



Estado Libre Asociado de Puerto Rico
Cámara de Representantes



Hon. José F. Aponte Hernández
Representante Distrito 33
San Lorenzo - Juncos - Las Piedras - Gurabo

MUR # 5481

Tel. (787) 723-1090 - 723-8175
(787) 721-6040 - Exts. 3520 - 3521 - 2110
Fax: (787) 722-5106

July 5, 2004

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

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2004 JUL 15 A 11: 26

Dear Sir or Madam:

Pursuant to section 437g(a) of title 2 of the United States Code, I am filing the following complaint with the Federal Election Commission ("FEC"), which is duly signed and sworn to by me, evidenced by the notary seal affixed hereto.

Puerto Rico Resident Commissioner Anibal Acevedo-Vila (D-PR) was elected to the U.S. House of Representatives in November 2000. Prior thereto, he served as a state representative in the Legislative Assembly of the Commonwealth of Puerto Rico.

On June 11, 1999, Mr. Acevedo-Vila filed a Statement of Candidacy with the Federal Election Commission ("FEC"). A candidate for federal office must file this statement with the FEC no later than 15 days after becoming a candidate, which occurs when an individual seeking federal elective office (including the office of Resident Commissioner) receives contributions or makes expenditures in excess of \$5,000.

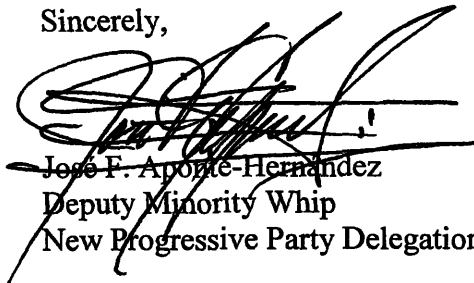
In March 1999, Mr. Acevedo-Vila received checks in the amounts of \$20,000 and \$10,000 from Dr. Richard Machado, a political supporter at the time. After several denials of having received the money, Mr. Acevedo-Vila finally admitted he received the funds, but he denied personal receipt. Rather, he claimed that the funds were deposited in an account maintained by him and his sister for political purposes. However, no political committee registered in Puerto Rico has reported receipt of the funds, and the money is not reflected on any public financial disclosure statement filed by Mr. Acevedo-Vila or any political committee or other organization associated with him.

According to an article appearing in the San Juan Star, prior to receiving the \$20,000 and \$10,000 payment in March 1999, Mr. Acevedo Vila had already embarked on his campaign to become the Popular Democratic Party's ("PDP") nominee for Resident Commissioner. See X.N.Crescioni, *Acevedo already on campaign for D.C. post when he received \$20,000*, San Juan Star, April 23, 2004. These facts suggest that Mr.

Acevedo Vila used the funds provided by Mr. Machado to finance his campaign for Resident Commissioner.

Because Mr. Acevedo Vila did not file a Statement of Candidacy until June 11, 1999, he appears to have violated Federal election law by failing to register. In addition, by concealing his receipt of the funds, Mr. Acevedo Vila violated other Federal campaign finance disclosure and reporting requirements. Finally, under federal campaign law, the amount an individual could contribute to a candidate for federal office at the time was limited to \$1,000 per candidate, per election. Machado's payments exceeded this limit greatly. Thus, Mr. Acevedo Vila appears to have received illegal campaign contributions, failed to disclose the receipt of those contributions and failed to file a Statement of Candidacy as required under federal election law.

Sincerely,


José F. Aponte-Hernández
Deputy Minority Whip
New Progressive Party Delegation

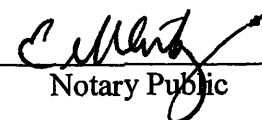
Enclosures

I, José F. Aponte-Hernández, certify that the information that the above complaint states, to my belief and best understanding, is true as has been publicly admitted by the respondent and or stated publicly.

