



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4280

DATE FILMED 4-16-96 CAMERA NO. 3

CAMERAMAN JMN

96043732308

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: AUG 29 1995

ANALYST: JAN MCBRIDE

I. COMMITTEE: Democratic Party of Hawaii-Federal
Campaign Committee (C00212787)
Jane Sugimura, Treasurer
(May 29, 1994-present)
George Waialeale, Treasurer
(January 29, 1993-May 28, 1994)
777 Kapiolani Boulevard
Honolulu, HI 96813

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i) and (iv)
11 CFR §104.5(c)(1)(i)(A) and (2)(i)(B)

III. BACKGROUND:

Failure To Timely File the 1994 April Quarterly Report and
Chronic Late Filing of Reports

The Democratic Party of Hawaii-Federal Campaign
Committee ("the Committee") failed to timely file three (3)
Reports of Receipts and Disbursements for the 1993-1994
election cycle (see Late Filing History Chart). The reports
were filed between twelve (12) and two hundred thirteen (213)
calendar days late.

A Prior Notice was sent to the Committee on March 22,
1994. The Notice alerted the Committee that the 1994 April
Quarterly Report was due on April 15, 1994 (Attachment 4).
On May 10, 1994, the Committee was sent a Non-Filer Notice
for the 1994 April Quarterly Report and advised to file as
soon as possible to avoid legal enforcement action by the
Commission (Attachment 5).

The Reports Analysis Division ("RAD") analyst was
contacted by Jane Sugimura, treasurer of the Committee, on
July 13, 1994. Ms. Sugimura informed the analyst that she
had only recently been elected treasurer and did not have any
past reports or FEC forms. She was also not aware that the
1994 April Quarterly Report had not been filed. The analyst
advised the treasurer to file the delinquent report as soon
as possible and sent the appropriate forms and party guides
(Attachment 6).

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On July 15, 1994, the Committee filed a cover letter accompanying its 1994 July Quarterly Report. The letter stated that the 1994 April Quarterly Report was forthcoming (Attachment 7).

On August 12, 1994, a Chronic Late Filing Notice was sent to the Committee for failure to file the 1993 Year End and 1994 April Quarterly Reports in a timely manner (Attachment 8). The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

On September 21, 1994, the Committee was sent a Prior Notice that the 1994 October Quarterly Report was due on October 15, 1994 (Attachment 9).

On October 27, 1994, the Committee filed its 1994 12 Day Pre-General Report with coverage dates of September 5, 1994 through October 21, 1994 (Attachment 10).

On November 7, 1994, the RAD analyst contacted Ms. Sugimura about a possible referral for problems on the 1994 July Quarterly Report. Ms. Sugimura informed the analyst that the Committee's 1994 April Quarterly Report was located at their accountant's office. The Committee had not been made aware that the accountant had not filed it because the accountant was withholding it for lack of payment. The treasurer assured the analyst that it would be mailed as soon as it could be recovered and signed (Attachment 11).

The 1994 April Quarterly Report was filed on November 14, 1994. The Committee filed an accompanying cover letter of explanation, detailing the circumstances which caused the late filing of this report (Attachment 12).

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LATE FILING HISTORY

<u>REPORT TYPE</u>	<u>PRIOR NOTICE</u>	<u>DATE DUE</u>	<u>NON-FILER NOTICE</u>	<u>DATE FILED</u>
1993 Year End (7/01/93-12/31/93)	12/27/93 (Attachment 2)	1/31/94	Not Sent	2/18/94 (Attachment 3)
1994 April Quarterly (1/01/94-3/31/94)	3/22/94 (Attachment 4)	4/15/94	5/10/94 (Attachment 5)	11/14/94 (Attachment 12)
1994 October Quarterly** (9/05/94-9/30/94)	9/21/94 (Attachment 9)	10/15/94	Not Sent	10/27/94 (Attachment 10)

**The Committee filed a 12 Day Pre-Primary Report on 9/12/94 with the coverage dates of 7/01/94 to 9/04/94. The Committee then filed a combination October Quarterly-12 Day Pre-General Report on 10/27/94 with the coverage dates of 9/5/94 to 10/21/94.

