

RECEIVED

By OGC-CELA at 2:54 pm, Oct 07, 2022

kPs**KENDYS PIMENTEL SOTO, Esq.**

PO Box 270184
San Juan, PR, 00927-0184kendys@pimentelsoto.com
Tel. (787) 370-0091

October 7, 2022

Vía email - cela@fec.govFederal Election Commission
Office of Complaints Examination
& Legal Administration
Attn: Kathryn Ross, Paralegal
Washington, DC 20463***Matter No. MUR 7772 – Essential Insurance Services, Inc.***

Essential Insurance Services, Inc., received copy of the complaint numbered as matter MUR 7772. The complaint alleges purported violations of the Federal Election Campaign Act by “Comite Amigos Pedro Pierluisi, Inc.,” and “Salvemos a Puerto Rico, PAC.” These entities supposedly engaged in coordinated campaign efforts when the Act prohibits such coordination by a candidate and a Super Pac, and “Salvemos a Puerto Rico, PAC” allegedly did not disclose the origin of the contributions it received nor properly reported its expenditures and disbursements.

Essential Insurance Services, Inc., did not incur in any violation of law or regulation and the complaint allegations do not imply any wrongdoing on its part. Essential Insurance Services, Inc., had no part in the administration or management of either “Comite Amigos Pedro Pierluisi, Inc.,” and “Salvemos a Puerto Rico, PAC,” nor any other named entity in the complaint. It had no authority or duty to report contributions received by any of those entities, nor to report their expenditures and disbursements. *See* 52 U.S.C. § 30104. The acts and omissions alleged in the complaint were of no concern to Essential Insurance Services, Inc. The treasurer and directors of those legal entities were the ones that had the reporting and disclosure responsibility under the law and applicable regulations, and Essential Insurance Services, Inc., had no control whatsoever over how they proceeded.

Moreover, Essential Insurance Services, Inc., has a fundamental right to freedom of speech and association under the First Amendment to the United States Constitution.

See McCutcheon v. Federal Election Committee, 572 U.S. 185 (2014); *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010); *Buckley v. Valeo*, 424 U.S. 1 (1976); *SppechNow.org v. Federal Election Committee*, 599 F.3d 686 (DC Cir. 2010). As a corporate entity it has the right to participate in democracy through political contributions and the Constitution bans suppression of political speech on the basis of the speaker's corporate identity. *See Citizens United*, 558 U.S. 310. Political contributions that flow through independent actors such as PACs and Super PACs, or any other so-called independent expenditure groups, in relation to which a donor cedes control over the funds contributed and how the funds are re-routed, have regularly been protected by the Supreme Court under the First Amendment. *See McCutcheon*, 558 U.S. 310; *see also Buckley*, 424 U.S. 1, and *SppechNow.org*, 599 F.3d 686. In fact, the holdings of the preceding cases show that a system of political contributions through independent actors has been favored over a system of unchecked contributions made by donors to particular campaigns directly. Essential Insurance Services, Inc., had and has an unquestionable constitutional right to make contributions to entities supporting its viewpoints and interests and thereby speaks its own voice and engage in core political speech, which is the primary object of the First Amendment protection.

If there are any questions or concerns, please do not hesitate to contact us.

Cordially,

/s/ Kendys Pimentel-Soto