



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2290

Date Filmed 2/2/81 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

(1) 12 Day Report (2) Comment Sheets
 (3) Internal Routing Slips (4) Address Sheet

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| ☒ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed Eric F. Klingefeld
 date 1/23/87

FEC 9-21-77

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 16, 1987

Mr. Kenneth K.P. Wong, Esquire
Goodsill, Anderson, Quinn & Stifel
1600 Bancorp Tower
130 Merchant Street
Honolulu, Hawaii 96813

RE: MUR 2290

Hannemann for Congress
Committee and Randall
Sumida, treasurer

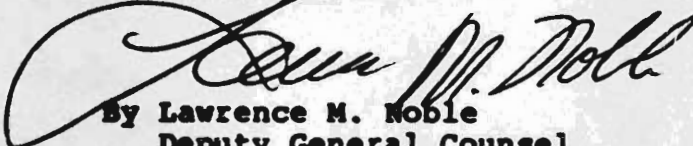
Dear Mr. Wong:

On November 19, 1986, the Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on January 13, 1987, determined that on the basis of the information in the complaint, and information provided by your client, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel


By Lawrence M. Noble
Deputy General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 16, 1987

Mr. Howard K.O. Chong, Chairman
Republican Party of Hawaii
1270 Queen Emma Street
Suite 300
Honolulu, Hawaii 96813

Re: MUR 2290

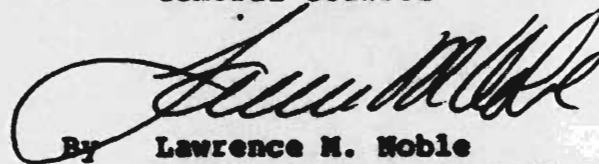
Dear Mr. Chong:

The Federal Election Commission has reviewed the allegations of your complaint dated November 4, 1986, and determined on January 13, 1987, that on the basis of the information provided in your complaint and information provided by the Respondent, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles W. Steele
General Counsel


By Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

87040534391



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Kenneth K.P. Wong, Esquire
Goodsill, Anderson, Quinn & Stifel
1600 Bancorp Tower
130 Merchant Street
Honolulu, Hawaii 96813

RE: MUR 2290

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Committee and Randall
Sumida, treasurer

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Sincerely,

Charles N. Steele
General Counsel

By Lawrence M. Noble
Deputy General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Howard K.O. Chong, Chairman
Republican Party of Hawaii
1270 Queen Emma Street
Suite 300
Honolulu, Hawaii 96813

Re: MUR 2290

Dear Mr. Chong:

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Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Hannemann for Congress Committee)

Randall Sumida, treasurer)

MUR 2290

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 13, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2290.

1. Find no reason to believe that the Hannemann for Congress Committee and Randall Sumida, as treasurer, violated 2 U.S.C. § 441e.
2. Find no reason to believe that the Hannemann for Congress Committee and Randall Sumida, as treasurer, violated 2 U.S.C. § 441g.
3. Find no reason to believe that the Hannemann for Congress Committee and Randall Sumida, as treasurer, violated 2 U.S.C. § 432(c)(2).
4. Approve the letters, as recommended in the First General Counsel's Report signed January 8, 1987.
5. Close the file.

Commissioners Aikens, Elliott, Josefiak, McDonald

McGarry and Thomas voted affirmatively for this decision.

Attest:

1-14-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 1-08-87 4:38
Circulated on 48 hour tally basis: Fri., 1-09-87 2:00
Deadline for vote: Tues., 1-13-87 4:00

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FEDERAL ELECTION COMMISSION
999 E STREET, N.W.
WASHINGTON, D.C. 20463

RE SENSITIVE
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

07 JAN 8 P4:38

Date and Time of Transmittal
By OGC to the Commission _____

MUR # 2290
Date Complaint
Received By
OGC November 10,
1986
Date of Notification
to Respondent
November 19, 1986
Staff
Eric Kleinfeld

COMPLAINANT'S NAME: Republican Party of Hawaii
Howard K. O. Chong, Jr., Chairman

RESPONDENTS' NAMES: Hannemann for Congress Committee
Randall Sumida, treasurer

RELEVANT STATUTES: 2 U.S.C. § 441e
2 U.S.C. § 441g
11 C.F.R. § 110.4(c)

INTERNAL REPORTS
CHECKED: Committee Reports
Advisory Opinions 1979-57, 1983-15

FEDERAL AGENCIES
CHECKED: None

SUMMARY OF ALLEGATIONS

On November 10, 1986, the Office of General Counsel received a signed, sworn and notarized complaint from Howard Chong, Chairman of the Republican Party of Hawaii alleging violations of the Federal Election Campaign Act of 1971, as amended ("Act") by the Hanneman for Congress Committee ("Committee") and Randall Sumida, as treasurer. Specifically, complainant alleges the following:

- (1) that anonymous cash contributions in excess of \$50 were accepted;

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- (2) that contributions in the form of cash and in excess of \$100 were accepted;
- (3) that contributions from foreign nationals were accepted; and
- (4) that a \$1000 contribution was accepted from the village of Hanneman's family.

