

SANDLER REIFF
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November 13, 2023

Ms. Wanda D. Brown
 Assistant General Counsel
 Office of Complaints Examination
 and Legal Administration
 Federal Election Commission
 Attn: Kathryn Ross, Paralegal
 1050 First Street, N.E.
 Washington, D.C. 20463

VIA E-mail to CELA@fec.gov

Re: MUR 8172

Dear Ms. Brown:

The undersigned serves as counsel to the Arizona Democratic Party, and Rick McGuire, as Treasurer (hereinafter referred to as the "ADP"). This letter responds on behalf of Respondents to the Commission's notification that it received a complaint (the "Complaint") from Kendra Arnold, the Executive Director of the Foundation for Accountability and Civic Trust. The Complaint alleges that a foreign national, Antonio Valdovinos, made several contributions to political committees and provided political consulting services to several organizations. The Complaint alleges that Mr. Valdovinos is a foreign national and is present in the United States under Deferred Action for Childhood Arrivals ("DACA") program.

This response will only address issues directly related to the ADP and will not address issues related to other respondents in this matter. The only allegation related to the ADP in the Complaint is that it received two contributions, totaling \$600 from Mr. Valdovinos in 2019.

Based upon inquiries made subsequent to the receipt of the Complaint, the ADP acknowledges that it received these contributions, and that Mr. Valdovinos is, in fact, a foreign national (and DACA participant), within the meaning of 52 U.S.C. § 30121(b). Consequently, enclosed with this letter please find a check, in the amount of \$600.00, made payable to the United States Treasury, which represents a disgorgement of the contributions received from Mr. Valdovinos.

Notwithstanding, the ADP wishes to address specific allegations made against it in the Complaint. First, the ADP notes that the contributions received from Mr. Valdovinos were received in 2019, a year and a half before the public disclosure of MUR 7712. Therefore, the ADP would not have been on any constructive notice regarding Mr. Valdovinos's admissions made in that matter. Second, the first contribution for \$500 was received via a conduit, ActBlue.

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 OFFICE OF
 GENERAL COUNSEL

It is the ADP's understanding that the contribution to ActBlue was made via a credit card and through the Internet. Thus, Mr. Valdovinos would have been required to attest to the permissibility of the contribution, specifically affirming that he was a "U.S. citizen or lawfully admitted permanent resident". Since there were no other obvious flags present to alert anyone processing the contribution, both ActBlue and ADP meet the safe harbor requirements of FEC Advisory Opinion 1995-9. The second contribution of \$100 from Mr. Valdovinos was made in person via cash and was for the purchase of an item at a fundraising event. Mr. Valdovinos filled out a donor card (a copy of which is attached to this response). The address on the donor form is a United States address and there is nothing to indicate on the card that Mr. Valdovinos was a foreign national. Third, the fact that a company owned by Mr. Valdovinos was paid by the ADP several years prior to the receipt of these contributions does not demonstrate, in any way, that the ADP knowingly accepted a foreign national contribution or that it had "knowledge" that he was not an eligible contributor. To be sure, the FEC's standards for determining the legality of a contribution is limited to the four corners of the contribution and other information available to those processing the contribution on behalf of the ADP. 11 C.F.R. § 103.3(b). Based upon the information available to the employees of the ADP that processed Mr. Valdovinos's contributions in 2019, no genuine question existed as to the legality of the two contributions and the ADP exercised sufficient due diligence when it received the two contributions in 2019.

The ADP acknowledges that it received two contributions from Mr. Valdovinos in 2019 and have enclosed a check for \$600 with this response to disgorge those funds. Based upon the above, the Commission should find that the ADP did not violate the Act and close the file with respect to my clients.

If you have any questions regarding this Response, my daytime number is (202) 479-1111. My email address is reiff@sandlerreiff.com.

