

**RECEIVED**

By Office of the Commission Secretary at 11:02 am, Mar 21, 2022

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

March 21, 2022

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

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

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser *KDR*  
Compliance Branch

SUBJECT: Reason to Believe Recommendation -  
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from (1) the close of books for the Puerto Rico 12-Day Pre-Primary Report up to 48 hours before the August 9, 2020 Primary Election, and (2) from the close of books for the 12-Day Pre-General Report up to 48 hours before the November 3, 2020 General Election in accordance with 52 U.S.C. § 30104(a) and 11 CFR. § 104.5(f). The committee, TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS, represents a candidate who won the General Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$109,200.00.

A 48-hour notice is required to report all contributions of \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not filed.

In accordance with the schedule of civil money penalties outlined within 11 CFR § 111.44, this committee should be assessed the civil money penalty so indicated.

**Recommendation**

1. Find reason to believe that TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS and Oriol Campos Hernandez, in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$11,720 be assessed.
2. Send the appropriate letter.

**Attachments**

**Contributions for Which a 48-Hour Notice Was Not Received****AF 4285****Committee ID: C00588392****Committee Name: TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS****Report Type: Amended October Quarterly Report (7/21/2020 – 9/30/2020), received 1/18/2022 and Amended 30-Day Post-General Report (10/15/2020 – 11/23/2020), received 1/18/2022****Primary 48-Hour Reporting Period: 7/21/2020 – 8/6/2020****General 48-Hour Reporting Period: 10/15/2020 – 10/31/2020**

CONTRIBUTOR NAME	DATE	AMOUNT	REPORTING PERIOD
KAREN GOLDMEIER GREEN	7/21/2020	\$1,000.00	PRIMARY
MAJORITY COMMITTEE PAC	7/21/2020	\$10,000.00	PRIMARY
RYAN ELLIS	7/28/2020	\$1,000.00	PRIMARY
DELOITTE PAC	8/3/2020	\$2,500.00	PRIMARY
ANNA DI MARCO SERRA	8/3/2020	\$2,200.00	GENERAL
LUIS HERNANDEZ BORRES	8/3/2020	\$1,000.00	PRIMARY
LUIS HERNANDEZ BORRES	8/3/2020	\$1,000.00	PRIMARY
VICTOR HERNANDEZ-GAY	8/3/2020	\$1,000.00	PRIMARY
NELSON MATOS	8/3/2020	\$1,000.00	PRIMARY
LUIS MERCADO MILLAN	8/3/2020	\$2,000.00	PRIMARY
EDWIN I. RIVERA	8/3/2020	\$2,000.00	PRIMARY
JUAN M RIVERA	8/3/2020	\$1,000.00	PRIMARY
JUAN M RIVERA	8/3/2020	\$1,000.00	PRIMARY
MARUJA SANTIAGO	8/3/2020	\$1,200.00	GENERAL
MARUJA SANTIAGO	8/3/2020	\$1,300.00	PRIMARY
KARINA TORRES	8/3/2020	\$1,000.00	PRIMARY
KARINA TORRES	8/3/2020	\$1,000.00	PRIMARY
YOLANDA VARELA	8/3/2020	\$1,000.00	PRIMARY
AKIN GUMP STRAUSS HAUSER & FELD LLP CIVIC ACTION COMMITTEE (AKA AGSH&F CIVIC ACTION COMMITTEE)	8/4/2020	\$2,000.00	PRIMARY
JOSE BENITEZ COLON	8/4/2020	\$1,000.00	PRIMARY
RENE DE LA CRUZ	8/4/2020	\$1,000.00	PRIMARY
HECTOR DEL RIO JIMENEZ	8/4/2020	\$1,000.00	PRIMARY
MANUEL H. DUBON	8/4/2020	\$1,000.00	PRIMARY
ALBERTO R. ESCUDERO	8/4/2020	\$1,000.00	PRIMARY
ANDRES GUILLEMARD	8/4/2020	\$1,300.00	PRIMARY
ANDRES GUILLEMARD	8/4/2020	\$1,500.00	GENERAL

