387662

Reference: Year End Report (11/23/04 - 12/31/04)

Dear Mr. Ledesma:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Column B figures for the Summary and Detailed Summary Page information should reflect only the current election cycle-to-date figures (11/3/04 through 11/7/06). Please amend your report to correct this error. (2 U.S.C. §434)(b))

-Your report discloses the use of the Post-Election Detailed Summary Page. The Post-Election Detailed Summary Page must only be used for the first report filed after completion of an election cycle. Please amend your report to omit the use of the Post-Election Detailed Summary Page. (11 CFR §§104.2(a) and 104.3)

-Your report discloses a negative ending cash balance of \$3,817.27. This suggests that you have overdrawn your account, made a mathematical error, or incurred a debt. If your committee has incurred a debt or obligation, please itemize this debt on Schedule D, show a zero balance on Line 8 of the Summary Page and include the amount on Line 10. If the negative ending cash balance is a result of an overdraft, it may constitute a prohibited bank contribution unless it is made on an account that has automatic overdraft protection with usual and customary interest rates and a definite repayment schedule. Please file an amendment to your report to accurately disclose your financial activities. (2 U.S.C. §434(b)(8) and 11 CFR §100.7(b)(11))

250387662505

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1161.

Sincerely,



Christopher A. Whyrick
Senior Campaign Finance Analyst
Reports Analysis Division

2603877501506

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

COMITE PRATS AL CONGRESO INC

ADDRESS (number and street)

PO BOX 19328

Check if different than previously reported. (ACC)

SAN JUAN

PR

00910

1328

2. FEC IDENTIFICATION NUMBER

000387662

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS REPORT

NEW (N) OR

AMENDED (A)

PR

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

In the State of

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

General (30G)

Runoff (30R)

Special (30S)

Election on

In the State of

5. Covering Period

04

01

2005

through

06

30

2005

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

Type or Print Name of Treasurer

JOSE JOAQUIN LEDESMA

Signature of Treasurer

Electronically Filed by JOSE JOAQUIN LEDESMA

Date

08

15

2005

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office Use Only

FEC FORM 3
(Revised 02/2005)

27092601507

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN E Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	373.92	1080051.02
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(b) 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:		
(b) Individuals/Persons Other Than Political Committees.....	0.00	2830.00
(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	2830.00
21. OTHER DISBURSEMENTS.....	0.00	7555.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	373.92	1090436.02

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	2664.37
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	10.37
25. SUBTOTAL (add Line 23 and Line 24).....	2674.74
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	373.92
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	2300.82

27092601508



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

March 22, 2007

Jose Joaquin Ledesma, Esq., as Treasurer
Comite Prats al Congreso, Inc.
PO Box 19328
San Juan, Puerto Rico 00910

C00387662
AF# 1420

Dear Mr. Ledesma:

On August 25, 2005, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Comite Prats al Congreso, Inc. and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2005 July Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$6,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. 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. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). 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 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Woodhead Werth".

Shawn Woodhead Werth
Reviewing Officer
Office of Administrative Review

Attachment

27092601509



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 APR 23 A 11:28

April 20, 2007

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: PATRINA M. CLARK
STAFF DIRECTOR *pmc*

MARGARITA MAISONET
CHIEF COMPLIANCE OFFICER *mm*

FROM: SHAWN WOODHEAD WERTH
REVIEWING OFFICER *SW*
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN AF# 1420 -
COMITE PRATS AL CONGRESO, INC. AND JOSE JOAQUIN
LEDESMA, ESQ., AS TREASURER (C00387662)

On August 25, 2005, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2005 July Quarterly Report. Because they had not filed the report, the Commission made a preliminary determination, using the estimated level of activity, that the civil money penalty was \$6,500 based on the schedule of penalties at 11 C.F.R. § 111.43.

On September 15, 2005, the Commission received the report, 62 days late, which is considered not filed for purposes of the civil money penalty calculation. It discloses \$10 in total receipts and \$373 in total disbursements. Had the report been filed disclosing this actual level of activity (\$383) prior to the Commission's RTB finding, the civil money penalty would have been \$250 based on the schedule of penalties at 11 C.F.R. § 111.43(a).

