

**RECEIVED**

By OGC/CELA at 11:39 am, Sep 18, 2023

September 15, 2023

**VIA E-MAIL**

Wanda D. Brown, Assistant General Counsel  
Kathryn Ross, Paralegal  
Federal Election Commission  
Office of Complaints Examination and Legal Administration  
1050 First Street, NE  
Washington, D.C. 20463  
Email: [cela@fec.gov](mailto:cela@fec.gov)

**Re: Matter Under Review 8159 (Congresswoman Val Hoyle)**

Dear Ms. Brown:

We write as counsel to Congresswoman Val Hoyle, Val Hoyle for Congress (the “*Committee*”), and Holly Giarraputo in her official capacity as treasurer of the Committee (“*the Respondents*”) in response to the complaint filed by Jeffrey Eager in Matter Under Review 8159 (the “*Complaint*”). The Complainant frivolously claims that the Committee accepted cash contributions in excess of \$100 in violation of the Federal Election Campaign Act of 1971, as amended (the “*Act*”). As demonstrated below, the contributions referenced in the complaint were not made using cash but instead were made via money orders. This complaint contains nothing more than suggested falsehoods to support a bogus narrative intended to tarnish the Respondents’ reputations and seek headlines, and it fails to give rise to any reasonable inference that a violation has occurred. Because the evidence in this response proves that Complainant’s allegations are baseless, the Commission should immediately find no reason to believe that Respondent violated the Act and close the file without taking any further action in this matter.

**FACTUAL BACKGROUND**

Congresswoman Val Hoyle ran for Congress in Oregon’s Fourth Congressional District in the 2022 election cycle. She filed her statement of candidacy with the Federal Election Commission (“*FEC*”) on December 2, 2021.<sup>1</sup> The Committee is the Congresswoman’s authorized committee and filed its Statement of Organization with the FEC on December 2, 2021.<sup>2</sup> On April 30, 2022, the Committee received three money orders from Rosa Cazares – each for \$1,000.<sup>3</sup> That same day, the Committee also received three money orders from Aaron Mitchell – two for \$1,000 and one for \$800.<sup>4</sup> Each money order includes the contributor’s full name, the payee, a unique check

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<sup>1</sup> Valerie Hoyle, FEC Form 2 – Statement of Candidacy (filed Dec. 2, 2021), available at <https://docquery.fec.gov/pdf/629/202112029469564629/202112029469564629.pdf>.

<sup>2</sup> Val Hoyle for Congress, FEC Form 1 – Statement of Organization (filed Dec. 2, 2021), available at <https://docquery.fec.gov/pdf/602/202112029469564602/202112029469564602.pdf>.

<sup>3</sup> See Exhibit A.

<sup>4</sup> *Id.*

number, and the date the money order was issued.<sup>5</sup>

## LEGAL DISCUSSION

The Complaint alleges that Respondents violated the Act by “accepting cash contributions in excess of \$100, in violation of 11 CFR 110.4.”<sup>6</sup> The complaint references highly suggestive articles – one of which the complainant wrote himself – that insinuate that contributions from Rosa Cazares and Aaron Mitchell to the Committee *may have been made in cash* but offer no evidence that the contributions were, in fact, ever made in cash. Nor could they since the Respondents only accepted money order contributions from Rosa Cazares and Aaron Mitchell in connection with the Congresswoman’s 2022 federal election. As explained above and shown in Exhibit A, Rosa Cazares and Aaron Mitchell made their contributions to the Committee using money orders issued from Chase Bank.

Money orders are not cash and therefore not subject to the \$100 limitation imposed by 11 C.F.R. § 110.4(c). Commission regulations, guidance, and advisory opinions all make clear that federal political committees may accept a contribution made by money order without ever treating them like cash.