ANDY GUILLEMARD	8/4/2020	\$2,800.00	PRIMARY
MICHELLE GUILLEMARD	8/4/2020	\$2,000.00	PRIMARY
JAIME GUILLEMARD NOBLE	8/4/2020	\$2,800.00	PRIMARY
GUSTAVO HERMIDA	8/4/2020	\$1,000.00	PRIMARY
RAFAEL LAFFITTE	8/4/2020	\$1,000.00	PRIMARY
MAINTAINING ALL REPUBLICANS IN OFFICE PAC	8/4/2020	\$2,000.00	PRIMARY
NICOLAS MEGWINOFF	8/4/2020	\$1,000.00	PRIMARY
MARIA M. NOBLE DE GUILLEMARD	8/4/2020	\$1,300.00	PRIMARY
CARDIAD PIERLUISI	8/4/2020	\$2,800.00	PRIMARY
ARMANDO RODRIGUEZ GUTIERREZ	8/4/2020	\$2,000.00	PRIMARY
LUIS RODRIGUEZ SANTANA	8/4/2020	\$1,000.00	PRIMARY
ROUGH RIDER PAC	8/4/2020	\$1,000.00	PRIMARY
THE EYE OF THE TIGER PAC	8/4/2020	\$5,000.00	PRIMARY
DAVID ELLIOTT	10/16/2020	\$1,000.00	GENERAL
KIM AMNED	10/31/2020	\$1,000.00	GENERAL
KIM AMNED	10/31/2020	\$1,000.00	GENERAL
FRANCISCO ARTAU FELICIANO	10/31/2020	\$2,800.00	GENERAL
KAREN Z. ARTAU FELICIANO	10/31/2020	\$2,800.00	GENERAL
EDUARDO ARTAU GOMEZ	10/31/2020	\$2,800.00	GENERAL
JOSE CASAL	10/31/2020	\$1,000.00	GENERAL
ELIZABETH CINTRON PARRILLA	10/31/2020	\$2,800.00	GENERAL
ILEANA DE JESUS	10/31/2020	\$2,500.00	GENERAL
ENTERPRISE HOLDINGS, INC. PAC	10/31/2020	\$1,500.00	GENERAL
CARMEN FELICIANO VARGAS	10/31/2020	\$2,800.00	GENERAL
JAVIER GARCIA CINTRON	10/31/2020	\$2,800.00	GENERAL
EDWIN GARCIA MENDEZ	10/31/2020	\$2,800.00	GENERAL
ALBERTO GONZALEZ	10/31/2020	\$2,500.00	GENERAL
MARIO PORRATA NIEVA	10/31/2020	\$1,000.00	GENERAL
AIDA RAMIREZ MALDONADO	10/31/2020	\$1,100.00	GENERAL
LUIS ROBINSON MELENDEZ	10/31/2020	\$2,250.00	GENERAL
CLARA ROMAN	10/31/2020	\$1,000.00	GENERAL
CLARA ROMAN	10/31/2020	\$1,000.00	GENERAL
NANCY SANTANA NAZARIO	10/31/2020	\$2,250.00	GENERAL
VIVIAN SOLIVAN MELENDEZ	10/31/2020	\$2,800.00	GENERAL
<b>TOTAL</b>		<b>\$109,200.00</b>	

**Proposed Civil Money Penalty: \$11,720** ((5 Notices Not Filed at \$160 each) + (10% of the Overall Contributions Not Reported))

Federal Election Commission  
Reason to Believe Circulation Report  
48-Hour Notification Report

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty
4285	C00588392	TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS	PR	2020	JENNIFER GONZALEZ COLON	ORIOI CAMPOS HERNANDEZ	0	5	\$109,200	\$11,720

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 4285  
 Reason to Believe Recommendation - )  
 Failure to File 48-Hour Notices under the )  
 Administrative Fine Program: TODOS )  
 CON JENNIFFER INC. DBA )  
 JENNIFFER FOR CONGRESS and )  
 Oriol Campos Hernandez, in their official )  
 capacity as treasurer )

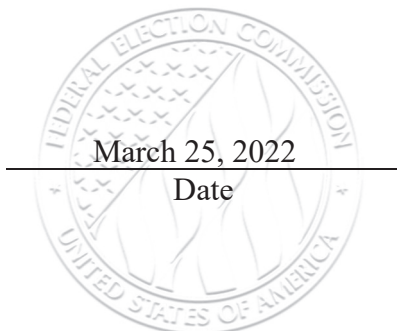
CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on March 23, 2022, the Commission decided by a vote of 5-0 to take the following actions in AF 4285:

1. Find reason to believe that TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS and Oriol Campos Hernandez, in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$11,720 be assessed.
2. Send the appropriate letter.

Commissioners Broussard, Cooksey, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Attest:



Vicktoria J Allen Digitally signed by Vicktoria J Allen  
 Date: 2022.03.25 12:23:26 -04'00'

Vicktoria J. Allen  
 Acting Deputy Secretary of the  
 Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

March 28, 2022

Oriol Campos Hernandez, in official capacity as Treasurer  
Todos Con Jenniffer Inc. Dbá Jenniffer for Congress  
P.O. Box 367111  
San Juan, PR 00936

C00588392

AF#: 4285

Dear Mr. Hernandez,

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, et seq. ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing the Federal Election Commission ("FEC") and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a). Our records indicate that Todos Con Jenniffer Inc. Dbá Jenniffer for Congress did not submit 48-Hour Notices for contributions of \$1,000 or more, received between July 21, 2020 and August 6, 2020, and between October 15, 2020 and October 31, 2020, totaling \$109,200, as required by 52 U.S.C. § 30104(a)(6)(A). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On March 23, 2022, the FEC found that there is Reason to Believe ("RTB") that Todos Con Jenniffer Inc. Dbá Jenniffer for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 C.F.R. § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$11,720. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.55. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$160 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$11,720 within forty (40) days of the finding, or by May 2, 2022.