On October 3, 2005, the Commission received the written response ("challenge") from the respondents. After reviewing the challenge, the Reviewing Officer recommended in a report dated March 15, 2007 that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and, based on the actual level of activity for the July Quarterly reporting period (\$383), assess a civil money penalty of \$250. A copy of the Reviewing Officer's recommendation was simultaneously forwarded to the respondents.

27092601510

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 the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- (1) Make a final determination in AF# 1420 that Comite Prats al Congreso, Inc. and Jose Joaquin Ledesma, Esq., as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity on the July Quarterly Report (\$383), assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$6,500); and
- (2) Send the appropriate letter.

27092601511



FEDERAL ELECTION COMMISSION

Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, April 23, 2007 4:00

BALLOT DEADLINE: Thursday, April 26, 2007 4:00

COMMISSIONER: LENHARD, MASON, von SPAKOVSKY, WALTHER, WEINTRAUB

SUBJECT: **Final Determination Recommendation in
AF #1420 – Comite Prats Al Congreso, Inc.
and Jose Joaquin Ledesma, Esq., as treasurer
(C00387662). Memorandum from the Reviewing Officer
dated April 20, 2007.**

() I approve the recommendation(s)

() I object to the recommendation(s)

() I am recused from voting

() No vote by ballot

COMMENTS: _____

DATE: _____

SIGNATURE: _____

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

27092601512

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation -) AF 1420
Comite Prats Al Congreso, Inc. and Jose)
Joaquin Ledesma, Esq., as treasurer)
(C00387662))

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on April 26, 2007, the Commission decided by a vote of 5-0 to take the following actions in AF 1420:

1. Make a final determination in AF #1420 that Comite Prats al Congreso, Inc. and Jose Joaquin Ledesma, Esq., as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity on the July Quarterly Report (\$383), assess a civil money penalty of \$250 (reduced from the RTB civil money penalty of \$6,500).
2. Send the appropriate letter.

Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 26, 2007
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

27092601513



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 30, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jose Joaquin Ledesma, as Treasurer
Comite Prats al Congreso, Inc.
PO Box 19328
San Juan, Puerto Rico 00910

ID# C00387662
AF# 1420

Dear Mr. Ledesma:

On August 25, 2005, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Comite Prats al Congreso, Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2005 July Quarterly Report. By letter dated August 26, 2005, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$6,500 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On October 3, 2005, the Office of Administrative Review received your written response and supporting documentation ("challenge") 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 reduce the civil money penalty calculated at RTB because it was calculated on an estimated level of activity, make a final determination that Comite Prats al Congreso, Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity for the July Quarterly Report filed on September 15, 2005 (\$383), assess a civil money penalty of \$250 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on March 22, 2007.

On April 26, 2007, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Comite Prats al Congreso, Inc. and you, as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$250. It is based on the same factors used to calculate the civil money penalty at RTB except that the actual (\$383) rather than estimated level of activity was used.

To Pay the Civil Money Penalty

To pay the civil money penalty, send the enclosed form and your payment to the address on page 3 within 30 days of receipt of this letter.

27092601514

If You Do Not Pay the 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 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% 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 ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Shawn Woodhead Werth on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,



Robert D. Lenhard
Chairman

27092601515

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$250 for the 2005 July Quarterly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Comite Prats al Congreso, Inc.

FEC ID#: C00387662

AF#: 1420

PAYMENT AMOUNT DUE: \$250

27092601516

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 010 \$ 0000025000 BA# 1 05-01-07 20 9



27092601517



Jose J Ledesma-Rodriguez 2933
101-201/215

[Redacted] April 23, 2007 Fecha
Date

Páguese a la orden de Federal Election Commission \$ 250.00
Pay to the order of

Two Hundred Fifty 00/100 Dólares
Dollars

BANCO POPULAR. 025
BANCO POPULAR DE PUERTO RICO
Hato Rey Center
Hato Rey, Puerto Rico

Para C07387662 AF#1420 *[Signature]*
For *[Redacted]*

HARLAND 8000



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1420

DATE SCANNED 6/6/07

SCANNER NO. 1

SCAN OPERATOR EJS

27092601518