To start, Commission guidance states that a “contribution of money may be made by check, cash (currency), credit card or other written instrument” and defines a “written instrument” as, among other things, “a money order.”<sup>7</sup> Thus, the Commission makes a clear distinction between cash and written instruments, like money orders. The law only limits *cash contributions* to \$100 and does not extend that limit to other written instruments including money orders.<sup>8</sup>

Further, Commission regulations provide that when reporting contributions made by a money order, committees should attribute the contribution to the “last person signing the instrument prior to delivery to the candidate or committee.”<sup>9</sup> Since campaigns must only report contributions that exceed \$200 per election cycle, which cash contributions may never do, it would be illogical for the Commission’s regulation on reporting to reference money orders if they were similarly subject to the \$100 limitation of cash contributions.<sup>10</sup>

In addition, Commission regulations that govern presidential matching funds also distinguish between cash (currency) and money orders.<sup>11</sup> Under those regulations, contributions made by money order are explicitly permitted to be matched while cash contributions may not.<sup>12</sup> Finally, the Commission has reiterated in multiple advisory opinions that committees may accept contributions in the form of money orders without ever treating them like cash.<sup>13</sup>

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<sup>5</sup> *Id.*

<sup>6</sup> Compl. at 1.

<sup>7</sup> Fed. Election Comm’n, *Types of Contributions*, available at <https://www.fec.gov/help-candidates-and-committees/candidate-taking-receipts/types-contributions/>; see also 11 C.F.R. § 9034.2(b).

<sup>8</sup> 11 C.F.R. § 110.4(c).

<sup>9</sup> *Id.* § 104.8(c).

<sup>10</sup> *Id.* § 104.8(a).

<sup>11</sup> *Id.* § 9034.2(b).

<sup>12</sup> *Id.*; 11 C.F.R. § 9034.3(j).

<sup>13</sup> See e.g., Fed. Election Comm’n, Adv. Op. 1979-57, available at <https://www.fec.gov/files/legal/aos/1979->

Here, because Respondents accepted the contributions in question via money orders, which they properly attributed on the Committee's FEC report as required by FEC regulations, it is clear the Complainant's allegations are baseless.

### CONCLUSION

Based on the foregoing, the Commission should find no reason to believe that Respondent violated the Act and dismiss this matter against Respondent immediately.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'RJ' with a flourish.

Rachel L. Jacobs  
Dylon D. Busser  
Counsel to Respondent

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[57/1979-57.pdf](#) (“[T]he proceeds of fundraisers ... may be sent to the [PAC] in the form of money orders.”); Fed. Election Comm’n, Adv. Op. 1989-26, available at <https://www.fec.gov/files/legal/aos/1989-26/1989-26.pdf> (“Commission regulations do require that all contributions, whether made by check, money order, or other written instrument, be properly attributed to the actual donor.”).

# **Exhibit A**



**Terms and Conditions:**

- \* Please keep this copy for your record of the transaction
- \* Money Orders are not valid for more than \$1000
- \* The sender/drawer agrees to enter the name of the payee and to sign the instrument immediately upon purchase
  - Failure to do so will result in the sender/drawer bearing the risk of any loss or theft of this instrument
- \* The laws of a specific state will consider these funds to be "abandoned" if this Money Order is not cashed by a certain time
- \* Placing a Stop Payment on a Money Order
  - Sender/Drawer can place a stop payment on an unpaid Money Order
  - Please visit a Chase Branch to place a stop and have the item re-issued
- \* Please visit a Chase branch to report a lost, stolen, or destroyed Money Order or for any other information about this item

#216  
 4/30/22  
 \$5800

FOR YOUR PROTECTION SAVE THIS COPY

Customer Copy

**MONEY ORDER**

1020111184

04/28/2022

Pay To The Order Of:

\$\*\* 1,000.00 \*\*

Pay: ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

**NON NEGOTIABLE**

Memo: \_\_\_\_\_  
 Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER

28211107 NEW 01/21 8810004306



**MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

1020111184

Date 04/28/2022

Pay To The Order Of:

Val Hoyle for Congress

\$\*\* 1,000.00 \*\*

Pay: ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

SENDER/DRAWER

Aaron Mitchell

ADDRESS:

JPMorgan Chase Bank, N.A.  
 Phoenix, AZ

Memo: \_\_\_\_\_

Note: For information only. Comment has no effect on bank's payment.