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 2 of 5

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 2, 2022. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

Please note, all challenges to an RTB finding and/or calculated civil money penalty should be converted to PDF (Portable Document Format) and emailed to [administrativefines@fec.gov](mailto:administrativefines@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date it is electronically received by staff.

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process



TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 3 of 5

shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109, 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Todos Con Jennifer Inc. DbA Jennifer For Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

## **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

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

### **4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

### **5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 4 of 5

deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 C.F.R. § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Jacqueline Gausepohl in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Allen J. Dickerson  
Chairman

## **ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at RTB is \$11,720 for the 2020 Primary Election and 2020 General Election 48-Hour Notification Reports.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Jacqueline Gausepohl in the

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 5 of 5

Reports Analysis Division at our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: Todos Con Jennifer Inc. Dba Jennifer for Congress

FEC ID#: C00588392

AF#: 4285

PAYMENT DUE DATE: May 2, 2022

PAYMENT AMOUNT DUE: \$11,720

April 30, 2022


Via email: [administrativefines@fec.gov](mailto:administrativefines@fec.gov)

Allen J. Dickerson  
Chairman  
Federal Elections Commission  
Washington, DC 20463

RE: C00588392 | AF#4285

Dear Mr. Allen:

We acknowledge receipt of your notice dated March 28, 2022, informing us that the FEDERAL ELECTIONS COMMISSION found reason to believe that TODOS CON JENNIFFER failed to file the 48-Hour Notices for contributions of \$1,000 or more, received between July 21, 2020 and August 6, 2020, and between October 15, 2020 and October 31, 2020.

 We acknowledge that, due to an inadvertent oversight, the 48-Hour Notices for some contributions of \$1,000 or more, received between October 15, 2020 and October 31, 2020 which are listed in Attachment 1 of the Notice were not filed within the prescribed period, although they were included in subsequent disclosures. According to our calculations, the fines assessed for these contributions totals \$4,470.00. We will make the corresponding payment for this amount.

In regards with the Civil Penalty imposed on the Committee due to failure to submit Primary 48-Hour Notices for contributions of \$1,000 or more, received between July 21, 2020 and August 6, 2020 because, we intend to challenge those, based on a factual error in the RTB finding. We believe that, since there was no federal primary celebrated in Puerto Rico, we did not need to be filed, therefore it should not be imposed any penalty on us.

As a territory, Puerto Rico only has one federal elected official: the Resident Commissioner. Although two local parties held primaries for local elected positions during the 2020 election cycle, ***none of the five parties in Puerto Rico held primaries for the position of the Resident Commissioner and none of the candidates for Resident Commissioner in the general election were subject to a primary process.*** Because Puerto Rico did not hold a primary for *any* federal

position in the 2020 election cycle, we understood that we were not subject to the requirement to submit any 48-Hour Notice reports during those dates.

In light of the aforementioned, we respectfully request that the Commission reconsider any fines for failing to file the 48-Hour Notices for contributions of \$1,000 or more, received between July 21, 2020 and August 6, 2020.

Attentively,



Oriol Campos-Hernández

Treasurer

Todos con Jenniffer Inc. dba Jenniffer for Congress



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 30, 2022

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

AF# 4285 – Todos Con Jenniffer Inc. DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer (C00588392)

### **Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty.

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

In connection with the 2020 Puerto Rico Primary Election held on August 9, 2020, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between July 21, 2020 and August 6, 2020. In connection with the 2020 General Election held on November 3, 2020, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between October 15, 2020 and October 31, 2020. On March 23, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 60 contributions totaling \$109,200 and made a preliminary determination that the civil money penalty was \$11,720 based on the schedule of penalties at 11 C.F.R. § 111.44. A letter was sent to the respondents’ e-mail address of record from the Reports Analysis Division (“RAD”) on March 28, 2022 to notify them of the Commission’s RTB finding and civil money penalty.

### **Legal Requirements**

The Federal Election Campaign Act (“Act”) requires that the principal campaign committee of a candidate must notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20<sup>th</sup> day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 52 U.S.C. § 30104(a)(6)(A) and 11 C.F.R. § 104.5(f). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On May 2, 2022, the Commission received the written response (“challenge”) from the Treasurer stating there was an error in the RTB finding. The Treasurer acknowledges that the Committee failed to timely file 48-Hour Notices for the cited contributions received from October 15, 2020 through October 31, 2020. The Treasurer states that the Committee plans to make payment for this portion of the penalty, which they have calculated to be \$4,470. The Treasurer states the Committee was not required to file 48-Hour Notices for the remaining contributions included in the RTB finding, which were received from July 21, 2020 through August 6, 2020.