Sincerely,



Neil P. Reiff
Counsel to Arizona Democratic Party and
Rick McGuire, as Treasurer

**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one)	PAGE 52 OF 219
	<input checked="" type="checkbox"/> 11a <input type="checkbox"/> 11b <input type="checkbox"/> 11c <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
Arizona Democratic Party

A. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Patel, Megan, , ,			Date of Receipt 10 13 2019 Transaction ID : 11ai-000371402	
Mailing Address 29528 N 23rd Lane			Amount of Each Receipt this Period 500.00	
City Phoenix	State AZ	Zip Code 85085	Memo Item Earmarked through ACT Blue	
FEC ID number of contributing federal political committee. C				
Name of Employer (for Individual) Massage Envy Franchising		Occupation (for Individual) Director of Training		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Aggregate Year-to-Date ▼ 500.00		

B. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Valdovinos De La Mora, Antonio, , ,			Date of Receipt 10 13 2019 Transaction ID : 11ai-000371415	
Mailing Address 290 E Roosevelt Road			Amount of Each Receipt this Period 500.00	
City Phoenix	State AZ	Zip Code 85004	Memo Item Earmarked through ACT Blue	
FEC ID number of contributing federal political committee. C				
Name of Employer (for Individual) La Machine Consulting		Occupation (for Individual) President/CEO		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Aggregate Year-to-Date ▼ 500.00		

C. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Meyer, Eric, David, ,			Date of Receipt 10 13 2019 Transaction ID : 11ai-000371471	
Mailing Address 7765 N Foothill Dr			Amount of Each Receipt this Period 1000.00	
City Paradise Valley	State AZ	Zip Code 85253	Memo Item Earmarked through ACT Blue	
FEC ID number of contributing federal political committee. C				
Name of Employer (for Individual) N/A		Occupation (for Individual) Not Employed		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Aggregate Year-to-Date ▼ 1000.00		

SUBTOTAL of Receipts This Page (optional).....	2000.00
TOTAL This Period (last page this line number only).....	

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**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER:		PAGE 53 OF 219	
	(check only one)			
<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12	<input type="checkbox"/> 13
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16	<input type="checkbox"/> 17

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NAME OF COMMITTEE (In Full)
Arizona Democratic Party

A. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Ashkin, Doris, , ,			Date of Receipt 10 13 2019
Mailing Address 10040 E Happy Valley Rd			Transaction ID : 11ai-000371470
City Scottsdale	State AZ	Zip Code 85255	Amount of Each Receipt this Period 1600.00
FEC ID number of contributing federal political committee. C			Memo Item
Name of Employer (for Individual) N/A		Occupation (for Individual) Not Employed	Earmarked through ACT Blue
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Aggregate Year-to-Date ▼ 1600.00	

B. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Sayler, Becky, , ,			Date of Receipt 10 14 2019
Mailing Address 10326 W Highwood Ln			Transaction ID : 11ai-000371150
City Sun City	State AZ	Zip Code 85373	Amount of Each Receipt this Period 20.00
FEC ID number of contributing federal political committee. C			Memo Item
Name of Employer (for Individual) N/A		Occupation (for Individual) Not Employed	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Aggregate Year-to-Date ▼ 272.00	

C. Full Name of Individual (Last, First, Middle Initial) or Full Organization Name Valdovinos De La Mora, Antonio, , ,			Date of Receipt 10 14 2019
Mailing Address 290 E Roosevelt Road			Transaction ID : 11ai-000371153
City Phoenix	State AZ	Zip Code 85004	Amount of Each Receipt this Period 100.00
FEC ID number of contributing federal political committee. C			Memo Item
Name of Employer (for Individual) La Machine Consulting		Occupation (for Individual) President/CEO	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Aggregate Year-to-Date ▼ 600.00	

SUBTOTAL of Receipts This Page (optional).....▶	1720.00
TOTAL This Period (last page this line number only).....▶	



Arizona Democratic Party

2910 N. Central Ave. • Phoenix, AZ 85012-9993 • (602) 298-4200

Name Terry Valdivinos De La Mora

Address _____

\$100

City / State / Zip _____

Phone [REDACTED] Fax _____

Email Address lamachineconsulting@gmail.com

Employer LaMachine Consulting

Occupation President / CEO

