

12/22/2011

From: Mr. Henry Yanez

To: FEC General Counsel's Office
999 E Street N.W.
Washington D.C. 20463

Re: MUR 6512

RECEIVED
FEDERAL ELECTION
COMMISSION
2011 DEC 29 PM 3:25
OFFICE OF GENERAL
COUNSEL

I am responding to the complaint filed against me and my campaign during the election cycle of 2010 (Candidate ID # H0M110212. Campaign committee #C00489955).

In my review of this matter I have run into a few obstacles that would help clear this matter up. 1- I am no longer in touch with my former treasurer, Ms. Arianna Welsh and I do not possess all my former campaign paperwork and 2 - I have closed out the bank account I had for my campaign and their recovery of copies of all the checks and documents for me is not high on their list of priorities.

Having said that I would like to have this matter come to a resolution as quickly as possible. There was obviously more money donated to my campaign by the Lapeer County Democratic party then legally allowed. Again, without being able to go through all of the pertinent paperwork I can not account for this oversight.

I would like to make several points regarding this matter.

1. In no way, shape or form was there ever any attempt to "cheat" the system. I point out that every other donation from a political party stayed within the \$1000.00 limit and is documented.
2. While I can not say why Ms. Welsh posted the donations this way the fact is they were posted. I can not explain why the posting was not on the FEC web site. It appeared there briefly but was soon gone. I have a suspicion that FEC form 2 was file twice and two candidate numbers may have been generated. I know that once we hit the \$5000.00 mark Ms. Welsh did attempt to file but we only had a committee ID number at that time and we had to file FEC form 2. Ms. Welsh and I each talked with a different person at the FEC. After I had filed form 2 we contacted the FEC and we were told that form was still not on file. We filed again and in the mean time, trying to get our financial filing in, we were told that the first form 2 was found and the second form 2 would be disregarded. Unfortunately, this is all from recollection and I have no names of the people we talked to but I know of at least two other people that saw the posting of my financial report and then questioned me why it was no longer there when they checked after the election to see my final numbers.
3. In order for me to file as a candidate for the 2012 cycle I had to clear up any financial filings that were not submitted by the 2010 campaign. I talked with Mr. Ben Holley of the FEC. He was very helpful in giving me direction as to which reports were not

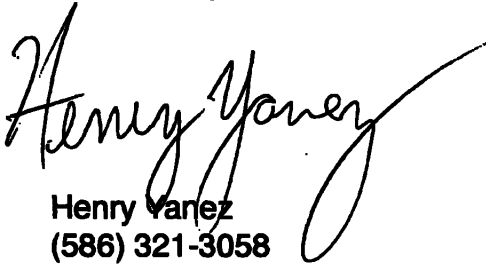
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filed. I filed the missing reports and then submitted my new paperwork for the 2012 campaign, both FEC forms 1 and 2 on 10/12/2011.

4. In regards to Mr. St. Laurants complaint that there was a deleterious effect against the local Republican party, I would like to point out that Mr. St. Laurent, a former Republican party chair, knew about this issue since at least last June when he confronted a Lapeer county Democratic party member, Mr. Bernard Jbcuns, about it, yet waited until November to file his complaint, after I file papers to run against the incumbent Republican congresswoman. I will also note that not one Democrat won a race at the federal or state level in Lapeer county. The assertion that there was any dishonest and willful attempt on the part of me, my treasurer, volunteers, supporters or anyone connected with my 2010 campaign and that somehow local Republicans and there donors were held at a disadvantage because I allegedly tried to hide tens of dollars in a million dollar congressional race is simply not born out. If Mr. St. Laurant was so concerned about the sanctity and openness of the process I would think that he would have filed this complaint when he first discovered this issue.

In closing, any violations that have been committed, no matter how innocent, are still a violation if that's how the FEC deems it to be. I am certain that once this is reviewed you will find there was no attempt to cheat or be dishonest. I look forward to clearing this matter up in any way the FEC sees fit to do so. Please contact me at your convenience if you have any further questions. I look forward to resolving this issue and moving forward with the 2012 campaign.

Respectfully,



Henry Yanez
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