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
DEMOCRATIC PARTY OF HAWAII-FEDERAL CAMPAIGN COMMITTEE						
CONNECTED ORGANIZATION: HAWAII DEMOCRATIC PARTY						
1993	STATEMENT OF ORGANIZATION - AMENDMENT			1FEB93	2	93FEC/827/0990
	STATEMENT OF ORGANIZATION - AMENDMENT			4FEB93	2	93FEC/827/1991
	MID-YEAR REPORT	101,191	157,609	1JAN93 -30JUN93	21	93FEC/855/3539
	REQUEST FOR ADDITIONAL INFORMATION			1JAN93 -30JUN93	3	94FEC/886/4149
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END	37,584	31,207	1JAN93 -30JUN93	4	94FEC/889/1412
	REQUEST FOR ADDITIONAL INFORMATION			1JUL93 -31DEC93	16	94FEC/885/2206
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END			1JUL93 -31DEC93	2	94FEC/890/5713
1994	STATEMENT OF ORGANIZATION - AMENDMENT			1JUL93 -31DEC93	3	94FEC/897/4714
	MISCELLANEOUS NOTICE FROM FEC			15JUL94	1	94FEC/913/2923
	MISCELLANEOUS REPORT TO FEC			12AUG94	3	94FEC/916/5086
	APRIL QUARTERLY	12,999	13,559	29NOV94	2	94FEC/944/4225
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN94 -31MAR94	11	94FEC/944/1847
	NOTICE OF FAILURE TO FILE			1JAN94 -31MAR94	4	95FEC/967/4905
	1ST LETTER INFORMATIONAL NOTICE			1JAN94 -31MAR94	2	94FEC/898/1180
	JULY QUARTERLY	63,756	76,856	1JAN94 -31MAR94	2	95FEC/959/0830
	JULY QUARTERLY - AMENDMENT	76,006	76,856	1APR94 -30JUN94	9	94FEC/913/2924
	JULY QUARTERLY - AMENDMENT	-	-	1APR94 -30JUN94	13	94FEC/944/1858
	JULY QUARTERLY - AMENDMENT	76,006	72,519	1APR94 -30JUN94	3	95FEC/971/3999
	REQUEST FOR ADDITIONAL INFORMATION			1APR94 -30JUN94	17	95FEC/976/2729
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END			1APR94 -30JUN94	3	94FEC/921/2159
	REQUEST FOR ADDITIONAL INFORMATION			1APR94 -30JUN94	4	94FEC/925/2214
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END			1APR94 -30JUN94	6	95FEC/959/1193
	PRE-PRIMARY	20,180	9,993	1APR94 -30JUN94	7	95FEC/966/2401
	PRE-PRIMARY - AMENDMENT	20,180	9,993	1JUL94 - 4SEP94	7	94FEC/921/3306
	PRE-PRIMARY - AMENDMENT	20,180	9,993	1JUL94 - 4SEP94	9	94FEC/944/1871
	PRE-GENERAL	28,145	23,441	1JUL94 - 4SEP94	9	95FEC/976/2746
	PRE-GENERAL - AMENDMENT	30,145	23,441	5SEP94 -21OCT94	11	94FEC/941/1076
	PRE-GENERAL - AMENDMENT	28,145	23,441	5SEP94 -21OCT94	10	94FEC/944/1880
	PRE-GENERAL - AMENDMENT	97,169	99,015	5SEP94 -21OCT94	11	95FEC/976/2850
	POST-GENERAL	-	-	22OCT94 - 8NOV94	19	94FEC/953/2321
	POST-GENERAL - AMENDMENT	97,169	101,760	22OCT94 - 8NOV94	3	95FEC/971/3996
	POST-GENERAL - AMENDMENT	-	-	22OCT94 -28NOV94	20	95FEC/955/4850
	POST-GENERAL - AMENDMENT	97,169	101,760	22OCT94 -28NOV94	3	95FEC/967/4909
	POST-GENERAL - AMENDMENT	97,169	101,760	22OCT94 -28NOV94	19	95FEC/976/2765
	POST-GENERAL - AMENDMENT	97,169	101,760	22OCT94 -28NOV94	13	95FEC/986/1848
	REQUEST FOR ADDITIONAL INFORMATION			22OCT94 - 8NOV94	2	95FEC/968/3284
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END			22OCT94 - 8NOV94	3	95FEC/970/5387
	NOTICE OF FAILURE TO FILE			9NOV94 -28NOV94	2	94FEC/955/0773
	YEAR-END	11,602	9,633	29NOV94 -31DEC94	7	95FEC/964/2484
	YEAR-END - AMENDMENT	-	-	29NOV94 -31DEC94	7	95FEC/975/5380
	YEAR-END - AMENDMENT	11,602	9,633	29NOV94 -31DEC94	8	95FEC/976/2861
	YEAR-END - AMENDMENT	11,602	9,633	29NOV94 -31DEC94	3	95FEC/986/1861
	REQUEST FOR ADDITIONAL INFORMATION			29NOV94 -31DEC94	3	95FEC/970/4571
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END			29NOV94 -31DEC94	4	95FEC/974/3085

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ID #C00212787 PARTY QUALIFIED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
1995	MISCELLANEOUS REPORT TO FEC			9MAR95	5	95FEC/968/2904
	TOTAL	384,876	0 419,721	0	318	TOTAL PAGES

All reports listed have been reviewed.

Ending cash on hand as of 12/31/94: \$19,107.76

Outstanding debts and obligations owed to the Committee: \$ 0.00

Outstanding debts and obligations owed by the Committee: \$3350.00

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REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 27, 1993

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) must file a Year-End Report on January 31, 1994.

REPORT CONTENT AND DATES

I. Semiannual Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	07/01/93 - 12/31/93	01/31/94	01/31/94

Semiannual filers must disclose financial activity that occurred from July 1 through December 31, 1993, on their Year-End Report.

II. Monthly Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	12/01/93 - 12/31/93	01/31/94	01/31/94

Monthly filers must disclose financial activity from December 1 through December 31, 1993, on their Year-End Report.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from semiannual to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

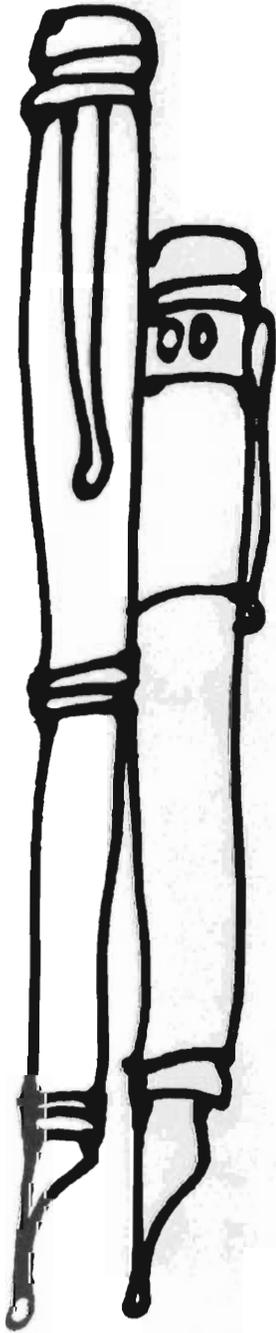
Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)

