



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 13, 2023

TONY HALE, TREASURER
TED LIEU FOR CONGRESS
777 S. FIGUEROA ST. SUITE 4050
LOS ANGELES, CA 90017

Response Due Date
03/20/2023

IDENTIFICATION NUMBER: C00556506

REFERENCE: 30 DAY POST-GENERAL REPORT (10/20/2022 - 11/28/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes 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. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

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For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question.

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Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule B of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Act precludes an authorized or principal campaign committee from making a contribution to a candidate for federal office in excess of \$2,000 per election. (11 CFR §§ 102.12(c) and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If the contribution made was excessive, you must notify the recipient committee and either request a refund or redesignate (if applicable) the amount in excess of \$2,000.

If requesting a refund, you also must inform the Commission in writing of such a refund and provide a photocopy of any refund request sent to the recipient committee. The refund must appear on Line 15 of the Detailed Summary Page and on a supporting Schedule A of the report covering the period in which the refund is received.

In regard to redesignations, you can authorize the recipient committee to redesignate the excessive portion of the contribution to another election provided the new designation does not exceed the limitations on contributions made with respect to that particular election. Also, the redesignation must be done within 60 days of the contribution being received by the recipient committee. A contribution can only be redesignated to a previous election provided the recipient committee has net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i)) If the above conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded to your committee. See 11 CFR § 103.3(b)(3).

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Although the Commission may take further legal action concerning the excessive contribution(s), your prompt action to either redesignate or obtain a refund of the excessive amount will be taken into consideration.

3. Schedule A of your report discloses one or more contributions received after the 2020 general election that are designated for the **2020 general**. These contributions may only be accepted to the extent that the committee has net debts outstanding from the 2020 general election. For more information on how to calculate net debts outstanding, please see page 30 of the Campaign Guide for Congressional Candidates and Committees, which is available online at <https://www.fec.gov/resources/cms-content/documents/candgui.pdf>. (11 CFR § 110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If a contribution was made by the contributor before or on the date of the applicable election, please amend your report to indicate this using memo text, or provide this information in a Miscellaneous Document (Form 99 for electronic filers).

If a contribution exceeds the amount of net debts outstanding from the 2020 general election, you may have to refund or redesignate the contribution.

The funds can be retained if, within 60 days of receipt, the excessive amount was properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing

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within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR § 103.3(b)(3).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate the excessive amount will be taken into consideration.

4. Your committee filed a 48-hour notice disclosing a "last minute" contribution from Benjamin Huang on 11/01/2022. This contribution does not appear on a Schedule A of this report. Please amend your report to include this contribution or provide an explanation of this apparent discrepancy. (11 CFR § 104.3(a)(4)(i))

5. Your committee filed a 48-hour notice disclosing a "last minute" contribution from Michael Horikawa on 10/31/2022. Only a partial amount of this contribution has been disclosed on Schedule A of this report. Please amend your report to include the entire amount of this contribution or provide an explanation of this apparent discrepancy. (11 CFR § 104.3(a)(4)(i)) For each contribution received by a joint fundraising representative and subsequently transferred to your committee, please ensure that your report discloses the original date of receipt of the contribution by the joint fundraising representative in a memo entry supporting the transfer. The entry for the transfer itself should show the date the contribution was transferred to your committee by the joint fundraising representative.

6. Schedule A supporting Line 12 of your report discloses transfers from Ted Lieu Victory Fund that appear to be received through joint fundraising efforts. However, Ted Lieu Victory Fund is not disclosed as a joint fundraising representative on your Statement of Organization. Please amend your Statement of Organization to disclose the joint fundraising representative as an authorized

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committee of the candidate or amend your report to provide clarifying information. (11 CFR §102.2(b)(1)(i) and 11 CFR §102.17(b)(2))

- Please be advised that the FEC Committee ID numbers for the following contributions from political committees appear to be incorrect: CWA COPE PCC (C30001556). Use of incorrect FEC Committee ID numbers may create difficulty in identifying the contributing committee for the public record. (11 CFR § 104.3(a)(4))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1620.

Sincerely,



Mary Seiler
Senior Campaign Finance Analyst

Apparent Excessive, Prohibited, and Impermissible Contributions
Ted Lieu for Congress (C00556506)

Apparent Excessive Contributions from Individuals

| Contributor Name | Date | Amount | Election |
|-------------------------|-------------|---------------|-----------------|
| Alvarado, Robert | 1/16/21 | \$2,700.00 | G2022 |
| Alvarado, Bob | 8/21/22 | \$2,900.00 | G2022 |
| Chiang, Ming | 8/19/21 | \$2,900.00 | G2022 |
| Chiang, Ming | 10/26/22 | \$2,900.00 | G2022 |
| Huh, Jihee | 8/23/21 | \$2,900.00 | G2022 |
| Huh, Jihee | 9/11/22 | \$1,000.00 | G2022 |

Apparent Excessive Contributions to Other Committees

| Recipient Name | Date | Amount | Election |
|-----------------------|-------------|---------------|-----------------|
| Landsman For Congress | 6/6/22 | \$2,000.00 | G2022 |
| Landsman For Congress | 10/24/22 | \$2,500.00 | G2022 |