FACTUAL AND LEGAL ANALYSIS

Mufi Hannemann was the 1986 Democratic candidate for the United States House of Representatives from the First Congressional District of Hawaii.^{1/} The activity complained of occurred in connection with a fundraiser held for Mr. Hannemann in American Samoa on October 10, 1986, and the allegations are based on a newspaper article attached to the complaint.

The newspaper article discusses in general Hannemann's background and Samoan Heritage. The article reports that 150 people attended a Hannemann fundraiser where, according to Samoan custom, a \$100 bill was placed on the floor to open a dance in Hannemann's honor, which was followed by attendees dancing and placing bills of \$1, \$5, \$10, \$20 and \$100 on the floor. Additionally, the "village of Nuuli: presented Hannemann with. . . (a gift of love) of \$1000."

Complainant claims that as a result of the fundraiser, anonymous contributions exceeding \$50 may have been accepted, as well as contributions in the form of cash exceeding \$100. Complainant also alleges that "some contributions" from foreign nationals may have been accepted. Finally, complainant suggests

^{1/} Mr. Hanneman lost the general election of November 4, 1986.

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that a \$1000 contribution was made by the village of Hannemann's family, in violation of the Act.

On December 15, 1986, the Office of General Counsel received a written response from the Committee consisting of a factual statement and legal argument. The Committee's response contains an extensive discussion of American Samoan culture, particularly related to fundraisers. Respondent states that "[money] must be formally presented (at [a] reception table or through a dance called a 'siva') and it must be publicly acknowledged."

Respondent further states,

During a Samoan fundraiser the names of contributors and the amounts they contributed are often announced. In fact, contributors often take the microphone in hand and publicly overstate the amounts they have contributed in order to gain more recognition than they are actually due and in order to challenge other contributors to match or surpass the donations. By publicly acknowledging and being recognized for their contributions the contributors strengthen the family, clan and village ties and the sharing that are the underpinnings of Samoan culture.

With regard to the specific fundraiser complained of, respondent states that it was held in Samoa on October 10, 1986, at the invitation of the Samoan Governor and the Chief of Nuuli Village, in order to honor Mr. Hannemann as a distinguished "son of Samoa."^{2/} The Committee stated that the fundraiser was "not an idea generated by the Hannemann campaign." However, the Committee claims that it insisted certain safeguards be

^{2/} Mr. Hannemann's mother was born in Nuuli Village.

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instituted concerning the fundraiser's procedures in order to comply with the Act, as well as out of a fear that a complaint might be filed in the future. These safeguards included the following:

- (1) The fundraiser was by invitation only, and no tickets were sold to the general public.
- (2) Only friends and relatives of the Hannemann family were invited to the fundraiser.
- (3) People who knew the invited guests were selected to keep records of all contributions made.
- (4) Only contributions from U.S. citizens or American Samoans were accepted.
- (5) Written records of the fundraiser and contributions were kept.

The records of the fundraiser were attached to the Committee's response and included the names of the contributors, the amounts contributed and the form of the contribution, that is, by check or cash.

It is unlawful for a foreign national directly or through any other person to make any contribution in connection with an election to any political office, or for any person to solicit, accept or receive any such contribution from a foreign national.

2 U.S.C. § 441e.

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The term "foreign national" is defined by 2 U.S.C. § 441e(b)(1) to mean a "foreign principal" as this term is defined specifically by 22 U.S.C. § 611(b). Section 611(b) defines a "foreign principal" as including:

- (1) a government of a foreign country and a foreign political party,
- (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business in the United States, and
- (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

"Foreign national" also means an individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence. 2 U.S.C. § 441e(b)(2).

A political committee is permitted to accept anonymous cash contributions from a person up to the amount of \$50. 11 C.F.R. § 100.4(c)(3). For any contributions over \$50, the committee treasurer must keep records of the date and amount of the contribution, as well as the name and address of the contributor. 2 U.S.C. § 432(c)(2). Further, no person shall make cash contributions to any candidate for federal office, which, in the aggregate, exceed \$100. 2 U.S.C. § 441g; 11 C.F.R. § 110.4(c)(1). A candidate receiving a cash contribution in excess of \$100 shall promptly return the amount over \$100 to the contributor.

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1. Contributions from Foreign Nationals

Complainant states that the Committee "may have accepted some contributions from foreign nationals," but provides no basis for or other information supporting this allegation. It appears that this allegation may be based on a misunderstanding of American Samoa.

American Samoa is a territory of the United States and as such is entitled to a non-voting representative in the United States Congress. As respondent points out, American Samoans hold U.S. passports, can be drafted into the military and are granted all of the rights and privileges of U.S. citizens, except the right to vote in presidential elections.

American Samoans are noncitizen nationals of the United States. Pursuant to 8 U.S.C. § 1408:

Unless otherwise provided in section 1401 of this title, the following shall be nationals but not citizens, of the United States at birth:

(1) A person born in an outlying possession of the United States on or after the date of formal acquisition of such possession;

(2) A person born outside the United States and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States, and have had a residence in the United States, or one of its outlying possessions prior to the birth of such persons; and

(3) A person of unknown parentage found in an outlying possession of the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession.

The term "outlying possession of the United States" means American Samoa and Swains Island. 8 U.S.C. § 1101(29).