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PARTIES AND PACS**YEAR-END****1994 FILING SCHEDULE****I. Quarterly Filers**

REPORT	PERIOD COVERED*	REG./CERT. MAILING DATE**	FILING DATE
April	01/01/94 - 03/31/94	04/15/94	04/15/94
July	04/01/94 - 06/30/94	07/15/94	07/15/94
October	07/01/94 - 09/30/94	10/15/94	10/15/94
Pre-General	10/01/94 - 10/19/94	10/24/94	10/27/94
Post-General	10/20/94 - 11/28/94	12/08/94	12/08/94
Year-End	11/29/94 - 12/31/94	01/31/95	01/31/95

II. Monthly Filers

REPORT	PERIOD COVERED*	REG./CERT. MAILING DATE**	FILING DATE
February	01/01/94 - 01/31/94	02/20/94	02/20/94
March	02/01/94 - 02/28/94	03/20/94	03/20/94
April	03/01/94 - 03/31/94	04/20/94	04/20/94
May	04/01/94 - 04/30/94	05/20/94	05/20/94
June	05/01/94 - 05/31/94	06/20/94	06/20/94
July	06/01/94 - 06/30/94	07/20/94	07/20/94
August	07/01/94 - 07/31/94	08/20/94	08/20/94
September	08/01/94 - 08/31/94	09/20/94	09/20/94
October	09/01/94 - 09/30/94	10/20/94	10/20/94
Pre-General	10/01/94 - 10/19/94	10/24/94	10/27/94
Post-General	10/20/94 - 11/28/94	12/08/94	12/08/94
Year-End	11/29/94 - 12/31/94	01/31/95	01/31/95

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

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FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

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REPORT OF RECEIPTS AND DISBURSEMENTS

Attachment # 3

For Other Than An Authorized Committee
(Summary Page)

RECEIVED page 1 of 2
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

FEB 27 12 21 PM '94

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) Democratic Party of Hawaii Federal Campaign Committee		2. FEC IDENTIFICATION NUMBER C00212787
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 50 S. Beretania Street, Suite C-101B		
CITY, STATE and ZIP CODE Honolulu, Hawaii 96813		
		3. <input type="checkbox"/> This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date).

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Termination Report

Monthly Report Due On:

- February 20
- March 20
- April 20
- May 20
- June 20
- July 20
- August 20
- September 20
- October 20
- November 20
- December 20
- January 31

- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>Jul 1, 1993</u> through <u>Dec 31, 1993</u>		
6. (a) Cash on Hand January 1, 19 <u>93</u>		\$ 53,954.72
(b) Cash on Hand at Beginning of Reporting Period	\$ (2,463.47)	
(c) Total Receipts (from Line 19)	\$ 37,584.16	\$ 138,775.78
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 35,120.69	\$ 192,730.50
7. Total Disbursements (from Line 30)	\$ 31,207.72	\$ 188,817.53
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 3,912.97	\$ 3,912.97
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	\$ -	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free (800-424-9530 Local 202-219-3420
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

George Waialeale

Signature of Treasurer

Date

2/18/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

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ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS

The Commission has added this page to the end of the filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

R.H. First Class Mail

POSTMARKED

Registered/Certified Mail

POSTMARKED

2/18/94 *R.H.*

No Postmark

Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

SHOW DATE OF RECEIPT

E.S.
PREPARED

2/22/94
DATE PREPARED

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QUARTERLY

Attachment # 4
page 1 of 1

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1994

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
April Quarterly	01/01/94-03/31/94	04/15/94	04/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in April.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election, must also file a Pre-Election Report, if the activity was not previously reported. See January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election day.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

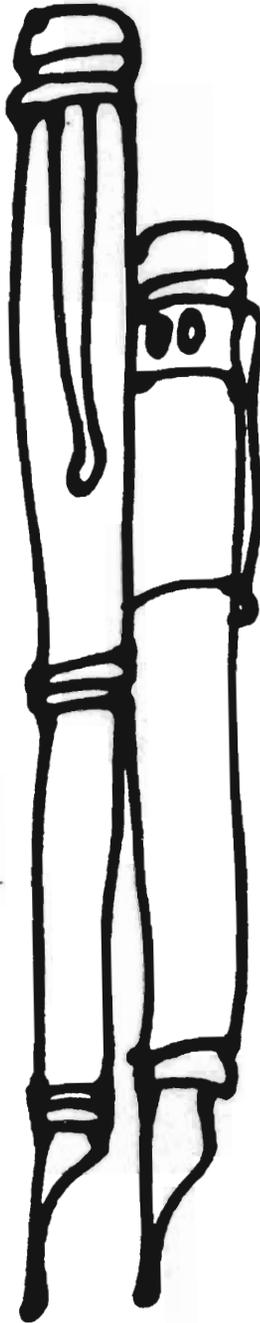
COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-PEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420



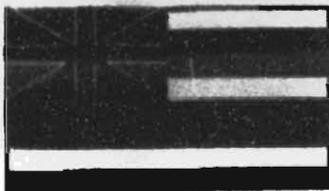
9 6 0 4 3 3 2 3 1 6

TELECON

ANALYST: Jan McBride
CONVERSATION WITH: Jane Sugimura
COMMITTEE: Democratic Party of Hawaii-Federal
Campaign Committee
DATE: July 13, 1994

On July 13, 1994, the analyst was contacted by Jane Sugimura, the new treasurer of the Committee. Ms. Sugimura informed the analyst that she had only been recently elected and could not locate any past reports or FEC forms needed to file the July Quarterly report. The analyst sent new forms and campaign guides to the treasurer and also reminded her that the 1994 April Quarterly report had not been filed by the Committee. Ms. Sugimura was advised to file the delinquent report as soon as possible.