**Terms and Conditions:**

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- \* Please visit a Chase branch to report a lost, stolen, or destroyed Money Order or for any other information about this item

FOR YOUR PROTECTION SAVE THIS COPY

Customer Copy

**MONEY ORDER**

1020111185

04/28/2022

**Pay To The Order Of:**

\$\*\* 1,000.00 \*\*

**Pay:**

ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Memo:

Note: For information only. Comment has no effect on bank's payment.

**NON NEGOTIABLE**

SENDER/DRAWER:

282111107 NEW 01/21 8810094306



**MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

1020111185 <sup>91-2</sup>  
1221

Date 04/28/2022

**Pay To The Order Of:**

*Val Hoyle For Congress*

\$\*\* 1,000.00 \*\*

**Pay:**

ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

Memo:

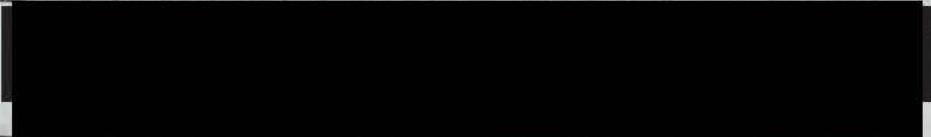
Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER:

*Aaron Mitchell*

ADDRESS:

JPMorgan Chase Bank, N.A.  
Phoenix, AZ







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FOR YOUR PROTECTION SAVE THIS COPY

Customer Copy

**MONEY ORDER**

102011186

04/28/2022

**Pay To The Order Of:**

\$\*\* 800.00 \*\*

**Pay:** EIGHT HUNDRED DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

**NON NEGOTIABLE**

Memo: \_\_\_\_\_  
Note: For information only. Comment has no effect on bank's payment

SENDER/DRAWER: \_\_\_\_\_

282111107 NEW 01/21 8810004305

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

**MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK



102011186 91-2  
1221

Date 04/28/2022

**Pay To The Order Of:**

*Val Hoyle For Congress*

\$\*\* 800.00 \*\*

**Pay:** EIGHT HUNDRED DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

Memo: \_\_\_\_\_  
Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER: *Aaron Mitchell*

ADDRESS: JPMorgan Chase Bank, N.A.  
Phoenix, AZ







**Terms and Conditions:**

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FOR YOUR PROTECTION SAVE THIS COPY

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**MONEY ORDER**

102011181

04/28/2022

**Pay To The Order Of:**

\$\*\* 1,000.00 \*\*

**Pay:** ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Memo: \_\_\_\_\_  
Note: For information only. Comment has no effect on bank's payment.

**NON NEGOTIABLE**

SENDER/DRAWER

28211107 NEW 01/21 8310004306

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

**MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK



102011181  
91-2  
1221

Date 04/28/2022

**Pay To The Order Of:**

*Val Hoyle for Congress*

\$\*\* 1,000.00 \*\*

**Pay:** ONE THOUSAND DOLLARS AND 00 CENTS

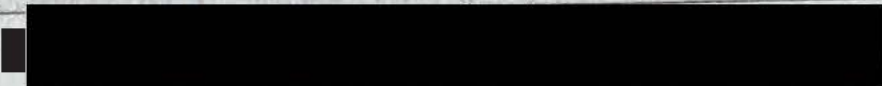
NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

SENDER/DRAWER *Rosa Cazares*

ADDRESS:  
JPMorgan Chase Bank, N.A.  
Phoenix, AZ

Memo: \_\_\_\_\_  
Note: For information only. Comment has no effect on bank's payment.