The Treasurer explains that the Committee was not required to file 48-Hour Notices in connection with the 2020 Primary Election “...since there was no federal primary celebrated in Puerto Rico.” The Treasurer states, in part:

As a territory, Puerto Rico only has one federal elected official: the Resident Commissioner. Although two local parties held primaries for local elected positions during the 2020 election cycle, *none of the five parties in Puerto Rico held primaries for the position of the Resident Commissioner and none of the candidates for Resident Commissioner in the general election were subject to a primary process.* Because Puerto Rico did not hold a primary for *any* federal position in the 2020 election cycle, we understood that we were not subject to the requirement to submit any 48-Hour Notice reports during those dates. (emphasis included)

The Treasurer requests that the Commission reconsider assessing a penalty for the 2020 Primary 48-Hour Notices.

## Analysis

The Committee is the principal campaign committee of Congresswoman Jenniffer González-Colón, whom currently serves as Puerto Rico’s Resident Commissioner to the U.S. House of Representatives.<sup>1</sup> 11 § CFR 100.4. The respondents state the Committee was not required to file 48-Hour Notices in connection with the 2020 Primary Election because no such election was held for the office of Resident Commissioner, nor was the Candidate subject to the primary process.

The Reviewing Officer recognizes that the Candidate may have been unopposed for nomination within their party for the 2020 Primary Election and may not have appeared on the 2020 Primary Election ballot. However, such candidates are still considered to be participating in the primary election and thus, election-specific reporting requirements apply. 11 §§ CFR 100.2, 100.3, 100.4, and 104.5(f). Commission records also indicate the Committee otherwise considered the Candidate to be participating in the 2020 Puerto Rico Primary Election. The Reviewing Officer notes that ahead of the 2020 Puerto Rico Primary Election, the Committee timely filed the 2020 Pre-Primary Report on July 28, 2020.<sup>2</sup> Further, the Committee has been accepting contributions designated for the 2020 Primary Election since 2017.

<sup>1</sup> Congresswoman González-Colón was first elected in 2016, re-elected in 2020, and is seeking re-election in 2024.

<sup>2</sup> See <https://docquery.fec.gov/pdf/076/202007289260930076/202007289260930076.pdf>.

Commission records also indicate the Committee should have been aware of its requirement to file 48-Hour Notices in connection with the 2020 Puerto Rico Primary Election. The Committee previously demonstrated its understanding of the filing requirement in connection with the 2016 Puerto Rico Primary Election by timely filing 48-Hour Notices for contributions received during that period. In addition, on July 8, 2020, the Commission's Information Division sent an email to the Committee regarding its 2020 Puerto Rico Primary Election reporting requirements. The email included a link to the 2020 Puerto Rico Primary Election Prior Notice on the Commission's website, which detailed the 48-Hour Notice requirement for contributions of \$1,000 or more received from July 21, 2020 through August 6, 2020.<sup>3</sup>

The Reviewing Officer concludes that the Commission's RTB finding was not based on a factual error, and the Committee was required to file 48-Hour Notices for all 60 contributions in question. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty.

### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4285 involving Todos Con Jennifer Inc. DBA Jennifer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4285 that Todos Con Jennifer Inc. DBA Jennifer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty; and
3. Send the appropriate letter.

### **Attachments**

Attachment 1 –  
 Attachment 2 –  
 Attachment 3 – Declaration from RAD  
 Attachment 4 – Declaration from OAR

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<sup>3</sup> The email was sent to treasurer.jgo2016@gmail.com and camposhernandezlaw@gmail.com, the email addresses disclosed on the Committee's Statement of Organization at that time. See Attachment 2; <https://docquery.fec.gov/pdf/059/201612309040907059/201612309040907059.pdf>.



**DECLARATION OF KRISTIN D. ROSER**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Todos con Jenniffer Inc. DBA Jenniffer for Congress:
  - A) Request for Additional Information for the Amended 2020 October Quarterly Report, dated December 12, 2021, referencing the missing 48-Hour Notices (sent via electronic mail to: camposhernandezlaw@gmail.com);
  - B) Request for Additional Information for the 2020 30-Day Post-General Report, dated December 12, 2021, referencing the missing 48-Hour Notices (sent via electronic mail to: camposhernandezlaw@gmail.com);
  - C) Reason-to-Believe Letter, dated March 28, 2022, referencing the missing 48-Hour Notices (sent via electronic mail to: camposhernandezlaw@gmail.com).
4. I hereby certify that I have searched the Commission's public records and find that Todos con Jenniffer Inc. DBA Jenniffer for Congress has not yet filed the missing 48-Hour Notices with the Commission.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed on the 21<sup>st</sup> day of June, 2022.

*Kristin D. Roser*

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

December 12, 2021

ORIOL CAMPOS HERNANDEZ, TREASURER  
TODOS CON JENNIFFER INC. DBA  
JENNIFFER FOR CONGRESS  
PO BOX 367111  
SAN JUAN, PR 00936

**Response Due Date**  
**01/18/2022**

IDENTIFICATION NUMBER: C00588392

REFERENCE: AMENDED OCTOBER QUARTERLY REPORT (07/21/2020 - 09/30/2020),  
RECEIVED 12/02/2020

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

2. On Schedule B supporting Line 17 of your report, you have itemized disbursements for which you have failed to include the purpose. Please amend your report to include the missing information. (11 CFR § 104.3(b)(4))

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 2 of 3

3. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 17 of your report to clarify the following description(s): "Auto Expense," "Campaign Expense," "Campaign Materials," "In-Kind-," "Materials," and "Office Expense." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement and a non-exhaustive list of acceptable purposes are available on the FEC website at <http://www.fec.gov/help-candidates-and-committees/purposes-disbursement/>.

