



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RQ-2

Yuriko Sugimura, Treasurer
Democratic Party Of Hawaii
770 Kapiolani Boulevard, Suite 111
Honolulu, HI 96813

MAY 07 2003

Identification Number: C00212787

Reference: Amended 12 Day Pre-Special Report (10/17/02-11/10/02), received 1/26/03

Dear Ms. Sugimura:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

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. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule A supporting Line 15 of your report discloses a payment(s) from "Friends of Jon Riki Karamatsu" and "Friends of Lorraine Inouye" for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecemeal charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

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Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to these entities and explain the steps your committee took in determining the amount(s) charged.

-Schedule A supporting Line 11(c) of your report discloses a contribution from "IBEW Educational Committee", however, the FEC Id number provided appears to be incorrect. Please clarify the source of this contribution and, if necessary, amend your original report to correct any errors in disclosure.

-Schedule H4 discloses a disbursement(s) which is categorized as a fundraising expense(s); however, a Schedule H2 has not been filed to disclose the allocation ratio. All committees are required to allocate the direct costs of each fundraising event in which the committee collects both federal and non-federal funds. The costs are allocated according to the funds received ratio and reported on Schedule H2. 11 CFR §§106.5(f) and 106.6(d). Please file a Schedule H2 to disclose the ratio for the fundraising event(s).

-Please clarify all expenditures made for "Prepare, Design Leg. Mailout Piece", "Mailout - Supporting Leg. Candidates", "Campaign Ads - Vote Democrats", and "Campaign Ad Preparation" on Schedule(s) H4. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B, E, or F supporting Lines 23, 24, or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "Entertainment", "Reimb. Exp - Suplies", and Consultant Fee - Oct". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule A supporting Line 15 of the Detailed Summary Page discloses a refund(s) or rebate(s) of what appears to be a previously disclosed allocable expense(s) from "U.S. Postal Service - Kaneohe" and "Verizon Hawaii

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Inc". Please be advised that when a committee receives a refund or rebate of an allocable expense, it must be allocated between the federal and non-federal accounts according to the same allocation ratio used to allocate the original disbursement. Furthermore, the federal account must transfer the non-federal portion to the non-federal account and disclose this transfer-out on Schedule H4. Your report does not appear to disclose a transfer-out of the non-federal portion of this refund(s) or rebate(s). Please provide clarification regarding this apparent omission.

-Schedule H4 of your report discloses an apparent transfer to the Association of State Democratic Chairs for "Annual Dues". Please be advised that dues paid to other political committees are considered contributions and that contributions/transfers to federal committees and/or non-federal committees/organizations do not qualify as shared expenses to be allocated between your federal and non-federal accounts. Transfers to other party committees should be disclosed on a Schedule B supporting Line 22 of the Detailed Summary Page and contributions to non-federal committees/organizations on a separate Schedule B supporting Line 29. Any reimbursement from your committee's non-federal account for any portion of this transfer is not permissible. 11 CFR §102.5(a)(1)(i)

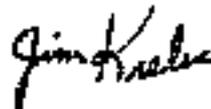
The Commission recommends that you immediately transfer the funds received by your federal account, as reimbursement for the non-federal portion, back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements,

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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. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Jim Krebs
Campaign Finance Analyst
Reports Analysis Division

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2025-01-24 10:00:00 AM

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

Use separate schedule(s) or each category of the Detailed Summary Page		FOR LINE NUMBER (check only one)				PAGE 8 of 83	
<input checked="" type="checkbox"/>	11a	<input type="checkbox"/>	11b	<input type="checkbox"/>	11c	<input type="checkbox"/>	12
	13		14		15		16
							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)
Democratic Party of Hawaii

A. Full Name (Last, First, Middle Initial)
Ann Kobayashi

Mailing Address
3657 Waialoa Way
City Honolulu State HI Zip Code 96822

Date of Receipt
M M / D D / Y Y Y Y
10 / 23 / 2002

Amount of Each Receipt this Period
50.00

FEC ID number of contributing federal political committee.

Name of Employer City & County of Honolulu Occupation City Councilmember

Receipt For: 2002
Primary General Other (specify)

Aggregate Year-to-Date 205.00

Donation

Transaction ID: SA11A1.7474

B. Full Name (Last, First, Middle Initial)
James Komeloni

Mailing Address
1250 S. Beretania St. Suite #5
City Honolulu State HI Zip Code 96814

Date of Receipt
M M / D D / Y Y Y Y
10 / 28 / 2002

Amount of Each Receipt this Period
15000.00

FEC ID number of contributing federal political committee.

