

## BEFORE THE FEDERAL ELECTION COMMISSION

JUAN-CARLOS PLANAS

v.

UR No. **7814**

SALAZAR FOR CONGRESS  
PO Box 431332  
Miami, FL 33243

MARIA ELVIRA SALAZAR, PAUL  
KILGORE and other persons who  
created, operated, and filed reports  
on behalf of Salazar for Congress

COMPLAINT

1. My name is Juan-Carlos Planas and I reside at [redacted] Miami, Florida 33156 and [redacted] reside in Florida US House District 27 for which Maria Elvira Salazar is a candidate.
2. This Complaint is filed before the Federal Election Commission (the "Commission") pursuant to 52 U.S.C. §30109(a)(1) and alleges, on information and belief, that Maria Elvira Salazar ("Salazar"), Paul Kilgore ("Kilgore"), and any person(s) who created, operated and/or contributed to the principal campaign committee Salazar for Congress (I.D.: C00714261) have violated the Federal Election Campaign Act ("FECA"), 52 U.S.C. §30101, *et seq.*
3. Specifically, based upon public quarterly filings, complainant asserts that Salazar, Kilgore and others who created, operated and/or contributed to Salazar for Congress ("SFC") violated 52 U.S.C. §§30101, 30104, and 30116 by failing to identify persons and individuals who have contributed to it since its creation.
4. "If the Commission, upon receiving a complaint...has reason to believe that a person has

committed, or is about to commit, a violation of [the FECA]...[t]he Commission *shall make an investigation* of such alleged violation....” 52 U.S.C. § 30109(a)(2)(emphasis added); *see also* 11 C.F.R. § 111.4(a).

### **FACTS**

5. Salazar is a candidate seeking to represent Florida’s 27<sup>th</sup> Congressional District in the U.S. House of Representatives. On August 1, 2019, Salazar (FEC ID: H8FL27185) filed her “Statement of Candidacy” with the Commission for the 2020 election. Concurrent with her Statement of Candidacy, Salazar also filed a “Statement of Organization” on behalf of SFC and designated SFCC as her principal campaign committee.
6. Since the time of filing its statement of organization, SFC has filed four quarterly reports<sup>1</sup> and one pre-primary report.
7. Per Salazar’s filings with the Commission, SFC has total receipts exceeding \$1.88 million - \$1.76 million coming from contributions with the remaining \$120,000 originating as loans from the Salazar<sup>2</sup>. Per the same filings, SFC has made \$667,396.65 in disbursements, most of which were reported as operating expenditures<sup>3</sup>.
8. SFC has received well over a thousand contributions from myriad donors since filing its Statement of Organization, but scores of SFC’s reported contributions do not provide the required identification information.
9. Specifically, every report filed by SFC fails to disclose the employer and occupation of all of its

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<sup>1</sup> At the time of filing the instant Complaint, the report for the third quarter of \_\_\_\_\_ has not yet been filed.

<sup>2</sup> Amounts reflect total receipts, contributions, and loans reported by SFCC as of July 9, \_\_\_\_\_.

<sup>3</sup> \$660,045.65 in operating expenditures; \$7350.00 in contribution refunds.

contributors.

10. The Commission has served SFC with a “Request for Additional Information” (“RFAI”) for each deficient report, but SFC has not remedied these omissions in its subsequent amended filings with the Commission.

### **POLITICAL COMMITTEE REPORTING REQUIREMENTS**

11. The FECA defines the term “contribution” as “any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A)(i); *see also* 11 C.F.R. §§ 100.51 - 100.56.
12. The treasurer of a political committee must file reports of receipts and disbursements. 52 U.S.C. § 30104.
13. Political committee disclosure reports required by the FECA must disclose to the Commission and the public, including complainant, comprehensive information regarding such committee’s financial activities, including the identity of any donor who has contributed \$200 or more to the committee within the calendar year. *See* 52 U.S.C §30104 (b); *see also* CFR § 4.3(a)(4)(i). The Supreme Court has repeatedly recognized that importance of campaign finance disclosure to informing the electorate. *See, e. ., Citizens United v. FEC*, 558 U.S. 310, 371 (2010) (“[T]ransparency enables the electorate to make informed decisions and give proper weight to different speakers and messages”).
14. Further, FECA imposes strict limits on the aggregate amount any person may contribute to a political committee with respect to any election for federal office. *See* 52 U.S.C. § 30116 (a).
15. To date, every report and subsequent amendment filed on behalf of SFC to the Commission has

been systematically deficient in its failure to disclose the identifying information of all the persons who have contributed to the committee.

16. For example, the report SFC filed for the third quarter of 2019 contains legally insufficient information for at least one hundred thirty-three (133) contributions from no fewer than ninety-one (91) different individuals. The contributions from these persons total no less than \$283,200.00<sup>4</sup>.
17. The incomplete and disorderly filings submitted by SFC also suggest that it may have received contributions from individuals in excess of the legal maximum of \$2,800 per election<sup>5</sup>.
18. SFC's systematic violations have not gone unnoticed by the Commission. Every one of SFC's reports to date has triggered a RFAI from the Commission.
19. Though SFC has been required to file amendments to correct the numerous errors and deficiencies in its periodic disclosures to the Commission, the amendments it has filed have consistently failed to provide the information required by FECA and the Commission's regulations.
20. SFC's continued failure to provide accurate disclosures, even after repeated requests from Commission regulators, demonstrates a total disregard for federal campaign finance laws and only serves to further undermine the public's trust in the integrity of American elections and the rule of law in the United States.

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<sup>4</sup> The number of donors whose identifying information is deficient in each report are: 91 for Q3 '19; 10 for End of Year '19; 10 for Q1 '20; 10 for Q2 '20; 15 for Pre-Primary d.

<sup>5</sup> See RFAI Image # 9140300085546

<https://docquery.fec.gov/pdf/546/202009140300085546/202009140300085546.pdf>

**RELIEF REQUESTED**

21. Therefore, the Commission should find that SFC and any person(s) who created, operated and were otherwise involved in its activities, have violated 52 U.S.C. §30101, *et seq.* and conduct an immediate investigation under 52 U.S.C. §30109(a)(2).
22. Further, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

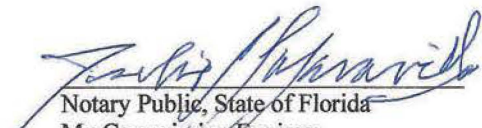
**FURTHER AFFIANT SAYETH NOT**


JUAN-CARLOS PLANAS, ESQ., AFFIANT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

SWORN TO AND SUBSCRIBED before me this 6 day of October, 2020, by Juan-Carlos Planas, who is personally known/produced identification to me and who did take an oath.

(SEAL)



Notary Public, State of Florida  
My Commission Expires:  
Julio C. CAJARAVILLE