Affidavit # 029

Signed and sworn before me on July 5, 2004, by The Honorable José F. Aponte-Hernández, member of the House of Representatives of Puerto Rico, married and resident of San Lorenzo, Puerto Rico, whom I personally know. In San Juan, Puerto Rico, today, July 5, 2004.




Notary Public

77400702137

Piden al PPD explotar las lecciones de la quinta

Por JULIO GHIGLIOTTY
DE EL NUEVO DIA

EL PARTIDO Popular Democrático tiene que aprovechar las lecciones que surgen del triunfo de la quinta columna en la consulta de status del domingo para consolidarse y prepararse para las elecciones del 2000, dijeron ayer varios líderes de esa colectividad.

Los tres legisladores entrevistados estuvieron de acuerdo en que hay que solucionar los problemas organizativos del partido no más tarde del próximo verano, aprovechando el espacio que les ha dado el triunfo en la consulta.

También estuvieron de acuerdo en que no hay prisa para realizar un cambio en la presidencia del partido, por lo menos no antes de fines de febrero o principio de marzo, aunque ya es casi seguro que la alcaldesa de San Juan, Sila María Calderón, será la candidata a la gobernación en el 2000.

El senador Eudaldo Bález Galib dijo que la campaña plebiscitaria fue de gran beneficio para el PPD porque le dio la oportunidad de "consolidar algunos sectores que estaban con algunas dudas" y "radiografiar" el partido para ver cuál es su verdadera condición organizativa.

También se pudo notar que "un grupo limitado del liderazgo" fue el que llevó el peso de la campaña, lo que dará oportunidad a la base del partido de aquilatar a los potenciales candidatos, especialmente a nivel de municipios, dijo el ex secretario general y ex comisionado electoral del PPD. Mientras, el liderazgo central podrá valorizar la estructura y el organismo en sí, además del liderazgo de base, añadió.

"Yo, personalmente, he sido un ferviente creedor de la reformulación del partido tanto filosófica como estructuralmente, y lo continuaré postulando con el beneficio que ofrecen las sacudidas electorales", comentó Bález Galib.

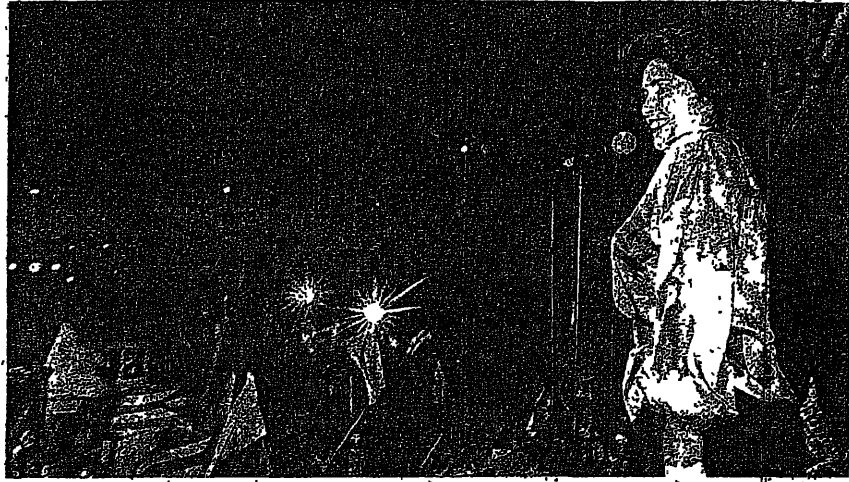
ADVERTIRIO, sin embargo, que los problemas de organización y estructurales tienen que resolverse antes de julio, cuando comiencen a declararse los aspirantes a las diferentes candidaturas a puestos electivos.

"Tenemos hasta junio para hacer los ajustes necesarios. Tú no puedes trabajar a la misma vez los problemas de reorganización y las luchas internas que surgen por las candidaturas", señaló Bález Galib.

Tampoco se puede esperar que empiece el año 2000 porque la primera parte de ese año se tiene que dedicar a redactar el programa de gobierno que se presentará ante el electorado.