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Thus, American Samoans by law are "U.S. nationals" with certain rights and privileges. The prohibition of 2 U.S.C. § 441e applies by its terms to "foreign nationals." Clearly, for purposes of the Act, a U.S. national is not a foreign national. Under the Act, "state" is defined as "a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States." 2 U.S.C. § 431(12). As noted above, American Samoa is a possession of the United States. Furthermore, the term "Federal office," as defined by the Act, includes the office of Delegate to the Congress. 2 U.S.C. § 431(3). Thus, the Act, by its express terms, applies to political activities in American Samoa. Samoa has an elected Delegate to Congress, Fofo I.P. Sunia. Sunia has a registered campaign committee, the Committee to Re-elect Fofo for Congress (I.D. #HOAS00026). Thus, for federal election purposes, the Commission treats American Samoa similarly to other states and territories. American Samoans, as U.S. nationals are also treated similarly to other U.S. citizens under the Act, that is, they are fully capable of making contributions to candidates for federal office, subject to the Act's limitations.

Given the fact that American Samoans may permissibly make contributions to the Committee, there is still the possibility that other foreign nationals may be in Samoa, as in any of the fifty states, and who may have contributed. However, the Committee responds to this by emphasizing their special

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precautions undertaken to ensure that foreign nationals did not contribute to Hannemann. The fundraiser was by invitation only. Invitations were sent only to Hannemann family and friends and not to the general public. Finally, the Committee states that contributions were accepted only from known American Samoans or U.S. citizens.

At this point, there is simply no evidence to support complainant's allegations of contributions by foreign nationals. Accordingly, the Office of General Counsel recommends that the Commission find no reason to believe that the Committee violated 2 U.S.C. § 441e.

2. Cash Contributions in Excess of \$100

Complainant alleges that, at the fundraiser, the Committee may have accepted contributions in cash of over \$100. The Committee submitted eight pages of detailed records of the contributions received at the Samoan fundraiser. Four pages are labelled "cash contributions." These consist of a listing of names of the contributors, their addresses ("American Samoa"), and the amounts in cash contributed. Sixty-four contributors are listed. Fifteen of those are listed as contributing \$100. None of the contributions exceed \$100. Many are for amounts as little as \$5.

Respondent states, "[t]hose who were in charge of recording contributions at The Fundraiser were specifically instructed not to accept cash contributions over \$100." (emphasis in original). Thus, it appears from the records that respondent has complied

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with the requirements of 2 U.S.C § 441g and 11 C.F.R.

§ 110.4(c)(1).^{3/} Accordingly, the Office of General Counsel recommends that the Commission find no reason to believe that the Committee violated 2 U.S.C. § 441g.

3. Anonymous Contributions in Excess of \$50

Complainant alleges that the Committee accepted anonymous contributions from persons over \$50 at the fundraiser. No evidence of this was submitted other than the newspaper report that bills were placed on the floor in connection with the Siva dance.

The Committee denies receiving any anonymous contributions. According to their response anonymity would be "completely out of character for a Samoan," especially in light of the stigma that would be attached to those unwilling to publicly "help a fellow family or village member in time of need." Further, as respondent points out, \$50 is considered a major contribution under the Samoan standard of living.

The records submitted by respondent also make it seem unlikely that anonymous contributions of over \$50 were accepted. The Committee went to great effort to record all contributions and the contributors' names, even for amounts as little as \$3, \$5 and \$7. There is no evidence suggesting that any contributions went unrecorded by the Committee. Thus, the Office of General

^{3/} The records are accompanied by a signed, sworn and notarized affidavit in the name of the Committee's treasurer that the attachments are a true and correct copy of records kept of the Hannemann fundraiser of October 10, 1986.

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Counsel recommends that the Commission find no reason to believe that the Committee violated 2 U.S.C. § 432(c)(2) which requires records to be kept of contributions exceeding \$50.

4. Village Contribution of \$1000

Complainant alleges that the Village of Nuuli contributed \$1000 to Hannemann, based on a presentation purportedly made at the fundraiser. According to respondent, this amount was actually \$500 and was made not by the village, but by six individuals who together comprise the "Village Counsel of Chiefs." These contributions are listed on the third page of respondent's records and indicate that four chiefs contributed \$100 each in cash and two contributed \$50 each in cash.

Thus, the contribution which was reported in the newspaper as being from the Village, was reported by the Committee as being attributed to six individuals. The amounts are within the limits of the Act for individual contributions.

No evidence has been supplied by complainant to support its allegation. Accordingly, the Office of General Counsel recommends that the Commission find no violation with respect to this transaction.

RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find no reason to believe that the Hannemann for Congress Committee and Randall Sumida, as treasurer, violated 2 U.S.C. § 441e.
2. Find no reason to believe that the Hannemann for Congress Committee and Randall Sumida, as treasurer, violated 2 U.S.C. § 441g.