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, contributions from political committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the Form 3 instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

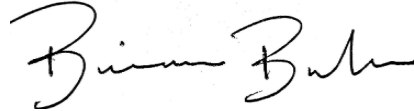
**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions 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. **Requests for extensions of time in which to respond will not be considered.**

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. For information about the report review process or specific filing information for your committee type, please visit [www.fec.gov/help-candidates-and-committees](http://www.fec.gov/help-candidates-and-committees). For more information about Requests for Additional Information (RAFI), why you received a letter, and how to respond, please visit [www.fec.gov/help-candidates-and-committees/request-additional-information](http://www.fec.gov/help-candidates-and-committees/request-additional-information). Should you 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) 694-1338.

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Buhr". The signature is fluid and cursive, with the first name "Brian" and last name "Buhr" clearly distinguishable.

Brian Buhr

Senior Campaign Finance Analyst

451

**Missing 48-Hour Notices****Todos Con Jennifer Inc. Dba Jennifer For Congress (C00588392)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Green, Karen Goldmeier	7/21/20	\$1,000.00	P2020
Majority Committee PAC	7/21/20	\$10,000.00	P2020
Ellis, Ryan	7/28/20	\$1,000.00	P2020
Deloitte PAC	8/3/20	\$2,500.00	P2020
Di Marco Serra, Anna	8/3/20	\$2,200.00	G2020
Hernandez Borres, Luis	8/3/20	\$1,000.00	P2020
Hernandez Borres, Luis	8/3/20	\$1,000.00	P2020
Hernandez-Gay, Victor	8/3/20	\$1,000.00	P2020
Matos, Nelson	8/3/20	\$1,000.00	P2020
Mercado Millan, Luis	8/3/20	\$2,000.00	P2020
Rivera, Edwin I.	8/3/20	\$2,000.00	P2020
Rivera, Juan M	8/3/20	\$1,000.00	P2020
Rivera, Juan M	8/3/20	\$1,000.00	P2020
Santiago, Maruja	8/3/20	\$1,200.00	G2020
Santiago, Maruja	8/3/20	\$1,300.00	P2020
Torres, Karina	8/3/20	\$1,000.00	P2020
Torres, Karina	8/3/20	\$1,000.00	P2020
Varela, Yolanda	8/3/20	\$1,000.00	P2020
Akin Gump Strauss Hauer & Feld LLP Civic Action Committee (Aka Agsh&F Civic Action Committ	8/4/20	\$2,000.00	P2020
Benitez Colon, Jose	8/4/20	\$1,000.00	P2020
De la Cruz, Rene	8/4/20	\$1,000.00	P2020
Del Rio Jimenez, Hector	8/4/20	\$1,000.00	P2020
Dubon, Manuel H.	8/4/20	\$1,000.00	P2020
Escudero, Alberto R.	8/4/20	\$1,000.00	P2020
Guillemard Noble, Jaime	8/4/20	\$2,800.00	P2020
Guillemard, Andres	8/4/20	\$1,300.00	P2020
Guillemard, Andres	8/4/20	\$1,500.00	G2020
Guillemard, Andy	8/4/20	\$2,800.00	P2020
Guillemard, Michelle	8/4/20	\$2,000.00	P2020
Hermida, Gustavo	8/4/20	\$1,000.00	P2020
Laffitte, Rafael	8/4/20	\$1,000.00	P2020
Maintaining All Republicans in Office PAC	8/4/20	\$2,000.00	P2020
Megwinoff, Nicolas	8/4/20	\$1,000.00	P2020
Noble de Guillemard, Maria M.	8/4/20	\$1,300.00	P2020
Pierluisi, Caridad	8/4/20	\$2,800.00	P2020
Rodriguez Gutierrez, Armando	8/4/20	\$2,000.00	P2020
Rodriguez Santana, Luis	8/4/20	\$1,000.00	P2020

**Missing 48-Hour Notices****Todos Con Jenniffer Inc. DbA Jenniffer For Congress (C00588392)**

Contributor Name	Date	Amount	Election
Roughrider PAC	8/4/20	\$1,000.00	P2020
The Eye of the Tiger PAC	8/4/20	\$5,000.00	P2020



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

December 12, 2021

ORIOL CAMPOS HERNANDEZ, TREASURER  
TODOS CON JENNIFFER INC. DBA  
JENNIFFER FOR CONGRESS  
PO BOX 367111  
SAN JUAN, PR 00936

**Response Due Date**  
**01/18/2022**

IDENTIFICATION NUMBER: C00588392

REFERENCE: 30 DAY POST-GENERAL REPORT (10/15/2020 - 11/23/2020)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

2. On Schedule B supporting Line 17 of your report, you have itemized disbursements for which you have failed to include the purpose. Please amend your report to include the missing information. (11 CFR § 104.3(b)(4))

3. Itemized disbursements must include a brief statement or description of why

TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 2 of 3

each disbursement was made. Please amend Schedule B supporting Line 17 of your report to clarify the following description(s): "Administrative Expense," "Books," "Campaign Expense," "Credit," "Gift Basket," "In-Kind -," "Office Expense," "Promotional Items," "Promotional Material," and "Servicio Soldadura." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement and a non-exhaustive list of acceptable purposes are available on the FEC website at <http://www.fec.gov/help-candidates-and-committees/purposes-disbursement/>.

