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2009 DEC 18 PM 1:55

Eric Hensal

Silver Spring, MD 20910

2009 DEC 22 PM 2:57

OFFICE OF GENERAL
COUNSEL

Thomasenia P. Duncan,
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR # 6243

December 11, 2008

Dear Ms. Duncan,

I write to inform the FEC of a violation of 2 U.S.C. SS 441e(a)(1)(a) and 2 U.S.C. 441e(a)2 in a local election held in Montgomery County Maryland in 2008. Nancy Navarro, Montgomery County MD, County Councilmember and the Maryland campaign committee Friends of Nancy Navarro, solicited and accepted a donation of web design services from a Venezuelan business in 2008.

The explanation for this transaction is made by their attorney, David Moon, in the attached document. I believe he has demonstrated that the campaign treated this contribution of work done for the campaign as an in-kind contribution, having the same value as cash. I also believe the State of Maryland campaign finance law requires that this contribution be treated as the same as cash, which 2 U.S.C. SS 441e forbids as a contribution from a foreign business.

In the spring of 2008, Nancy Navarro campaigned in a special election for the District 4 seat on Montgomery Maryland Council. In the State of Maryland financial disclosures, filed on 5/24 in connection with this election, Ms. Navarro listed an April 28, \$1,000 in-kind contribution from a Venezuelan web design firm, Infomanagas.

The Navarro campaign reported the transaction in accordance with state law regarding in-kind donations of professional services. As described in *Maryland's Summary Guide to Campaign Finance*, (www.elections.state.md.us/summary_guide/ag_07.html#2).

"7.4 In-Kind Contributions

An in-kind contribution includes any thing of value (except money). Services provided to a campaign can also be considered an in-kind contribution if the type of service is one that the person normally charges for providing. "

Maryland law does require that the market value of Mr. Astudillo donated web services be recorded as an in-kind contribution and that its value counts towards state contribution limits for the Navarro campaign. There is a clear valuation of the work donated by Infomanagas to Ms. Navarro's campaign, recognized in its own May 2008 disclosure filing. This recognition cannot be undone simply by refiling an amended disclosure report, as Mr. Moon suggests.

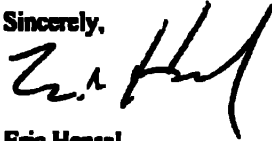
Ms. Navarro also solicited as well as received the contribution. Web sites are complicated projects. Much of the content is provided to web designers by the campaign. An ongoing exchange between Ms. Navarro, Friends of Nancy Navarro staff, and Mr. Astudillo was required to complete the donated campaign web site.

In short, Ms. Navarro and Friends of Nancy Navarro knowingly solicited and accepted a donation of a completed campaign web site from Mr. Astudillo, a foreign national, residing in Venezuela.

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Thank you for your time and attention to this matter. Please contact me at your convenience at _____

Sincerely,



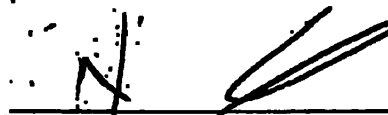
Eric Hensal

Enc:

Friends of Nancy Navarro Committee information
Disclosures of web site contribution

Home page from donated nancynavarro.org web site.

Sworn and subscribed to before me this 18th day of December, 2009.



NOTARY PUBLIC

Print Name: Jack Exler

My Commission Expires:

3/14/12

10044264006

10044264007

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Candidates

Search by Committee Results

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Navarro, Nancy Friends Of

Date Established: 03/20/2008 Status: Open
Jurisdiction: SBE
Account type: Candidate Committee Account Authorized
Sponsored by:
Purpose:

Candidate(s)

Name	Role	Address
Navarro-Laurent, Nancy Coromoto	Candidate	P.O. Box 10847 Silver Spring, MD 20904-0847

Officers

Current	Treasurer	Chairman
	Figueredo, Maria 304 St. Lawrence Drive, Silver Spring, MD, 20901 Start date: 08/14/2008	Moreno, Raymond 807 Burnt Crest Lane, Silver Spring, MD, 20903 Start date: 03/10/2008
Former	Treasurer	Chairman
	Bansley, Christopher P.O. Box 10847, Silver Spring, MD, 20914-0847 Start date: 03/20/2008 End date: 11/23/2008	Barritz, Laura P.O. Box 10847, Silver Spring, MD, 20914-0847 Start date: 03/20/2008 End date: 03/10/2008
	Barritz, Laura P.O. Box 10847, Silver Spring, MD, 20904 Start date: 03/10/2008 End date: 07/23/2008	



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[Advanced Search](#)

Advanced Search

Search for specific campaign finance data by designing your own database query.

Your search identified 1 contributions. — [Create a spreadsheet](#)

Total contribution amount is \$1,000.00

The maximum contribution is \$1,000.00

The minimum contribution is \$1,000.00

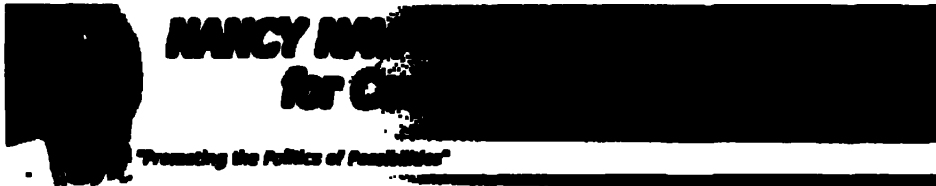
Please try [searching using different parameters](#).

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Candidates Account	Contributor Name(Address)	Amount	Date Received	Contribution Type
Navarro, Nancy Friends Of	Infomomgas (La Libertad, No 11 Maturin, Managua, .)	\$1,000.00	04/28/2008	Other Income Remarks: Web page

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Thank you for all your support!

Our campaign for the District 4 County Council seat was an amazing effort and a very productive experience. We succeeded in creating an unprecedented coalition of diverse stakeholders who shared one common belief: a belief that Montgomery County can and will continue to be a strong County, where all its residents can thrive and experience the best quality of life.

We came very close to winning the election. In reality we were quite victorious because we have been energized and have continued to work towards our vision. There is so much work to do, and through authentic collaboration we are achieving great things.

I am constantly humbled by the many accomplishments achieved through the collaborative efforts between our Public Schools, County government, Community groups, and business partners. It is a new day in Montgomery County; business as usual is a thing of the past.

We will continue to move forward with resolve and hope in our future. Stay tuned and let's continue the work, it is worth it!

Best regards,

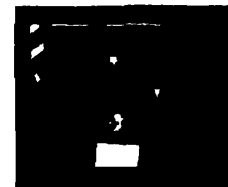
Nancy Navarro



By Authority:
Friends of Nancy
Navarro, Treasurer:
Laura Bernitz.



Douglas F. Gansler,
Maryland Attorney
General



2008 Human Rights
Hall of Fame

Odessa M. Shannon,
Inductee; Nancy
Navarro, Nominee;
Councilmember Valerie
Erving; Tim Clarke,
Community Activist.



Former County
Executive, Ed Kramer

Link:

The Washington Post
Filling a Gap in Montgomery
A critical primary in a

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