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GOODSILL ANDERSON QUINN & STIFEL

ATTORNEYS AT LAW

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CONRAD M. FREER
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RICHARD T. BREDA
ROBERT G. NITE
RONALD H. W. LAM
DAVID J. KERR
R. MITCHELL DOWNS
TAMARA FREDERICK
WILLIAM C. WICKHAMSTON
JOHN B. LACY

ROBERT F. HIRANO
CLIFFORD J. MILLER
RONALD E. E. SAKIMURA
THOMAS W. WILLIAMS, JR.
MICHAEL D. TOM
MICHAEL A. JOHA
WILLIAM S. MILLER
JACQUELINE L. S. SAKA
KENNETH A. SOBE
LASH L. EWEAT
RANDALL E. STEVENSON
KENNETH E. P. WONG
PATRICIA T. LEE
BETTYNA W. J. LUM
PETER T. KAHNHA
RUSSELL S. KATO

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JISA WOODS SINGER
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LAWRENCE L. TONG
SHARON S. HEMING
JAMES I. BICKERTON
VINCENT A. PIERCE
ALAN S. BARNES
MICHAEL J. O'HALLEY
MAZE S. DEHASAS
CRAIG H. NAKAMURA
SARAH S. SELLER
KATHRYN S. MATYOSHI
SCOTT A. MASUAKANE
WILLIAM W. RAMOS SALDERS
PAMELA MALLISTER
LEIGHTON J. H. S. YUEN

DAROLYN HAYTERO LINDO
CYNTHIA M. HOJIMA
RICHARD S. MILLER
WHOMAS M. TANAKA
JOHN M. ANDERSON
JAMES S. MATSUDA
MIG ORUMURA
CRAIG S. KARANSON
MARK F. ITO
WAYNE H. MURAKA
LYN F. ANZAI
RICHARD K. MURPHY
LINDA A. MURRAY-ANDERSON
AUDREY E. J. NG
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JOHN P. RUSSELL
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DALE E. BLISS
PAUL M. ANDERSON

December 12, 1986

Eric Kleinfeld, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2290

Dear Mr. Kleinfeld:

Enclosed please find a Response to Complaint
Filed by the Republican Party of Hawaii Against Hannemann
for Congress, Inc. and its Treasurer, Randall Sumida.

For the reasons stated in our Response, we
believe that the Complaint is without merit and should be
dismissed.

Please acknowledge receipt of this Response by
stamping the enclosed duplicate of this letter and return-
ing it in the self-addressed, stamped envelope. As indi-
cated in your letter, this Response shall be kept con-
fidential.

If you have any questions or if there are other
procedures I must follow, please feel free to call me.

Very truly yours,

Kenn Wong
Kenneth K. P. Wong

KKPW:jab
Enclosures

ATTACHMENT I ①

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Of Counsel:
GOODSILL ANDERSON QUINN & STIFEL

KENNETH K. P. WONG 2334-0
1600 Bancorp Tower
130 Merchant Street
Honolulu, Hawaii 96813
Telephone: (808) 547-5600

Attorney for HANNEMANN FOR
CONGRESS, INC. and RANDALL SUMIDA

FEDERAL ELECTION COMMISSION

MUR 2290

) RESPONSE TO COMPLAINT
) FILED BY THE REPUBLICAN
) PARTY OF HAWAII AGAINST
) HANNEMANN FOR CONGRESS,
) INC. AND ITS TREASURER,
) RANDALL SUMIDA
)

RESPONSE TO COMPLAINT FILED BY THE REPUBLICAN
PARTY OF HAWAII AGAINST HANNEMANN FOR CONGRESS,
INC. AND ITS TREASURER, RANDALL SUMIDA

INTRODUCTION

Hannemann for Congress, Inc. and its Treasurer,
Randall Sumida, by and through their attorney, Kenneth K.
P. Wong, hereby responds to the Complaint filed by the
Republican Party of Hawaii.

FACTUAL STATEMENT

1. The Culture. Although American Samoa
("Samoa") has been a Territory of the United States since
1900, its culture is different from that of the Continen-
tal United States. In order to understand the concept of
fundraising in Samoa, together with its inherent checks,

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balances and controls, we believe it is necessary to explain briefly the Samoan culture.

The Samoans are a very proud people whose society is marked by close family, clan and village ties. Clans are headed by "high talking chiefs" and villages are represented by a number of "paramount chiefs" who collectively represent all of the clans in a village. In Samoa, there are generally two main reasons for fundraisers: (1) to allow a family to honor an individual and (2) to allow a village to honor an individual. Samoan fundraisers are held either by general sales of tickets to the public or by invitation only.

Generally, American contributors to political campaigns prefer not to have their names and the amounts contributed revealed in public. However, the opposite is true in Samoa. In the Samoan culture, money must never be given coldly. It must have a reason (honoring by a village or family), it must be formally presented (at the reception table or through a dance called a "siva") and it must be publicly acknowledged.

During a Samoan fundraiser the names of contributors and the amounts they contributed are often announced. In fact, contributors often take the microphone in hand and publicly overstate the amounts they have contributed in order to gain more recognition than

they are actually due and in order to challenge other contributors to match or surpass the donations. By publicly acknowledging and being recognized for their contributions, the contributors strengthen the family, clan and village ties and the sharing that are the underpinnings of Samoan culture.