96043732320



DEMOCRATIC PARTY OF HAWAII

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMIN

Jul 20 11 36 AM '94

Richard Port
State Chair

Betty Jo Harris
First Vice-Chair

Lorraine Inouye
2nd Vice-Chair

Stephanie Ohigashi
3rd Vice-Chair

Jane Sugimura
Treasurer

Andrew Bonfield
Asst. Treasurer

July 15, 1994

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Federal Election Commission
Attn: Jan McBride
999 E Street, N.W.
Washington, D.C. 20463

Re: Democratic Party of Hawaii, FEC #COO212787

✓ Clyde Morita
Secretary

✓ Shelby Scott Foster
Asst. Secretary

✓ George Ariyoshi
National Committeeman

✓ Linda K. Rosehill
National Committeewoman

Dear Jan:

I was elected treasurer of the Hawaii Democratic Party on May 29, 1994 at our State convention. I received most of the Party's 1994 financial records on July 1, 1994 and am awaiting turnover of the 1993 financial records. I have not been able to locate copies of past FEC reports filed by the Party. Also, I don't have good instructions on how to complete the quarterly report. In the circumstances, I am not able to submit an accurate and complete quarterly report for July.

Per our conversation, I have used my best efforts to complete the July quarterly report (based on the information I currently have) and will amend it after I receive all of the 1994 financial information and the instructions (on completing the report) you graciously agreed to send to me. I will also submit the report for the first quarter of 1994, which you advised had not yet been submitted. If there are any other reports that have not been filed, please let me know and I will do my best to provide you with the required information.

I appreciate the helpful information you provided in our recent phone calls and I look forward to working with you during my term of office. If you need to call me, my business number is (808) 524-0544.

Sincerely,

Jane Sugimura
Jane Sugimura
Treasurer

ENVELOPE REPLACEMENT PAGE FOR INCOME DOCUMENTS

The Commission has added this page to the end of this filing to indicate when it was received.

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<input type="checkbox"/> Hand Delivered	DATE OF RECEIPT
<input type="checkbox"/> First Class Mail	POSTMARKED
<input checked="" type="checkbox"/> Registered/Certified Mail	POSTMARKED 7-15-74 B.H.
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> Received from the House Office of Records and Registration	DATE OF RECEIPT
<input type="checkbox"/> Received from the Senate Office of Public Records	DATE OF RECEIPT
<input type="checkbox"/> Other (Specify):	POSTMARKED
	DATE OF RECEIPT
JMY PREPARER	7-21-74 DATE PREPARED



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NS-L

AUG 12 1994

George Waialeale, Treasurer
Democratic Party of Hawaii-
Federal Campaign Committee
50 South Beretania Street
Ste. C-101B
Honolulu, HI 96813

Identification Number: C00212787

Reference: 1993-1994 Election Cycle Reports

Dear Mr. Waialeale:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End Report (7/1/93-12/31/93)	1/31/94	2/18/94
April Quarterly Report (1/1/94-3/31/94)	4/15/94	Not Filed

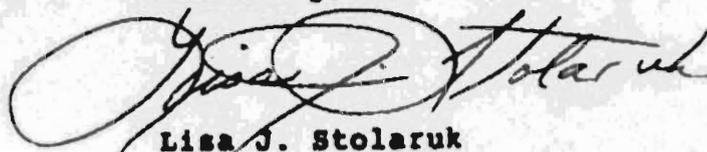
Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views failure to timely file reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel

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free to contact Jan McBride on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Lisa J. Stolaruk
Chief, Party/Non-Party Branch
Reports Analysis Division

99 46 00 34 43 17 03 20 3 8 7 A

QUARTERLY

REPORT NOTICE**FEDERAL ELECTION COMMISSION**

PARTIES AND PACS

September 21, 1994

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
October Quarterly	07 01/94 - 09/30/94	10/15/94	10/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in October.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See the January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

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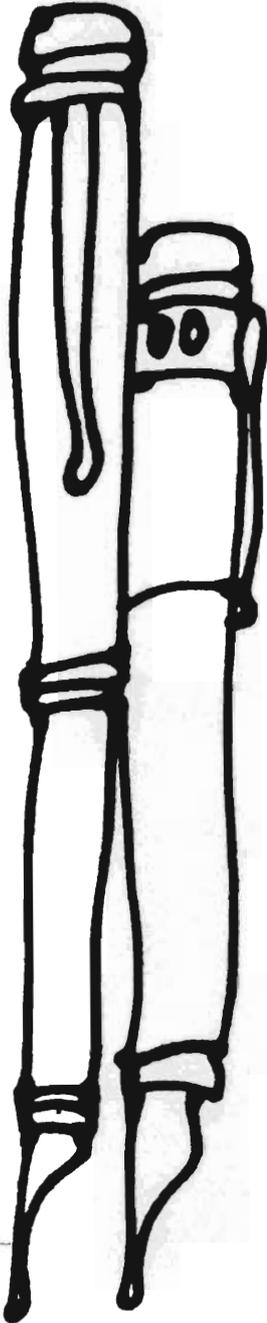
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*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

**Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

over

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PARTIES AND PACS

OCTOBER QUARTERLY

COMPLIANCE
TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL
REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT
ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC
FORMS WILL BE REQUIRED TO REFILE.