El representante Jorge de Castro Font, por su parte, opinó que el PPD "se encuentra en este momento en una trayectoria ascendente hacia materializar un cambio de gobierno en las próximas elecciones".

Señaló que el gobernador Pedro Rosselló se hizo líder del



Los senadores populares Eudaldo Bález Galib y Eduardo Bhatia Gautier y el representante Jorge de Castro Font celebraron en que ya es casi seguro que la alcaldesa de San Juan, Sila María Calderón, será la candidata a la Gobernación en el 2000.

PNP en el 1991, en una situación similar a la que enfrenta la alcaldesa Sila María Calderón en estos momentos, que fue encabezada la exitosa campaña contra la propuesta del entonces gobernador Rafael Hernández Colón de enmendar la Constitución del ELA para incluir los llamados derechos democráticos mínimos que tendría que incluir cualquier fórmula de status para poder presentarse ante el pueblo en un plebiscito.

La campaña plebiscitaria permitió que se creara una coalición del pueblo contra la agenda asnilista de Rossello y el PNP.

"Ahora está de parte de nosotros seguir con esa unidad de propósito al recoger el planteamiento de Hernández Colón en Ponce, cuando dijo que ahora tenemos que proponernos la preparación de una plataforma de gobierno seria que plantee soluciones a los problemas apremiantes del país y, segundo, que tenemos que presentar al país hacia dónde queremos desarrollar el ELA en el siglo 21", dijo de Castro Font.

ESE ELA, dijo, debe contener "lo mejor de los dos mundos" y promover "un desarrollo dentro del sistema federal americano", agregó.

El senador Eduardo Bhatia Gautier dijo que el PPD salió de la campaña plebiscitaria "mucho más sofisticado y preparado para enfrentar al PNP" en las próximas elecciones.

Pero, el PPD todavía tiene que representar "una opción refrescante" como partido para el electorado. "Para eso hacen falta candidatos refrescantes y nuevos en los pueblos donde no tenemos la alcaldía, y renovar la estructura de presidentes de barrio en los pueblos donde nos falta", dijo Bhatia Gautier al indicar que esa situación existe en alrededor de 50% de los municipios.

"La campaña plebiscitaria fue como anillo al dedo para nosotros porque pusimos a prueba los coordinadores y líderes en los pueblos. Algunos se crecieron y otros no", dijo Eso, agregó, adelanta el trabajo de completar la reorganización que se interrumpió con el plebiscito.



Acaveo Vilá "candidato lógico".

En guerra por la candidatura a Washington

Por JULIO GHIGLIOTTY
DE EL NUEVO DIA

NO HAY DUDA alguna de que Sila María Calderón probablemente será la candidata a la gobernación por el Partido Popular Democrático en el 2000 pero, ¿y qué del actual presidente, Aníbal Acevedo Vilá?

Ese asunto parece que está levantando roncadas dentro de las filas del PPD ante el anuncio del-todavía influyente ex gobernador Rafael Hernández Colón de que su hijo, José Alberto Hernández Mayoral, debe ser el candidato a comisionado residente en la papeleta con Calderón.

Por lo menos dos fuentes dentro del PPD indicaron que un significativo sector de la base del partido entiende que Acevedo Vilá sería el candidato lógico para ir a Washington, porque probó su efectividad en la capital federal durante la lucha contra el Proyecto Young y porque se lo ganó al encabezar la exitosa campaña plebiscitaria que al principio se daba por perdida.

Hernández Colón propuso que Acevedo Vilá se quede en la Legislatura y de ganar el PED la mayoría de los escaños en el 2000, pase a ocupar la presidencia de la Cámara o del Senado.

Las fuentes indican que de hecho, existe un acuerdo entre Calderón y Acevedo para que este último sea el candidato para comisionado res-

dente. También aseguran que Calderón resiente que Hernández Colón quiere imponer un candidato.

Tanto Calderón como Acevedo Vilá han rehusado hablar de candidaturas, y ni siquiera han querido decir si están interesados.