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2. The Hannemann Fundraiser. The Hannemann Fundraiser ("The Fundraiser") was held in Samoa on October 10, 1986. The Fundraiser was not an idea generated by the Hannemann campaign ("the Committee"). In fact, The Fundraiser was unsolicited and was initiated by the Governor of Samoa, A. P. Lutali, and Paramount Chief Soliai of Nuuli Village. (Mr. Hannemann's mother was born in Nuuli Village (although Mr. Hannemann was born in Hawaii) and Chief Soliai is a relative of Mr. Hannemann). Governor Lutali and Paramount Chief Soliai proposed The Fundraiser in order to honor Mr. Hannemann as a distinguished "son of Samoa."

It is important to realize that, in general, Samoans have a tarnished reputation in Hawaii. As one of the most recent immigrant groups, they like all of the other immigrant groups that migrated to Hawaii before them have started at the bottom and have begun climbing the ladder to success. There is a saying that Samoans are

"great football players, great entertainers and great troublemakers."

Now 32 years old, Mr. Hannemann was the first Samoan to be named an All American high school basketball player. He was the first Samoan ever to graduate from Harvard (and he graduated with honors) and he was the first Samoan ever to work as an aide to Vice President George Bush as a White House Fellow. Therefore, when Mr. Hannemann won the Hawaii Democratic nomination for Congress, the news was enthusiastically received in Samoa, as well as in Hawaii. He quickly became a symbol for tens of thousands of Samoans in Hawaii and in Samoa that perseverance, dedication and hard work can lead to the American dream.

Initially, Mr. Hannemann did not want to hold a fundraiser in Samoa because of time constraints, but a rejection of the invitation by the Governor and Paramount Chief would have been a terrible insult to the Samoan people. Therefore, he agreed to attend. However, the Committee insisted that certain controls be instituted so as to comply with the federal election laws. Anticipating that Complainant would attempt to make a political issue out of The Fundraiser, the following safeguards were instituted and in place for The Fundraiser:

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(a) The Fundraiser was by invitation only and no tickets were sold to the public.

(b) Only friends and relatives of the Hannemann family were invited.

(c) People who knew the invited guests were selected to record the names of the people making contributions and the amounts they contributed whether made at the reception table or during the siva dance. Only contributions from American Samoans or U. S. Citizens were accepted.

(d) As a result, accurate records were kept of the contributors and the amounts they contributed. The records are separated by contributions made in cash, by check and in kind and are attached to this Response as Exhibit 1.

LEGAL ARGUMENT

Complainant has based its series of allegations on events that "may" or "might" have occurred, on hearsay and without presenting any verified facts. As a result, the Complaint should be dismissed.

Complainant and Mr. Hannemann's opponent, Pat Saiki, made remarks in the local newspapers during the heat of political battle that it was improper for Mr. Hannemann to hold a fundraiser "out of the country." That remark underscored the Complainant's lack of understanding

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and sensitivity and drew criticism as a political ploy. In fact, Samoa is a Territory of the United States and therefore is a part of the United States. It is perfectly legal to hold political fundraisers in Samoa. In fact, Samoa is represented in the United States Congress by its own elected Congressman who frequently holds political fundraisers in Samoa. Contributions are routinely made to candidates for that federal office. Moreover, Samoans hold U.S. passports, can be drafted into the military and are granted all of the rights and privileges of a U. S. Citizen, except the right to vote in presidential elections.

1. Contributions from Foreign Nationals.

Complainant alleges that the Committee "may have accepted some contributions from foreign nationals." This allegation is tenuously based only on the fact that there are some foreign nationals living in Samoa.

There are also foreign nationals living in Hawaii, California and each of the 50 States of the Union. In fact, Hawaii has more foreign nationals (approximately 60,000) than the entire population of Samoa (approximately 30,000). For Complainant to base this allegation on the mere fact that there are some foreign nationals living in Samoa is specious. Nonetheless, anticipating that Complainant and Mr. Hannemann's opponent would attempt to

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make a political issue out of The Fundraiser, the Committee took special precautions to prevent contributions by foreign nationals including (1) structuring The Fundraiser by invitation only instead of ticket sales to the public, (2) sending invitations only to Hannemann family and friends and (3) accepting contributions only from known American Samoans or U. S. Citizens. With those safeguards in place, no contributions from foreign nationals were accepted at The Fundraiser.

2. Cash Contributions Over \$100. Complainant alleges that the Committee "may have" accepted contributions in cash over \$100.

Those who were in charge of recording contributions at The Fundraiser were specifically instructed not to accept cash contributions over \$100. Moreover, detailed records were kept of the contributions made at The Fundraiser. The records of contributions are attached hereto as Exhibit 1. The records indicate that a number of cash contributions of \$100 were received, but none over \$100. Those contributions exceeding \$100 were either made by check or by in kind contributions.

Complainant's allegations are without merit.

3. Anonymous Contributions Aggregating More Than \$50. Complainant alleges that the Committee accepted anonymous cash contributions in an aggregate amount over

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\$50. The allegations are false and display a lack of understanding of the Samoan culture and the Samoan style and concept of fundraising.

