

Supplement to AOR 2000-38⁰⁰²

DEMOCRATIC PARTY
OF THE
COMMONWEALTH OF PUERTO RICO

P.O. Box 195634
San Juan, Puerto Rico 00919-5634

MEMORANDUM IN RESPONSE

November 24, 2000.

To: Federal Election Commission

Attn.: Lawrence M. Noble
General Counsel

N. Bradley Litchfield
Associate General Counsel

From: ~~Eudalce Baez-Galib~~
Chair
Democratic Party of the Commonwealth
Puerto Rico

Re: AOR 2000-38
Response to questions.

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FEDERAL ELECTION
COMMISSION
SECRETARIAT
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We acknowledge receipt of your inquiry in the Advisory Opinion of reference. Our answers to your questions are as follows.

Question (1). "Please describe how the contributions to DPPR were solicited. State the language used in such solicitations. Your description should include, but not limited to, whether there were reference to Federal elections (e.g., for President or Resident Commissioner); statements as to the use of contributed funds for supporting candidates for President, Resident Commissioner, or other Federal office; statements as to the use of funds for supporting the election of delegates or for the costs of delegates and other party members to attend the 2000 Democratic National Convention; and statements as to other uses of the funds. Your description should also state what those other references were."

Answer to (1). The funds were solicited orally in a breakfast sponsored by DPPR. No reference was made to Federal elections, nor for supporting candidates for President, Resident Commissioner or other Federal office, nor for supporting the election of delegates (by that date the delegates had been selected).

We did state that part of the funds could be used to pay for the cost of delegates and other party members to attend the 2000 Democratic National Convention, as in fact we did

pay. Travel, boarding and food was paid for the party Chair, Vice Chair, Executive Director and one delegate. Also for a private secretary, neither party member or delegate, for attending administrative details and delegates needs while in the Convention.

We also stated that most of the funds would be used for the administration of the party during the year and for funding the civil case filed to challenge the constitutionality of a local law authorizing voting for members to the Presidential Electoral College. This funding was not necessary since the First Circuit Court of Appeals decreed de unconstitutionality and public notices did not have to be published.

Question (2). "State whether any of these contributions to DPPR were solicited by other political organization on behalf of the DPPR. Briefly describe the circumstances of such solicitation, if any."

Answer to (2). These contributions were not solicited by other political organization on behalf of DPPR. As previously stated, they were the product of a breakfast held specifically for that purpose by DPPR.

Question (3). "With respect to your description of 'Expenditures', state whether your letter's reference to the 'four members' refers to delegates to the national convention or to State or national committee persons. With respect to your reference to 'administrative expenses in Los Angeles', state for whom those expenses were incurred (e.g. Federal candidates or campaigns, DPPR personnel, delegates). State whether convention related expenses by the DPPR were used to fund events (such as receptions or meetings), or attendance at such events, where speeches or comments to attendees were made on behalf of candidates or a group of candidates, including Federal candidates. If so, briefly describe the events."

 **Answer to (3).** The "four members" were the State Chair, Vice Chair, Executive Director and a delegate. All four were also delegates. There was an additional expense for a secretary who was not a delegate or member of the committee. The "administrative expenses" were incurred for the following: office space in the hotel, photocopy and fax machine, telephone service, coffee service and the expenses of the secretary above mentioned. These services were strictly for the delegates to communicate with their business, families, and for the coordination of their entertainment activities in Los Angeles. The events funded were a breakfast and a dinner, both in the hotel, with attendance strictly for delegates and their families. There were no guests other than some members of the Puertorican press attending the convention. During both events no "speeches or comments to attendees were made on behalf of candidates or a group of candidates, including Federal candidates". It was a social and very private event.

Question (4). "State whether DPPR engaged in get out the vote activities, or other generic voter activities, for primary or general elections in 2000 that included the election of a Resident Commissioner. Briefly describe those activities."

Answer to (4). DPPR did not engage in get out the vote activities or other generic activities for primary or general elections in 2000 that included the election of a Resident Commissioner.

Additional Considerations. The Puerto Rico peculiar political situation is not easily understood by U.S. political standards. Thus we must emphasize our differences which have a direct bearing on the opinion requested:

A) The Democratic Party and the Republican Party do not participate in local politics. B) Candidacies for all elective positions are filed, campaigned for and financed by the local parties and the candidates. C) The three local parties are the Popular Democratic Party, the New Progressive Party and the Independence Party. D) The only Federal candidacy in Puerto Rico is the Resident Commissioner who file in the ballot of these three parties and have no relationship whatsoever with the local national parties in their candidacies, funding and campaigns. E) There is no voting in Puerto Rico for members to the Electoral College and thus no relationship with the Presidential or Vice Presidential campaigns.

 It must be also understood that the Democratic Party and the Republican Party in Puerto Rico are basically committees fostering relationship with Congress and the Executive Branch, and although segments of the Puerto Rico electorate express their affinity to either of the parties, there is no structure, either Democratic or Republican, to embrace them.

Please feel free to request any further information.