NO OBSTANTE, el asunto tendrá que atenderse en los próximos meses. Durante el discurso de triunfo de Acevedo Vilá en la tarima frente al PPD en Puerta de Tierra, el público comenzó a pedir "Sila, Sila, Sila", provocando que el actual presidente del partido tuviera que interrumpirse a sí mismo para decir "ya mismo, ya mismo".

El problema que confrontan tanto Acevedo Vilá como Calderón, sin embargo, es que Hernández Colón todavía tiene mucha influencia sobre los grandes donantes de fondos para la campaña electoral.

La opinión de una de las fuentes, sin embargo, es que Calderón, por su propio atractivo como candidata para los donantes con bolsillos profundos, y Acevedo Vilá, por el respeto que adquirió en la base con su labor contra el Proyecto Young y en la campaña plebiscitaria, pueden resistir la presión que ejerce el ex-Gobernador desde Ponce.

El consenso, dijeron las fuentes, es que Hernández Mayoral debe "ganarse sus galones" comiendo por un año legislativo, quizás, u otro puesto electivo para adquirir experiencia antes de aspirar al segundo puesto, plebiscito más alto.

07HNO3NATC7

Acevedo already on campaign for D.C. post when he received \$20,000

BY XAVIRA NEGGERS
CRESCIONI
xneggers@sanjuanstarmedia.net
OF THE STAR STAFF

President Anibal Acevedo Vilá is set to receive a \$20,000 donation from fund raiser Richard Machado, Anibal Acevedo Vilá was already embarked on his campaign for the president's commissioner nomination, according to press reports at the time.

Acevedo Vilá acknowledged receiving the March 1, 1999 donation, but said it was not for his candidacy but to support lobbying efforts on status in Washington, D.C. The Popular Democratic Party gubernatorial

candidate said he had yet to formally announce his intention to run for the congressional post at the time of the donation.

But a press report from Feb. 8, 1999 focused on a debate between Acevedo Vilá and his opponent José Alfredo Hernández Mayoral.

"Hundreds of *populares* crowded into a country club yesterday to listen to and question the two aspirants for the resident commissioner candidacy of the PDR, Anibal Acevedo Vilá and José Alfredo Hernández Mayoral," the report states.

The money, Acevedo Vilá acknowledged, was deposited

into an account called Amigos de Anibal Acevedo Vilá.

The key to whether Acevedo Vilá violated the Electoral Law by failing to register Amigos de Anibal Acevedo Vilá as a political action committee and its donations with the State Elections Commission lies in whether the PAC paid any expenses for the PDP of Acevedo Vilá during his candidacy for resident commissioner. Puerto Rican Independence Party Electoral Commissioner Juan Dalmau said, Section 3.3 of the Electoral Law states that any PAC making more than \$500 in donations to political parties or candidates must

register its existence as well as all donations it receives with the SEC. Under the law, a person can only donate up to \$500 to a PAC. However, SEC rules apply only to groups supporting a political party or candidate. Groups that support other political issues do not have to register with the SEC, unless they donate more than \$500 to a political party or candidate.

Dalmau said he does not believe this is the case with the \$20,000 donation to Acevedo Vilá. "It's a ghost account... used to evade

JP President Anibal Acevedo Vilá

Please see "SEC," Page 8

Resolution calls for Acevedo Vilá to quit post

EVA LLORENS VELEZ
velez@sanjuanstarmedia.net
OF THE STAR STAFF

The New Progressive Party House and Senate delegations introduced in their executive chambers Thursday a resolution calling for Resident Commissioner Anibal Acevedo Vilá to resign from the Washington, D.C.

move came after Acevedo Vilá acknowledged earlier this week that he received a \$20,000 donation from former Popular Democratic Party gubernatorial candidate Richard Machado in March 1999.

Acevedo Vilá, who in 1999 was House minority leader, said he used the money to lobby against the Young Bill in Washington and did not need to report the money to the State Elections Commission.

NPP Rep. José Aponte said even if that were the case, Acevedo Vilá should have listed the \$20,000 in financial statements filed with the Government Ethics Office, in his tax returns or in his House financial statements.