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FOR INFORMATION, Call: 800/424-9530 or 202/218-3420

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

Nov 1 11 14 AM '94

USE FEC MAILING LABEL OR TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
DEMOCRATIC PARTY OF HAWAII

ADDRESS (number and street) Check if different than previously reported
50 S. BOETANIA ST. C101-B

CITY, STATE and ZIP CODE
HON., HI. 96813

2. FEC IDENTIFICATION NUMBER
C00212787

3. This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Termination Report

Monthly Report Due On:

- February 20
- March 20
- April 20
- May 20
- June 20
- July 20
- August 20
- September 20
- October 20
- November 20
- December 20
- January 31

Twelfth day report preceding General
(Type of Election)
election on 11/15/94 in the State of HI

Thirtieth day report following the General Election on _____
in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>9/5/94</u> through <u>10/2/94</u>		
6. (a) Cash on Hand January 1, 19 <u>94</u>		\$ <u>6,290.07</u>
(b) Cash on Hand at Beginning of Reporting Period	\$ <u>1,908.05</u>	
(c) Total Receipts (from Line 19)	\$ <u>28,145.73</u>	\$ <u>117,722.72</u>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ <u>30,053.78</u>	\$ <u>124,012.79</u>
7. Total Disbursements (from Line 30)	\$ <u>23,446.49</u>	\$ <u>122,670.50</u>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ <u>6,607.29</u>	\$ <u>1,342.29</u>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ <u>0</u>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ <u>0</u>	

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-9530
Local 202-219-3420

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer
YUKIKO J. SUGIMURA

Signature of Treasurer
Yukiko J. Sugimura

Date
10/27/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 9437g.

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ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS

The Commission has added this page to the end of this filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

First Class Mail

POSTMARKED

Registered/Certified Mail

POSTMARKED

10-27-94

No Postmark

Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

only (DATE OF RECEIPT)

J.M.H.
PREPARED

11-1-94
DATE PREPARED

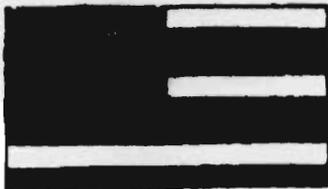
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TELECON

ANALYST: Jan McBride
CONVERSATION WITH: Jane Sugimura
COMMITTEE: Democratic Party of Hawaii-Federal
Campaign Committee
DATE: November 7, 1994

On November 7, 1994, the analyst contacted Ms. Sugimura about a possible referral to the Office of General Counsel because of problems on the 1994 July Quarterly report. The analyst again reminded the treasurer that the 1994 April Quarterly report was delinquent. Ms. Sugimura told the analyst that the missing report had been located at the office of the Committee's accountant. They had not been told about the report, because it was being withheld for lack of payment. The treasurer assured the analyst that the report in question would be mailed as soon as possible.

96043732329



DEMOCRATIC PARTY OF HAWAII

Nov 22 11 58 AM '94

Richard Port
State Chair

Betty Jo Harris
First Vice-Chair

Lorraine Inouye
2nd Vice Chair

Stephanie Ohigashi
3rd Vice-Chair

Jane Sugimura
Treasurer

Andrew Bonfield
Asst. Treasurer

Clyde Morita
Secretary

Shelby Scott Foster
Asst. Secretary

George Ariyoshi
National Committeeman

Linda K. Rosehill
National Committeewoman

November 14, 1994

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Federal Election Commission
Attn: Jan McBride
999 E Street, N.W.
Washington, D.C. 20463

Re: Democratic Party of Hawaii, FEC #C00212787

Dear Jan:

This responds to letters from the Commission regarding certain deficiencies in our reports.

As you know from my letter to you dated July 15, 1994, I was elected treasurer of the Hawaii Democratic Party on May 29, 1994. Since that time, I have not been able to obtain all the Party's financial records prior to April 1994.

I did, however, locate an accountant who had been engaged by the previous Party administration to prepare the campaign spending reports and he provided me with a copy of an unsigned first quarterly report for 1994. Enclosed is a copy of the accountant's transmittal to me enclosing that report.

The accountant advised me that he tried to obtain a signature on that report, but George Waialeale, the previous treasurer either was not available or did not respond to messages he left at Party headquarters that the report had to be signed and submitted to your office. I understand from the accountant that the reason the final 1993 report was filed late was also due to Mr. Waialeale's unavailability.

D.H.

D.H.

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Jan McBride
Federal Election Commission
November 14, 1994
Page 2

S.H.

Since Mr. Waialeale is no longer the Party's treasurer, I have signed the first quarterly report as its current treasurer and am submitting it to the Commission with this letter. Based on that report and the Commission's request for compliance with its rules, I have revised all subsequent reports to reflect the appropriate financial information and have included the additional schedules you requested. The amended reports for all periods up to and including the most recent report sent to you on October 27, 1994 are also enclosed with this letter.

S.H.

I appreciate your assistance in our recent phone calls and I look forward to working with you during my term of office.