Name of Employer Self-Employed Occupation Real Estate Broker

Receipt For: 2002
Primary General Other (specify)

Aggregate Year-to-Date 15000.00

Donation

Transaction ID: SA11A1.7542

C. Full Name (Last, First, Middle Initial)
Sumiya Konehima

Mailing Address
2800 Puulani Way Apt. 1604
City Honolulu State HI Zip Code 96816

Date of Receipt
M M / D D / Y Y Y Y
10 / 29 / 2002

Amount of Each Receipt this Period
60.00

FEC ID number of contributing federal political committee.

Name of Employer None Occupation Retired

Receipt For: 2002
Primary General Other (specify)

Aggregate Year-to-Date 230.00

Donation

Transaction ID: SA11A1.7762

SUBTOTAL of Receipts This Page (optional) ▶ **15110.00**

TOTAL This Period (last page this line number only) ▶

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

Use separate schedule(s) or each category of the Detailed Summary Page	FOR LINE NUMBER:		PAGE 9 of 43	
	(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"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16	<input type="checkbox"/> 17

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NAME OF COMMITTEE (in full)
Democratic Party of Hawaii

Full Name (Last, First, Middle Initial) A. Lela Lau		Date of Receipt M M / D D / Y Y Y Y 10 / 29 / 2002
Mailing Address 120 Hacked Dr. City State Zip Code Kailua HI 96734		Amount of Each Receipt this Period 120.00
FEC ID number of contributing federal political committee.		Donation
Name of Employer None	Occupation Retired	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 240.00	Transaction ID: SA11A1.7706

Full Name (Last, First, Middle Initial) B. Howard Lau		Date of Receipt M M / D D / Y Y Y Y 10 / 17 / 2002
Mailing Address 773 Moaniala St. City State Zip Code Honolulu HI 96821		Amount of Each Receipt this Period 1000.00
FEC ID number of contributing federal political committee.		Donation
Name of Employer Pending	Occupation Pending	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 1000.00	Transaction ID: SA11A1.7449

Full Name (Last, First, Middle Initial) C. Ae Kyung Lee		Date of Receipt M M / D D / Y Y Y Y 10 / 28 / 2002
Mailing Address 12315 Riding Fields Rd. City State Zip Code Rockville MD 20850		Amount of Each Receipt this Period 6000.00
FEC ID number of contributing federal political committee.		Donation
Name of Employer Information Support Systems, Inc.	Occupation Administrator	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 6000.00	Transaction ID: SA11A1.7544

SUBTOTAL of Receipts This Page (optional) ▶ **7120.00**

TOTAL This Period (last page this line number only) ▶

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

Use separate schedule(s) or each category of the Detailed Summary Page		FOR LINE NUMBER: (check only one)	PAGE 23 / 43
<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" 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

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NAME OF COMMITTEE (In Full)
Democratic Party of Hawaii

Full Name (Last, First, Middle Initial) A. Distilled Spirits Council US		Date of Receipt M M / D D / Y Y Y Y 11 / 04 / 2002
Mailing Address 1250 Eye St. NW City: Washington State: DC Zip Code: 20005		Amount of Each Receipt this Period 1000.00
FEC ID number of contributing federal political committee. C00030734		Donation
Name of Employer	Occupation	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 1000.00	Transaction ID: SA11C.7850

Full Name (Last, First, Middle Initial) B. BEV Educational Committee		Date of Receipt M M / D D / Y Y Y Y 10 / 28 / 2002
Mailing Address 1125 15th St. NW City: Washington State: DC Zip Code: 20005		Amount of Each Receipt this Period 25000.00
FEC ID number of contributing federal political committee. C00250324		Donation
Name of Employer	Occupation	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 25000.00	Transaction ID: SA11C.7548

Full Name (Last, First, Middle Initial) C. Ironworkers PAL		Date of Receipt M M / D D / Y Y Y Y 10 / 31 / 2002
Mailing Address 1750 New York Ave. NW City: Washington State: DC Zip Code: 20008		Amount of Each Receipt this Period 5000.00
FEC ID number of contributing federal political committee. C00027359		Donation
Name of Employer	Occupation	
Receipt For: 2002 Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ▼	Aggregate Year-to-Date ▼ 5000.00	Transaction ID: SA11C.7844

SUBTOTAL of Receipts This Page (optional) ▶ **31000.00**

TOTAL This Period (last page this line number only) ▶

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