"I assure you he did not do either," he said.

While the NPP lawmakers said they would try to bring the resolution

for a vote in the House and Senate sessions, House Minority Leader Anibal Vega Borges and Senate Minority Leader Kenneth McClintock said they would wait for the majority to weigh the resolution first, before trying to force a vote on it.

Senate President Antonio Las Alzamora, however, characterized the measure as "stillborn."

He said the resolution was part of a "mudslinging campaign" by NPP lawmakers to soil the PDP gubernatorial candidate.

Meanwhile, a legislative source told the STAR that PDP leaders

appeared worried about the latest allegations against Acevedo Vilá and have talked about replacing him with attorney José Alfredo Hernández Mayoral, who withdrew his bid to be the PDP's gubernatorial candidate because of his sons' illness.

In Thursday's session, the Senate passed several bills, including one authored by PDP Sen. Margarita Ospolaza that would protect bodies of water in San Juan, Guaynabo, Caguas and Gurabo.

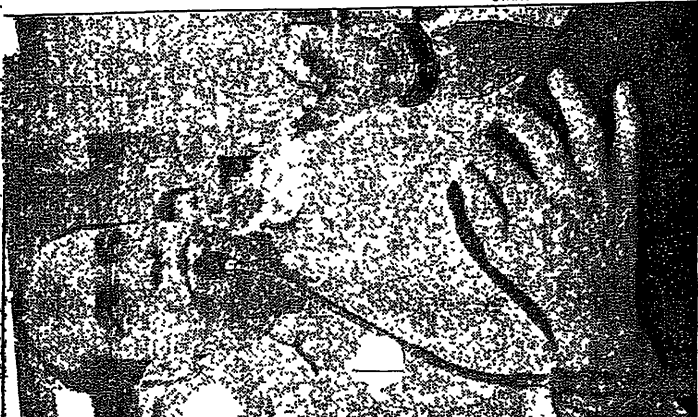
However, it postponed until next week a vote on House legislation that would ban smoking in public and

some private places.

The senators also voted on legislation to create a marine reserve. Meanwhile, the House passed with 39 votes in favor and one against a bill that would give a 50 percent discount on parking fees at any hospital to people over 60 years old.

NPP Rep. Oscar Ramos Meléndez voted against the bill, saying many such measures to benefit senior citizens are passed but never implemented.

Majority Leader Roberto Maldonado announced that May 10 is the last day to introduce bills in current session, the only one this



STAR PHOTO BY RAFAEL PICHARDO

STATEMENT OF CANDIDACY

(see reverse side for instructions)

RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

JUN 11 11 23 AM '99

1. (a) Name of Candidate (in full) <u>Amibal Acevedo-Vila</u>		
(b) Address (number and street) <input type="checkbox"/> Check if address changed <u>P.O. Box 16523</u>		
(c) City, State, and ZIP Code <u>San Juan, Puerto Rico 00908-6523</u>		2. Identification Number
3. Party Affiliation <u>I</u>	4. Office Sought <u>House</u>	5. State & District of Candidate <u>Puerto Rico</u>

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby authorize the following named political committee as my Principal Campaign Committee for the 2000 election(s)
(year of election)

NOTE: This designation should be filed with the appropriate office listed below.

(a) Name of Committee (in full)
Acevedo Vila Comisionada 2000

(b) Address (number and street)
P.O. Box 16523

(c) City, State, and ZIP Code
San Juan, Puerto Rico 00908-6523

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

7. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State, and ZIP Code

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

Signature of Candidate 	Date <u>June 10, 1999</u>
---	------------------------------

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

CANDIDATES FOR THE OFFICE OF:

U.S. Senate mail to:
Secretary of the Senate
Office of Public Records
222 Hart Senate Office Bldg.
Washington, DC 20510-7118

All other candidates
mail to:
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

For further information contact:
Federal Election Commission
Toll-free 1800/424-9530
Local 202/219-3420

FEC FORM 2

202506270922