Sincerely,

Jane Sugimura
Jane Sugimura
Treasurer

Enclosures (5)

94039441848

NISHIHAMA & KIMIDA, CPAs, INC.
SUITE 1750, PACIFIC TOWER
1001 BISHOP STREET
HONOLULU, HAWAII 96813

COPY

LETTER OF TRANSMITTAL

To: Ms. Jane Sugimura
Bendet Fidell Sakai & Lee
Davies Pacific Center, Suite 1500
Honolulu, Hawaii 96813

Date: November 9, 1994

Re: Democratic Party of Hawaii

99 46 03 4 3 7 4 3 12 3 4 2 2

Enclosed is/are:	
No. of Copies	Description
1	FEC Form 3X, Report of Receipts and Disbursements, for the periods January 1, 1994 through March 31, 1994 and July 1, 1993 through December 31, 1993 D. H.
1	Hawaii Campaign Spending Commission Disclosure Report for the period January 1, 1994 through March 31, 1994
1	Our transmittal letter dated August 15, 1994 to Mr. Dennis O'Connor and our invoice dated August 31, 1994 regarding the above mentioned FEC and Hawaii Campaign Spending Commission Reports

- | | |
|--|---|
| <input type="checkbox"/> For your information. | <input type="checkbox"/> For your approval. |
| <input checked="" type="checkbox"/> For your files. | <input type="checkbox"/> For your action. |
| <input type="checkbox"/> For signature and return. | <input checked="" type="checkbox"/> As you requested. |
| <input type="checkbox"/> For your review, comment, and return. | |

Remarks: Dear Ms. Sugimura:

Enclosed are the documents that you requested.
If you have any questions, please call me at 524-2255.

By Wesley B. Hiyaga
Wesley B. Hiyaga

REPORT RECEIPTS AND DISBURSEMENTS

or Other Than An Authorized Committee
(Summary Page)

Nov 72 11 50 AM '94

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) Democratic Party of Hawaii Federal Campaign Committee		2. FEC IDENTIFICATION NUMBER C00212787
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 50 S. Beretania Street, Suite C-101B		
CITY, STATE and ZIP CODE Honolulu, Hawaii 96813		

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report
- Monthly Report Due On:
 February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31
- Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>Jan. 1, 1994</u> through <u>Mar. 31, 1994</u>		
6. (a) Cash on Hand January 1, 19 94		\$ 3,912.97
(b) Cash on Hand at Beginning of Reporting Period	\$ 3,912.97	
(c) Total Receipts (from Line 19)	\$ 12,999.22	\$ 12,999.22
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 16,912.19	\$ 16,912.19
7. Total Disbursements (from Line 30)	\$ 13,559.70	\$ 13,559.70
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 3,352.49	\$ 3,352.49
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-219-3420
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 3,350.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Yuriko J. Sugimura, Treasurer as of June 1, 1994	Date
Signature of Treasurer <i>Yuriko J. Sugimura</i>	11/14/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS

The Commission has added this page to the end of this filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

First Class Mail

POSTMARKED

Registered/Certified Mail

POSTMARKED

11-14-94

S.H.

No Postmark

Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

DATE OF RECEIPT

J.H.

PREPARED

11-23-94

DATE PREPARED

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral: #95NF-24
Staff Member: Tom Andersen

Date of Activation: October 17, 1995

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Democratic Party of Hawaii Federal Campaign
Committee and Jane Sugimura, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i) and (iv)

INTERNAL REPORTS CHECKED: Referral Material
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of General Counsel received a referral from the Reports Analysis Division ("RAD") on August 31, 1995. The basis for the attached referral is the failure of the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer, ("the Committee") to timely file their 1993 Year End Report and their 1994 April Quarterly and 1994 October Quarterly Reports.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends that the Commission find reason to believe the Committee violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv).

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer, violated U.S.C. § 434(a)(4)(A)(i) and (iv), and enter into conciliation prior to a finding of probable cause to believe.

3. Approve the attached proposed Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

11/2/95
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement

9604373338

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Democratic Party of Hawaii)	RAD Referral
Federal Campaign Committee)	#95NF-24
and Jane Sugimura, as treasurer.)	MUR 4280

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 8, 1995, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #95NF-24:

1. Open a MUR.
2. Find reason to believe the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the proposed Factual and Legal Analysis, proposed conciliation agreement, and the appropriate letter, as recommended in the General Counsel's Memorandum dated November 2, 1995.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

11-8-95
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Thurs., Nov. 2, 1995	4:43 p.m.
Circulated to the Commission:	Fri., Nov. 3, 1995	12:00 p.m.
Deadline for vote:	Wed., Nov. 8, 1995	4:00 p.m.

bjr

96043732339



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 22, 1995

Jane Sugimura, Treasurer
Democratic Party of Hawaii
Federal Campaign Committee
777 Kapiolani Boulevard
Honolulu, HI 96813

RE: MUR 4280
Democratic Party of Hawaii
Federal Campaign Committee
Jane Sugimura, as treasurer

Dear Ms. Sugimura:

On November 8, 1995, the Federal Election Commission found that there is reason to believe the Democratic Party of Hawaii Federal Campaign Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

96043732340

Jane Sugimura, Treasurer
Page 2

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Thomas J. Andersen, the staff member assigned to this matter, at (202) 219-3690, or 1-800-424-9530.

Sincerely,



Danny H. McDonald
Chairman

Enclosures

- Factual and Legal Analysis
- Procedures
- Designation of Counsel Form
- Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Democratic Party of Hawaii
Federal Campaign Committee
and Jane Sugimura, as
treasurer

MUR 4280

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

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The Federal Election Campaign Act of 1971, as amended, requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. In any calendar year in which a regularly scheduled election is held, all political committees that choose not to file on a monthly basis shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). In any other calendar year, political committees shall file a report covering the period beginning July 1 and December 31, which shall be filed no later than January 31 of the following calendar year.

The Democratic Party of Hawaii Federal Campaign Committee ("the Committee") is a political committee not authorized by any candidate and has elected to report on a quarterly basis. The treasurer is Jane Sugimura.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), the due date for the Committee's 1993 Year End Report was January 31, 1994.

Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), the due date for the Committee's 1994 April Quarterly Report was April 15, 1994, and the due date for the Committee's 1994 October Quarterly Report was October 15, 1994.

The Committee was notified on December 27, 1993, that its 1993 Year End Report was due on January 31, 1994. On February 18, 1994, the Committee filed the 1993 Year End Report, 18 days late, disclosing receipts totaling \$37,584 and disbursements totaling \$31,207.

