

OFFICE OF
GENERAL COUNSEL

2022 MAR 30 AM 8:34

March 3, 2022

Nancy Hernandez

Sylmar, CA 91342

MUR # 7974Federal Elections Commission
1050 First Street, NE
Washington, DC 20463**RE: Complaint: Deficiencies in Reports of Aarika Rhodes, California House Candidate;
Failure to File Timely Amended Reports as Requested by Commission**

To whom it may concern:

It is imperative that *both* the contributors and the recipients of campaign spending be well-identified in candidates' reports. Obscuring the expenditure of funds is potentially just as harmful as obscuring the source of contributions.

It is also critical that accurate information about the identity of campaign donors is provided by candidates, including of course occupations and employers, so that voters can make judgements about whether or not a candidate may be beholden to an industry or class of special interest donors.

Aarika Rhodes' (CA-32; "Aarika for Congress" Committee; herein after "AFC") reports contain several omissions with respect to both expenditures and the identity of her donors.

It appears that the AFC has also failed to file amended reports as requested by the Commission for four separate reports filed by Rhodes' campaign – 2020 October Quarter; 2020 Year End; 2021 July Quarterly and 2021 October quarterly. The Commission found these reports to be deficient in various respects, and it does not appear that these deficiencies have been cured by amended reports within deadlines laid out by the Commission.

No identifying Information for Campaign Employees and Ambiguous Description of Expenditure Purpose

11 CFR Section 104 requires that the name and address of every payee must be listed among the information to be included in disclosures of itemized expenditures. This includes employees.

AFC's 2021 October Quarter Report, fails to provide any identifying information about "employees" for which Rhodes is making various expenditures.

This information must be provided and, quite frankly, its omission would not seem to be a common and understandable technical deficiency in candidates' reports. Why a candidate would believe that she could omit such information as to those people she is supposedly paying a salary

– identifying them only john/jane-doe-style, as a numbered “Staff Member” raises significant questions.

The Commission sent the AFC a Request for Additional Information letter regarding deficiencies in reporting of “staff compensation” as well as additional information regarding the highly ambiguous purpose for disbursements listed on entries on Schedule B of that report – namely “campaign event expense” -- on December 22, 2021, with a response due by the AFC no later than January 26, 2022. Although Rhode’s 2021 Year End Report does identify her staff, it appears the AFC has not in fact responded to the request for additional information from December 22, 2021 letter from the Commission to AFC via the filing of an amended report.

The remedy here should not be merely to cause amendment of deficient reports, but rather some investigation as to why employees were not identified, and a full audit to ensure that this information, and any additional information provided via amendment, be an accurate reflection of actual expenditures for staff compensation.

Inadequate Reporting of Donor Occupation and Employer

Aarika for Congress fails to provide adequate and/or accurate occupation and employer information for several donors.

Aarika Rhodes’ October Quarterly for 2021 and her 2021 Year End Report each include more than 20 donors whose occupation and employer are listed as “not employed.” Of course, there are people who are unemployed, or retired, or in between employers and occupations, but based on quick searches via the internet, several of these names can be matched with people with conspicuous, constant and current, employment and occupation information¹. Also, given the

¹ For example, AFC’s 2021 Year End Report lists donor Billie Fischer (Page 24), and lists “not employed” for both occupation and employer entries. An online search yields a person with that name and at the same address listed for Fischer in AFC’s report as the owner of Interior Elements, LLC, an interior design firm in Santa Monica, CA. See <https://www.linkedin.com/in/billie-fischer-39b00a7>

In AFC’s 2021 October Quarterly, a donor named Josh Hannah from Oakland, CA is listed (Page 24), again with an occupation and employer listed as “not employed.” In fact, Josh Hannah is a technology investor/entrepreneur affiliated with Matrix Partners, a venture capital firm. See <https://www.linkedin.com/in/joshhannah> and <https://www.crunchbase.com/person/josh-hannah>

Similarly, on Page 18 of the same report, Rhodes lists a donation from Jalil Farid of Cambridge, MA, again listing occupation and employer as “not employed.” In fact, he is head of development of the Pool Foundation, a data firm. <https://www.linkedin.com/in/jalil-farid-548b2b100>


It is possible, but highly unlikely, that people with the same name, living in the same metropolitan areas, as those identified above are the actual donors. As noted in the text, given the large number of people in AFC’s reports listed without employer or occupation, it is far more likely that the Rhodes sought to obscure the occupation and employers of her donors, or exercised zero due diligence in compiling this basic, required information.

large number of people listed as "not employed" in the AFC reports, it is almost certain that Rhodes' has either deliberately obscured the true occupations and employers of her donors, or, at a minimum, has been deliberate in failing to exercise even minimum diligence in compiling her reports.

As noted above with respect to her failure to provide adequate information about staff expenditures, it appears that enforcement action is warranted regarding these deficiencies.

Thank you very much for your attention to this matter.

Sincerely,



Nancy Hernandez

Notary:

Signed and sworn to before me on this _____ day of _____, 2022 by

_____, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

please see
attached Calif
Jurat

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 3 day of 3, 2022
by Date Month Year

(1) Nancy Hernandez

(and (2) _____),

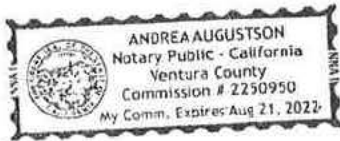
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

Andrea Augustson

Signature of Notary Public



Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

FEC Letter

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____