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, contributions from political committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the Form 3 instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. 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. **Requests for extensions of time in which to respond will not be considered.**

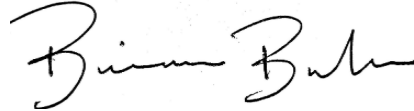
Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit [www.fec.gov/help-candidates-and-committees](http://www.fec.gov/help-candidates-and-committees). For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit [www.fec.gov/help-candidates-and-committees/request-additional-information](http://www.fec.gov/help-candidates-and-committees/request-additional-information). Should you 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) 694-1338.



TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Buhr". The signature is fluid and cursive, with the first name "Brian" and last name "Buhr" clearly distinguishable.

Brian Buhr

Senior Campaign Finance Analyst

451

**Missing 48-Hour Notices****Todos Con Jennifer Inc. Dbá Jennifer For Congress (C00588392)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Elliott, David	10/16/20	\$1,000.00	G2020
Amned, Kim	10/31/20	\$1,000.00	G2020
Amned, Kim	10/31/20	\$1,000.00	G2020
Artau Feliciano, Francisco	10/31/20	\$2,800.00	G2020
Artau Feliciano, Karen Z.	10/31/20	\$2,800.00	G2020
Artau Gomez, Eduardo	10/31/20	\$2,800.00	G2020
Casal, Jose	10/31/20	\$1,000.00	G2020
Cintron Parrilla, Elizabeth	10/31/20	\$2,800.00	G2020
De Jesus, Ileana	10/31/20	\$2,500.00	G2020
Enterprise Holdings, Inc. PAC	10/31/20	\$1,500.00	G2020
Feliciano Vargas, Carmen	10/31/20	\$2,800.00	G2020
Garcia Cintron, Javier	10/31/20	\$2,800.00	G2020
Garcia Mendez, Edwin	10/31/20	\$2,800.00	G2020
Gonzalez, Alberto	10/31/20	\$2,500.00	G2020
Porrata Nieva, Mario	10/31/20	\$1,000.00	G2020
Ramirez Maldonado, Aida	10/31/20	\$1,100.00	G2020
Robinson Melendez, Luis	10/31/20	\$2,250.00	G2020
Roman, Clara	10/31/20	\$1,000.00	G2020
Roman, Clara	10/31/20	\$1,000.00	G2020
Santana Nazario, Nancy	10/31/20	\$2,250.00	G2020
Solivan Melendez, Vivian	10/31/20	\$2,800.00	G2020

**Contributions for Which a 48-Hour Notice Was Not Received****AF 4285****Committee ID: C00588392****Committee Name: TODOS CON JENNIFFER INC. DBA JENNIFFER FOR CONGRESS****Report Type: Amended October Quarterly Report (7/21/2020 – 9/30/2020), received 1/18/2022 and Amended 30-Day Post-General Report (10/15/2020 – 11/23/2020), received 1/18/2022****Primary 48-Hour Reporting Period: 7/21/2020 – 8/6/2020****General 48-Hour Reporting Period: 10/15/2020 – 10/31/2020**

CONTRIBUTOR NAME	DATE	AMOUNT	REPORTING PERIOD
KAREN GOLDMEIER GREEN	7/21/2020	\$1,000.00	PRIMARY
MAJORITY COMMITTEE PAC	7/21/2020	\$10,000.00	PRIMARY
RYAN ELLIS	7/28/2020	\$1,000.00	PRIMARY
DELOITTE PAC	8/3/2020	\$2,500.00	PRIMARY
ANNA DI MARCO SERRA	8/3/2020	\$2,200.00	GENERAL
LUIS HERNANDEZ BORRES	8/3/2020	\$1,000.00	PRIMARY
LUIS HERNANDEZ BORRES	8/3/2020	\$1,000.00	PRIMARY
VICTOR HERNANDEZ-GAY	8/3/2020	\$1,000.00	PRIMARY
NELSON MATOS	8/3/2020	\$1,000.00	PRIMARY
LUIS MERCADO MILLAN	8/3/2020	\$2,000.00	PRIMARY
EDWIN I. RIVERA	8/3/2020	\$2,000.00	PRIMARY
JUAN M RIVERA	8/3/2020	\$1,000.00	PRIMARY
JUAN M RIVERA	8/3/2020	\$1,000.00	PRIMARY
MARUJA SANTIAGO	8/3/2020	\$1,200.00	GENERAL
MARUJA SANTIAGO	8/3/2020	\$1,300.00	PRIMARY
KARINA TORRES	8/3/2020	\$1,000.00	PRIMARY
KARINA TORRES	8/3/2020	\$1,000.00	PRIMARY
YOLANDA VARELA	8/3/2020	\$1,000.00	PRIMARY
AKIN GUMP STRAUSS HAUER & FELD LLP CIVIC ACTION COMMITTEE (AKA AGSH&F CIVIC ACTION COMMITT	8/4/2020	\$2,000.00	PRIMARY
JOSE BENITEZ COLON	8/4/2020	\$1,000.00	PRIMARY
RENE DE LA CRUZ	8/4/2020	\$1,000.00	PRIMARY
HECTOR DEL RIO JIMENEZ	8/4/2020	\$1,000.00	PRIMARY
MANUEL H. DUBON	8/4/2020	\$1,000.00	PRIMARY
ALBERTO R. ESCUDERO	8/4/2020	\$1,000.00	PRIMARY
ANDRES GUILLEMARD	8/4/2020	\$1,300.00	PRIMARY
ANDRES GUILLEMARD	8/4/2020	\$1,500.00	GENERAL