The Committee was notified on March 22, 1994, that its 1994 April Quarterly Report was due on April 15, 1994. A Non-Filer Notice was sent on May 10, 1994, informing the Committee that the failure to file the report in a timely manner could result in legal enforcement action. In addition, on August 12, 1994, the Committee was sent a Chronic Late Filing Notice regarding the 1993 Year End Report and the 1994 April Quarterly Report. The Commission once again advised the Committee that any additional reports filed untimely could result in legal enforcement action. The Committee filed its 1994 April Quarterly Report on November 14, 1994, 213 days late, disclosing receipts totaling \$12,999 and disbursements totaling \$13,559.

On September 21, 1994, the Committee was sent a Prior Notice that the 1994 October Quarterly Report was due on October 15, 1994. The Committee filed a 12 Day Pre-Primary Report on September 12, 1994, with coverage dates of July 1, 1994 to September 4, 1994. The Committee then filed a 12 Day Pre-General Report on October 27, 1994, which covered activity

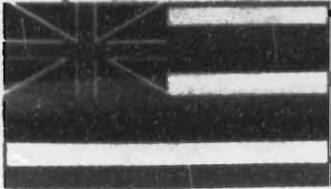
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from September 5, 1994 to October 21, 1994. The activity that occurred from September 5, 1994 to September 30, 1994, should have been properly disclosed on the 1994 October Quarterly Report due on October 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i).

Accordingly, the Committee filed this information 12 days late, disclosing receipts totaling \$14,540 and disbursements totaling \$7,947.

Based on the foregoing, there is reason to believe that the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv), by failing to timely file their 1993 Year End Report and their 1994 April Quarterly and October Quarterly Reports.

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DEMOCRATIC PARTY OF HAWAII

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Dec 11 11 18 AM '95

Richard Port
State Chair

December 5, 1995

Betty Jo Harris
First Vice-Chair

VIA TELEFAX - 1 (202) 219 3923

Lorraine Inouye
2nd Vice-Chair

Thomas J. Andersen
Federal Election Commission

Stephanie Ohigashi
3rd Vice-Chair

Re: MUR 4280, Democratic Party of Hawaii

Jane Sugimura
Treasurer

Andrew Bonfield
Asst. Treasurer

Dear Mr. Andersen:

Clyde Morita
Secretary

This responds to a letter from Danny McDonald dated November 22, 1995, which was received by the Party on November 28, 1995.

Shelby Scott Foster
Asst. Secretary

Late Filing of 1993 Year-End and First Quarter 1994 Reports

George Ariyoshi
National Committeeman

Linda K. Rosehill
National Committeewoman

The filing of the 1993 Year-end report occurred prior to my being elected Party Treasurer, so I have no personal knowledge as to the reason for the late filing. According to accountants hired by the previous Party administration to prepare the report, the Treasurer was not available to sign the report.

The First Quarter 1994 report was prepared and filed by the accountants engaged by the previous Party administration. That report was prepared and filed without my knowledge or consultation.

1 I was elected in late May 1994 and I began my duties effective July 1, 1994. When I became Treasurer, I was given two check books and registers (for the Federal and State accounts) several files of paid and unpaid bills. I asked for but did not receive financial statements or copies of previous federal and state campaign spending reports.

2 I am enclosing a copy of a letter dated November 14, 1994 to Jan McBride, which refers to my first knowledge of this report. Until I received Mr. McDonald's recent letter, I was not aware that that report had been filed in November 1994.

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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Thomas Andersen
Federal Election Commission
Re: MUR 4280
December 5, 1995
Page 2

Late Filing of the October 15, 1994 Report.

I have diligently responded to every notice received from the FEC since I became Treasurer. Your records will reflect that from and after July 1, 1994, all required reports (with the exception of the October 15, 1994 report) have been filed in a timely manner. Also, your records will reflect that I have amended my 1994 reports several times in response to notices from the FEC.

If the Party had received a notice for the October 15th report, I would have filed the report. Accordingly, I do not believe the Party received that notice or if the notice was received, it was misplaced and the failure to file that report was inadvertent.

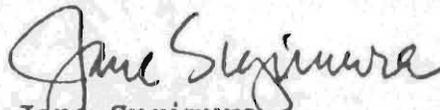
Despite our failure to file the October 15th report, the information that would have been contained in that report was contained in the Pre-Primary Report filed on September 12, 1994 and the Pre-General Report filed on October 27, 1994.

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Thomas Andersen
Federal Election Commission
Re: MUK 4280
December 5, 1995
Page 3

The Party and I wish to resolve this matter as expeditiously as possible and we look forward to working with you and the Commission. If we can provide additional information, please let me know. I will await hearing from you, in any event, regarding the disposition of this matter.

Sincerely,



Jane Sugimura
Treasurer

Enclosure

cc: Thomas Andersen (Via US Mail)

96043732347

November 14, 1994

FILE COPY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
Attn: Jan McBride
999 E Street, N.W.
Washington, D.C. 20463

Re: Democratic Party of Hawaii, FEC #C00212787

Dear Jan:

This responds to letters from the Commission regarding certain deficiencies in our reports.

As you know from my letter to you dated July 15, 1994, I was elected treasurer of the Hawaii Democratic Party on May 29, 1994. Since that time, I have not been able to obtain all the Party's financial records prior to April 1994.

I did, however, locate an accountant who had been engaged by the previous Party administration to prepare the campaign spending reports and he provided me with a copy of an unsigned first quarterly report for 1994. Enclosed is a copy of the accountant's transmittal to me enclosing that report.