It would be completely out of character for a Samoan to anonymously contribute money at a fundraiser. Samoans require recognition and acknowledgment for their contributions. \$50 is considered a major contribution in Samoa (where the minimum wage is \$2.60 per hour) and to contribute anonymously would be risking the stigma of not being willing to help a fellow family or village member in time of need. Simply, there would be no reason to anonymously contribute more than \$50 and, in fact, there were no anonymous contributions aggregating \$50 or more at The Fundraiser. See Exhibit 1.

4. Alleged Family/Village Contribution of \$1,000.

Although the Nuuli Village Chief announced on the public address system a contribution of \$1,000, in fact, when the money was counted it amounted to \$500. The contribution was in cash and the people who donated to that \$500 total are listed on page 3 of Exhibit 1 under the section "Nuuli Village - Village Council of Chiefs."

To understand why a public announcement of \$1,000 was made, one must understand Samoan culture. Often, contributions are exaggerated in public in order to gain

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more credit and respect for the donor. Although the Committee does not know the reason why a \$1,000 contribution was announced by the Nuuli Chief, it is believed that it was meant to gain more credit and respect for the donor and to prevent a loss of face since Nuuli Village is Mr. Hannemann's family's village and the family's village is expected to make significant contributions. Moreover, it is also believed that the \$1,000 announcement was made in order to "challenge" and spur the guests at The Fundraiser into matching or exceeding the purported contribution.

In any event, the contribution made by Nuuli Village was \$500 and not \$1,000 and there was no violation of law.

CONCLUSION

There were no violations of federal election laws in connection with The Fundraiser. The Complainant's allegations have no foundation, are not based on verified facts, are grounded on hearsay and what "may" or "might" have happened at The Fundraiser. Anticipating that Complainant would make a political issue out of The Fundraiser, the Committee took special precautions to ensure compliance with the law.

By the way, Mr. Hannemann's opponent, who has been a politician for 20 years, won the election.

It is respectfully requested that the Complaint
be dismissed.

DATED: Honolulu, Hawaii, December 12, 1986.

Kenneth K. P. Wong
KENNETH K. P. WONG

Attorney for HANNEMANN FOR
CONGRESS, INC. and RANDALL
SUMIDA

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FEDERAL ELECTION COMMISSION

MUR 2290.

) AFFIDAVIT OF RANDALL
) SUMIDA
)

AFFIDAVIT OF RANDALL SUMIDA

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

)
) SS.
)

RANDALL SUMIDA, being first duly sworn upon oath,
deposes and says:

1. I am the Treasurer of Hannemann for Congress, Inc.
2. Attached hereto as Exhibit 1 is a true and correct copy of records of contributions in cash, by check and in kind made at the Hannemann Fundraiser held in American Samoa on October 10, 1986.

Further Affiant Sayeth Naught.

Randall Sumida
RANDALL SUMIDA

Sworn to and subscribed in my presence
this 12th day of December, 1986.

[Signature]
Notary Public, State of Hawaii

My Commission expires: 12/31/87

Samoa Fundraiser

10-10-86

(American Samoa)

Cash Contributions

NAME	ADDRESS	AMOUNT
Mr. & Mrs. Maaliitele Tuufuli	American Samoa	100.00
Sen. & Mrs. Lulu Fuiimanono	" "	100.00
Mr. & Mrs. Tauese Sunia	" "	100.00
Gov. & Mrs. Peter Coleman	" "	40.00
Mr. & Mrs. Penei Sewell	" "	50.00
Mr. & Mrs. Willie Sword	" "	20.00
OLO FAMILY		
Judge & Mrs. Olo Letuli	American Samoa	100.00
Mrs. Pat Olo	" "	20.00
Fred Toilolo	" "	20.00
Lucy Toilolo	" "	20.00
Palelei	" "	7.00
Leopal Faapala	" "	30.00
Pulelase	" "	15.00
A. D. Meredith	" "	30.00
John Holland	" "	20.00
Gene Hill	American Samoa	25.00
Mrs. Tele Hill	" "	25.00

(12)

Samoa Fundraiser 10-10-36 (American Samoa) cash contribution,

(14)

NAME	ADDRESS	AMOUNT
Mr. Fotu Soliai	American Samoa	10.00
T. Soliai	" "	10.00
Sailua Tupua	" "	5.00
Pe'a Tupua	" "	5.00
Vaofua Soliai	" "	3.00
Nafanua Savali	" "	100.00
Li'a Savali	" "	100.00
Pina Soliai	" "	5.00
Mrs. S. Pado	" "	20.00
Mrs. Leulu Soliai	" "	5.00
Polu Soliai	" "	5.00
Mrs. A. Meredith	" "	5.00
Mrs. S. Fuimaono	" "	5.00
Mr. V. Ava	" "	5.00
Mr. Tuitama	" "	10.00
Jack Kuaoa	" "	10.00
Senituri Senituri	" "	20.00
Malu Mageo	" "	50.00
U. Hall	" "	20.00

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(5)