**Terms and Conditions:**

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FOR YOUR PROTECTION SAVE THIS COPY

**MONEY ORDER**

Customer Copy

102011182

04/28/2022

Pay To The Order Of:

Pay: ONE THOUSAND DOLLARS AND 00 CENTS

\$\*\* 1,000.00 \*\*

NOT VALID FOR MORE THAN \$1000.00

Memo:

NON NEGOTIABLE

Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER:

28211107 NEW 01/21 6810004306



**MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

Date 04/28/2022 102011182 91-2 1221

Pay To The Order Of:

Val Hoyle for Congress

\$\*\* 1,000.00 \*\*

Pay: ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

Memo:

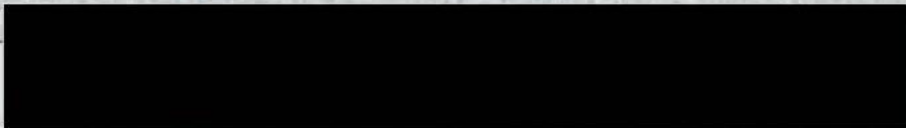
Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER:

Prosa Cazares

ADDRESS:

JPMorgan Chase Bank, N.A.  
Phoenix, AZ







**Terms and Conditions:**

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- \* Please visit a Chase branch to report a lost, stolen, or destroyed Money Order or for any other information about this item

FOR YOUR PROTECTION SAVE THIS COPY

Customer Copy

**MONEY ORDER**

102011183

182

04/28/2022

**Pay To The Order Of:** \_\_\_\_\_

\$\*\* 1,000.00 \*\*

**Pay:**

ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

**NON NEGOTIABLE**

Memo: \_\_\_\_\_

Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER: \_\_\_\_\_

28211107 NEW 01/21 891004306

04306

**CHASE** **MONEY ORDER**

HOLD DOCUMENT AT ANGLE TO VIEW ARTIFICIAL WATERMARK ON BACK

102011183

Date 04/28/2022

\$\*\* 1,000.00 \*\*

**Pay To The Order Of:** Val Hayle for Congress

**Pay:** ONE THOUSAND DOLLARS AND 00 CENTS

NOT VALID FOR MORE THAN \$1000.00

Do not write outside this box

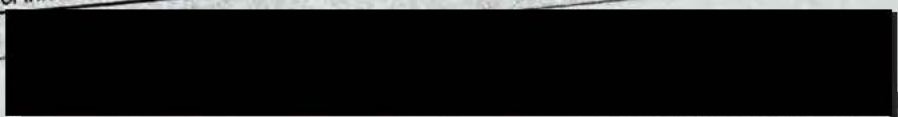
Memo: \_\_\_\_\_

Note: For information only. Comment has no effect on bank's payment.

SENDER/DRAWER: Rosa Cazares

ADDRESS: JPMorgan Chase Bank, N.A. Phoenix, AZ

PINCH HERE







FEDERAL ELECTION COMMISSION  
1050 First Street, NE  
Washington, DC 20463

**STATEMENT OF DESIGNATION OF COUNSEL**

Provide one form for each Respondent/Witness

E-MAIL: [cela@fec.gov](mailto:cela@fec.gov)

AR/MUR/RR/P-MUR# MUR 8159

Name of Counsel: Rachel Jacobs, Dylon Busser

Firm: Elias Law Group LLP

Address: 250 Massachusetts Ave. NW, Suite 400, Washington, DC, 20001

Office#: 202-968-4505 Fax#: \_\_\_\_\_

Mobile#: \_\_\_\_\_

E-mail: rjacobs@elias.law; dbusser@elias.law

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

9/6/2023

Date

(Signature - Respondent/Agent/Treasurer)

Respondent

Title

Valerie Hoyle

(Name - Please Print)

Valerie Hoyle

**RESPONDENT:**

(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: PO Box 657, Springfield, OR, 97477

(Please Print)

Home#: \_\_\_\_\_ Mobile#: \_\_\_\_\_

Office#: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: \_\_\_\_\_

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.