The accountant advised me that he tried to obtain a signature on that report, but George Waialeale, the previous treasurer either was not available or did not respond to messages he left at Party headquarters that the report had to be signed and submitted to your office. I understand from the accountant that the reason the final 1993 report was filed late was also due to Mr. Waialeale's unavailability.

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FILE COPY

Since Mr. Waialeale is no longer the Party's treasurer, I have signed the first quarterly report as its current treasurer and am submitting it to the Commission with this letter. Based on that report, I had to revise all subsequent reports to reflect the appropriate financial information. The amended reports for all periods up to and including the most recent report sent to you on October 27, 1994 are also enclosed.

I appreciate your assistance in our recent phone calls and I look forward to working with you during my term of office.

Sincerely,

Jane Sugimura
Treasurer

Enclosures (5)

96043732349



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEB 20 2 58 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2/20/96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Democratic Party of Hawaii, check number 1179, dated 2/10/96, and in the amount of \$. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$8,000.00, the MUR number is 4280 and in the name of Democratic Party of Hawaii. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: _____

Anita Alexander
Signature

2-21-96
Date

96043732350

BEFORE THE FEDERAL ELECTION COMMISSION

Mar 21 10 05 AM '96

In the Matter of)
Democratic Party of Hawaii Federal)
Campaign Committee)
Jane Sugimura, Treasurer)

MUR 4280

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Jane Sugimura, the treasurer of the Democratic Party of Hawaii Federal Campaign Committee (the "Committee"). Attachment 1. A check for the civil penalty has been received. Attachment 2.

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II. **RECOMMENDATIONS**

1. Accept the attached signed conciliation agreement with the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer.
2. Approve the appropriate letter.
3. Close the file.

3/20/96
Date

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

96043732352

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Democratic Party of Hawaii Federal) MUR 4280
Campaign Committee and Jane Sugimura,)
as Treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 26, 1996, the Commission decided by a vote of 5-0 to take the following actions in MUR 4280:

1. Accept the signed conciliation agreement with the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer, as recommended in the General Counsel's Report dated March 20, 1996.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated March 20, 1996.
3. Close the file.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

3/26/96
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., March 21, 1996 10:05 a.m.
Circulated to the Commission: Thurs., March 21, 1996 11:00 a.m.
Deadline for vote: Tues., March 26, 1996 4:00 p.m.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 3, 1996

Jane Sugimura, Treasurer
Democratic Party of Hawaii
Federal Campaign Committee
777 Kapiolani Blvd.
Honolulu, HI 96813

RE: MUR 4280
Democratic Party of Hawaii
Federal Campaign Committee and
Jane Sugimura, as treasurer

Dear Ms. Sugimura:

On March 26, 1996, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you in settlement of violations of 2 U.S.C. §§ 434(a)(4)(A)(i) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Thomas Andersen

Thomas Andersen
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 18 3 17 PM '96

In the Matter of)
)
Democratic Party of Hawaii) MUR 4280
Federal Campaign Committee)
and Jane Sugimura, as)
treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Democratic Party of Hawaii Federal Campaign Committee and Jane Sugimura, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i) and (iv).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Democratic Party of Hawaii Federal Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is not an authorized committee of any candidate.

2. Jane Sugimura is the treasurer of the Democratic Party of Hawaii Federal Campaign Committee. Ms. Sugimura was elected to that position on May 29, 1994. Based on information reported on amended Statements of Organization, George Waialeale was treasurer from

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January 30, 1993 to May 29, 1994, and John B. Kampfer was treasurer from August 30, 1988 to January 29, 1993.

3. The Federal Election Campaign Act of 1971, as amended, ("the Act") requires treasurers of political committees to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1).

4. In any calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate which have elected to file on a quarterly basis, shall file quarterly reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

5. In a non-election year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv).

6. Pursuant to 2 U.S.C. § 434(a)(4)(A)(iv), Respondents' 1993 Year End Report was due on January 31, 1994. Respondents filed the 1993 Year End Report on February 18, 1994, 18 days late, disclosing receipts totaling \$37,584 and disbursements totaling \$31,207.

7. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), Respondents' 1994 April Quarterly Report was due on April 15, 1994. Respondents filed the 1994 April Quarterly Report on November 14, 1994, 213 days late, disclosing receipts totaling \$12,999 and disbursements totaling \$13,559.

8. Respondents filed a 12 Day Pre-Primary Report on September 12, 1994, with coverage dates of July 1, 1994 to September 4, 1994. Respondents then filed a 12 Day Pre-General Report on October 27, 1994, which covered activity from September 5, 1994 to October 21, 1994. The activity that occurred from September 5, 1994 to September 30, 1994, should have been properly disclosed on the 1994 October Quarterly Report due on October 15, 1994. 2 U.S.C.

§ 434(a)(4)(A)(i). Respondents filed this information 12 days late, disclosing receipts totaling \$14,540 and disbursements totaling \$7,947.

V. Respondents failed to timely file their 1993 Year End Report and their 1994 April Quarterly and October Quarterly Reports in violation of 2 U.S.C. § 434(a)(4)(A)(i) and (iv).

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VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of eight thousand dollars (\$8,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

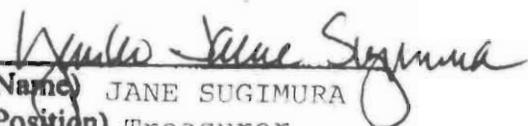
Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

4/3/96
Date

FOR THE RESPONDENTS:


(Name) JANE SUGIMURA
(Position) Treasurer

March 11, 1996
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4280

DATE FILMED 4-16-96 CAMERA NO. 3

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