Samoa Fundraiser		10-10-36	(American Samoa)	cash contribution,	
NAME	ADDRESS	AMOUNT	COMMENTS		
<u>Nuuli Village - Village Council of Chiefs</u>					
High chief T. Soliai	American Samoa	100.00			
" " Javusa	" "	100.00			
" " Leva	" "	100.00			
Talking chief Lagasua	" "	100.00			
" " L. Seui	" "	50.00			
" " A Seui	" "	50.00			
<u>Reed Family</u>					
Mrs. Tuputausi Reed	American Samoa	100.00			
Miss Milavala Reed	" "	100.00			
Mr. George Reed	" "	50.00			
Mr. Keni Reed	" "	50.00			
Mr. Gabriel Reed	" "	50.00			
Jarrett Reed	" "	50.00			
Spencer / Tuputausi Reed	" "	50.00			
Gordon / J.J. Reed	" "	25.00			
Louise Puthedelene	" "	25.00			

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Samoa Fundraiser		10-10-86 (American Samoa)	cash contributions		
NAME	ADDRESS		AMOUNT	COMMENTS	(16)
John Faumuina	American Samoa		20.00		
Sen & Mrs. Mulitauopele	" "		20.00		
J. Masunu	" "		20.00		
L. Saisanua	" "		10.00		
Phil Langsford	" "		20.00		
H. Huttkin	" "		100.00		
Josie Lutali	" "		100.00		
F. Taqo	" "		50.00		
A. Toloo	" "		27.00		
E. Pa'u	" "		25.00		
L. Ietuli	" "		25.00		
Afutoto & Dave Meredith	" "		100.00		
Larry Sulfanua	" "		10.00		
Galcaj, William & Margaret	P.O. Box 3302	Pago Pago Amer. Samoa 96799	100.00	check	

(91)

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American.
 Samoa Fundraiser 10-10-86 contributions by check.

Lutali, A.P. & Susana 250.00
 P.O. Box 486
 Pago Pago, Amer. Samoa 96799
 A.S. govt, governor

Siliga, Nafu & Asotelei 25.00
 P.O. Box 756
 Pago Pago, Amer. Samoa 96799
 self empl, doctor

Passi, Padilla & Teuila V. 20.00
 P.O. Box 2445
 Pago Pago, Amer. Samoa 96799
 self empl, businessman Asst Dir

Foster, Walter & Mabel T. 50.00
 P.O. Box 1046
 Pago Pago, Amer. Samoa 96799
 self empl, businessman

Hunter, Samuel & Linette A. 50.00
 P.O. Box 577
 Pago Pago, Amer. Samoa 96799
 Amer Samoa Comm. College, teacher

Hunt, Kalilimoku & Tupulausi H. 50.00
 P.O. Box 104
 54-118 Kawapuna St.
 Hauula 96717
 Honolulu

Iuli, Iosefo K. & Isa Lei F 50.00
 P.O. Box 9653
 Pago Pago, Amer. Samoa 96799
 A.S. Govt, legislator

Manuma, Dr. P.V. & Ilalia 25.00
 P.O. Box 854
 Pago Pago Amer. Samoa 96799
 A.S. govt, teacher.

Richmond, Lyle L. 100.00
 P.O. Box 3570
 Pago Pago, Amer. Samoa 96799
 A.S. Govt, Legal admin.

Tufa, Joseph. & Juliette L. 50.00
 P.O. Box 1850
 Pago Pago, Amer. Samoa 96799
 A.S. govt.

Soliali, Fatu & June P. 100.00
 P.O. Box 476
 Pago Pago, Amer. Samoa 96799
 Hawn Airline.

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American

Samoa Fundraiser 10-10-86 contributions by check.

Hill, Tele F. & Eugene P. 50.00

Pago Pago, Amer. Samoa 96799
A.S. Govt, nurse

Tuiteleleapaga, Paseta Fuc & Rufo F. 100.00

P.O. Box 3523
Pago Pago, Amer. Samoa 96799
A.S. Govt.

Friends of FoFo Organization 500.00

P.O. Box 105
Fagatogo, Amer. Samoa 96799

Schuster, Carl & Starr 50.00

P.O. Box 1799
Pago Pago, Amer. Samoa 96799
A.S. gov't.

Watson, Steven H. 25.00

P.O. Box 3452
Pago Pago, Amer. Samoa 96799
A.S. Govt. chief of staff.

Poumele, Galea'i P. 100.00

P.O. Box 615
Pago Pago, Amer. Samoa 96799
A.S. Govt. sec of Saneen Affairs

Soliali, Pa'u & Leutu T. 100.00

P.O. Box 3363
Pago Pago, Amer. Samoa 96799
A.S. Govt, politician.

Faaleva, Ariata F. 100.00

P.O. Box 717
Pago Pago 96799
self empl., atty.

Finagalo, Arcina 100.00

P.O. Box 367
Pago Pago 96799
self employed, business man.

Togapau, Maketasi Mauga & Oreta M. 100.00

P.O. Box 363
Pago Pago, 96799
A.S. gov't, judge.

Maito, Fagesea P. & Lapataume 100.00

P.O. Box 3010
Pago Pago 96799
Rainmaker Hotel, mgr.

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American
Samoa Fundraiser

10-10-86

Contributions by check

Vaovasa, E.V. & Tuna F. 25.00
P.O. Box 3543
Pago Pago, Amer. Samoa 96799
A.S. Govt, sec.

Faiva, A.G. John 25.00
P.O. Box 358
Pago Pago, Amer. Samoa 96799
A.S. Govt.