ANDY GUILLEMARD	8/4/2020	\$2,800.00	PRIMARY
MICHELLE GUILLEMARD	8/4/2020	\$2,000.00	PRIMARY
JAIME GUILLEMARD NOBLE	8/4/2020	\$2,800.00	PRIMARY
GUSTAVO HERMIDA	8/4/2020	\$1,000.00	PRIMARY
RAFAEL LAFFITTE	8/4/2020	\$1,000.00	PRIMARY
MAINTAINING ALL REPUBLICANS IN OFFICE PAC	8/4/2020	\$2,000.00	PRIMARY
NICOLAS MEGWINOFF	8/4/2020	\$1,000.00	PRIMARY
MARIA M. NOBLE DE GUILLEMARD	8/4/2020	\$1,300.00	PRIMARY
CARDIAD PIERLUISI	8/4/2020	\$2,800.00	PRIMARY
ARMANDO RODRIGUEZ GUTIERREZ	8/4/2020	\$2,000.00	PRIMARY
LUIS RODRIGUEZ SANTANA	8/4/2020	\$1,000.00	PRIMARY
ROUGH RIDER PAC	8/4/2020	\$1,000.00	PRIMARY
THE EYE OF THE TIGER PAC	8/4/2020	\$5,000.00	PRIMARY
DAVID ELLIOTT	10/16/2020	\$1,000.00	GENERAL
KIM AMNED	10/31/2020	\$1,000.00	GENERAL
KIM AMNED	10/31/2020	\$1,000.00	GENERAL
FRANCISCO ARTAU FELICIANO	10/31/2020	\$2,800.00	GENERAL
KAREN Z. ARTAU FELICIANO	10/31/2020	\$2,800.00	GENERAL
EDUARDO ARTAU GOMEZ	10/31/2020	\$2,800.00	GENERAL
JOSE CASAL	10/31/2020	\$1,000.00	GENERAL
ELIZABETH CINTRON PARRILLA	10/31/2020	\$2,800.00	GENERAL
ILEANA DE JESUS	10/31/2020	\$2,500.00	GENERAL
ENTERPRISE HOLDINGS, INC. PAC	10/31/2020	\$1,500.00	GENERAL
CARMEN FELICIANO VARGAS	10/31/2020	\$2,800.00	GENERAL
JAVIER GARCIA CINTRON	10/31/2020	\$2,800.00	GENERAL
EDWIN GARCIA MENDEZ	10/31/2020	\$2,800.00	GENERAL
ALBERTO GONZALEZ	10/31/2020	\$2,500.00	GENERAL
MARIO PORRATA NIEVA	10/31/2020	\$1,000.00	GENERAL
AIDA RAMIREZ MALDONADO	10/31/2020	\$1,100.00	GENERAL
LUIS ROBINSON MELENDEZ	10/31/2020	\$2,250.00	GENERAL
CLARA ROMAN	10/31/2020	\$1,000.00	GENERAL
CLARA ROMAN	10/31/2020	\$1,000.00	GENERAL
NANCY SANTANA NAZARIO	10/31/2020	\$2,250.00	GENERAL
VIVIAN SOLIVAN MELENDEZ	10/31/2020	\$2,800.00	GENERAL
<b>TOTAL</b>		<b>\$109,200.00</b>	

**Proposed Civil Money Penalty: \$11,720** ((5 Notices Not Filed at \$160 each) + (10% of the Overall Contributions Not Reported))

**DECLARATION OF RHIANNON MAGRUDER**

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20<sup>th</sup> day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) I hereby certify that I have searched the Commission's public records and find that the Committee did not file the required 48-Hour Notices for the contributions included in the Commission's March 23, 2022 RTB finding.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 30<sup>th</sup> day of June, 2022.



Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 30, 2022

Oriol Campos Hernandez, in official capacity as Treasurer  
Todos Con Jennifer Inc. DBA Jennifer for Congress  
PO Box 367111  
San Juan, PR 00936

C00588392  
AF# 4285

Dear Treasurer:

On March 23, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Todos Con Jennifer Inc. DBA Jennifer for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 60 contributions totaling \$109,200. The Commission also made a preliminary determination that the civil money penalty was \$11,720 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess a civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Please note, all written responses and supporting documentation should be converted to PDF (Portable Document Format) and emailed to the Commission Secretary at [secretary@fec.gov](mailto:secretary@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review

**RECEIVED**

By Office of the Commission Secretary at 10:40 am, Aug 11, 2022

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

August 11, 2022

**MEMORANDUM**

To: The Commission

Through: Alec Palmer  
Staff Director *AP*

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

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 4285 – Todos Con Jenniffer Inc.  
DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official  
capacity as Treasurer (C00588392)

On March 23, 2022, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 60 contributions totaling \$109,200 and made a preliminary determination that the civil money penalty was \$11,720 based on the schedule of penalties at 11 C.F.R. § 111.44. On May 2, 2022, the Commission received their written response (“challenge”). The respondents acknowledged their failure to timely file 48-Hour Notices in connection with the 2020 Puerto Rico General Election, and on May 3, 2022, the Commission received their partial payment of \$4,470. The respondents challenged the remaining portion of the RTB finding covering their failure to file 48-Hour Notices in connection with the 2020 Puerto Rico Primary Election. After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated June 30, 2022 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Reviewing Officer recognized that the Candidate may have been unopposed for nomination within their party for the 2020 Primary Election and may not have appeared on the 2020 Primary Election ballot. However, such candidates are still considered to be participating in the primary election and thus, election-specific reporting requirements apply. 11 §§ CFR 100.2, 100.3, 100.4, and 104.5(f). The Reviewing Officer concluded that the Commission’s RTB finding was not based on a factual error, and the Committee was required to file 48-Hour Notices for all 60 contributions in question. Therefore, the Reviewing Officer

recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The respondents have since indicated they accept the Reviewing Officer Recommendation and intend to pay the recommended civil money penalty of \$11,720.

### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4285 involving Todos Con Jenniffer Inc. DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4285 that Todos Con Jenniffer Inc. DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty; and
3. Send the appropriate letter.



## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 4285  
 Final Determination Recommendation: )  
 Todos Con Jenniffer Inc. DBA Jenniffer )  
 for Congress and Oriol Campos )  
 Hernandez, in their official capacity as )  
 Treasurer (C00588392) )

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on September 21, 2022, the Commission decided by a vote of 6-0 to take the following actions in AF 4285:

1. Adopt the Reviewing Officer recommendation for AF# 4285 involving Todos Con Jenniffer Inc. DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 4285 that Todos Con Jenniffer Inc. DBA Jenniffer for Congress and Oriol Campos Hernandez, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$11,720 civil money penalty.
3. Send the appropriate letter.

Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

Attest:



September 21, 2022

Date

Vicktoria J Allen

Digitally signed by Vicktoria J  
 Allen  
 Date: 2022.09.21 15:28:51  
 -04'00'

Vicktoria J. Allen  
 Acting Deputy Secretary of the  
 Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 26, 2022

Oriol Campos Hernandez, in official capacity as Treasurer  
Todos Con Jenniffer Inc. DBA Jenniffer for Congress  
PO Box 367111  
San Juan, PR 00936

C00588392  
AF# 4285

Dear Oriol Campos Hernandez,

On March 23, 2022, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Todos Con Jenniffer Inc. DBA Jenniffer for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 60 contributions totaling \$109,200. By letter dated March 28, 2022, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$11,720 in accordance with the schedule of penalties at 11 C.F.R. § 111.44. On May 2, 2022, the Office of Administrative Review received your written response challenging the RTB finding. On May 3, 2022, the Commission received your partial payment of \$4,470.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Todos Con Jenniffer Inc. DBA Jenniffer for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$11,720 in accordance with 11 C.F.R. § 111.44. The Reviewing Officer Recommendation was sent to you on June 30, 2022.

On September 21, 2022, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Todos Con Jenniffer Inc. DBA Jenniffer for Congress and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$11,720. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

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

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(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 52 U.S.C. § 30109. 11 CFR § 111.38.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701, *et seq.* If you do not pay this debt within 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 you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments that the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

## 5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

A handwritten signature in blue ink, appearing to read "Allen Dickerson", is written over a horizontal line.

Allen Dickerson  
Chairman

Attachment

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at final determination is \$11,720 for the 2020 Primary Election and 2020 General Election 48-Hour Notification Reports.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Rhiannon Magruder on our toll-free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

COMMITTEE NAME: Todos Con Jenniffer Inc. DBA Jenniffer for Congress

FEC ID#: C00588392

AF#: 4285

AMOUNT PREVIOUSLY PAID: \$4,470

PAYMENT AMOUNT DUE: \$7,250