Vink, Cheryl A. 50.00
P.O. Box 3613
Pago Pago, Amer. Samoa 96799
A.S. Govt.

Chanel, Asulu F. 25.00
P.O. Box 3153
Pago Pago, Amer. Samoa 96799

Faleafine, Mrs. Lili 200.00
P.O. Box 1273
Tutuila, Amer. Samoa 96799
housewife.

Aumoeualofo, Soli S. & Freda Anoni 100.00
P.O. Box 1514, Sotia Hill, Amama
Tutuila, Amer. Samoa 96799
A.S. Govt, politician.

Satele, William 200.00
P.O. Box 28
Pago Pago, Amer. Samoa 96799
self empl., businessman.

Letuli, Ole U.M. & Patricia R. 100.00
P.O. Box 1048
Pago Pago, Amer. Samoa 96799
A.S. gov't, Judge

Aolaolagi, Soli 50.00
P.O. Box 3603
Pago Pago, Amer. Samoa 96799
A.S. Govt, district governor (Manua)

Levi, Enere H. 25.00
Atty General Office
Pago Pago, Amer. Samoa 96799
A.S. Govt, Asst Atty Gen.

Ah. Ching, Otto M. & Lucy M. 25.00
1396 Uila St., Foster Village
96799
self empl., businessman.

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American

Samoa Fundraiser

10-10-86

contributions by check
in-kind contributions

Seanlan, Herb Jr. & Carer

P.O. Box 1587
Pago Pago
A.S. Govt.

96799

businessman

25.00

Fuimaono, Sinira T & Tenari 2

P.O. Box 858
Pago Pago

96799

A.S. govt, politician (Tenari)

100.00

Yakutis, Susan A.

P.O. Box 5680
Pago Pago
A.S. govt, atty.

96799

25.00

in-kind

Lolotai, Al

P.O. Box 268
Pago Pago, Amer. Samoa

96799

Dept. of Educ.

1,000.00

in-kind

Lolotai, Matilda

P.O. Box 268

Pago Pago, Amer. Samoa

96799

Dir. of Art.

224.00

in-kind

Lutali, A.P.

P.O. Box 1186

Pago Pago, Amer. Samoa.

300.00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Kenneth K.P. Wong, Esquire
Goodsill, Anderson, Quinn & Stifel
1600 Bancorn Tower
130 Merchant Street
Honolulu, Hawaii 98601

RE: MUR 2290

Hannemann for Congress
Committee and Randall
Sumida, treasurer

Dear Mr. Wong:

On November 19, 1986, the Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1987, determined that on the basis of the information in the complaint, and information provided by your client, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Lawrence M. Noble
Deputy General Counsel

ATTACHMENT II (21)

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Howard K.O. Chong, Chairman
Republican Party of Hawaii
1270 Emma Street
Suite 300
Honolulu, Hawaii 96813

Re: MUR 2290

Dear Mr. Chong:

The Federal Election Commission has reviewed the allegations of your complaint dated November 4, 1986, and determined on , 1987, that on the basis of the information provided in your complaint and information provided by the Respondent, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

86 DEC 15
CCC# 2271

GOODSELL ANDERSON QUINN & STIFEL

ATTORNEYS AT LAW

1600 BANCORF TOWER

130 MERCHANT STREET

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HONOLULU, HAWAII 96801

TELESCOPIER
(808) 531-2628

TELEPHONE
(808) 547-3600

TELEX
7430246 JERID

December 12, 1986

COUNSEL:
GARY M. SLOVEN
RANDALL W. ROTH

OF COUNSEL:
JAMES M. BOGDMOND
JOHN P. GIBBELL
H. SAND KIDWELL
WALTER E. BLUM
JOSE M. ANDERSON

DEC 15 1986
P. 3:25

Eric Kleinfeld, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2290

Dear Mr. Kleinfeld:

Enclosed please find a Response to Complaint
Filed by the Republican Party of Hawaii Against Hannemann
for Congress, Inc. and its Treasurer, Randall Sumida.

For the reasons stated in our Response, we
believe that the Complaint is without merit and should be
dismissed.

Please acknowledge receipt of this Response by
stamping the enclosed duplicate of this letter and return-
ing it in the self-addressed, stamped envelope. As indi-
cated in your letter, this Response shall be kept con-
fidential.

If you have any questions or if there are other
procedures I must follow, please feel free to call me.

Very truly yours,

Kenneth K. P. Wong
Kenneth K. P. Wong

KKPW:jab
Enclosures

MARSHALL M. GOODSELL
MARTIN ANDERSON
WILLIAM F. QUINN
ROBERT G. STIFEL
HUGH STEVENS
ORRIN KASHWA
C. JEFFSON GARLAND
CONRAD M. WEISS
DAVID J. DEZANE
ROBERT G. HITE
RONALD H. W. LUM
DAVID J. BEER
H. MITCHELL (DOUGLAS)
WARREN PRICE III
WILLIAM C. MCCONNISTON
JOHN E. LACY

ROBERT F. MIRANO
CLIFFORD J. MILLER
RONALD K. K. SAKIMURA
THOMAS W. WILLIAMS, JR.
MICHAEL D. TOM
MICHAEL A. SHEA
WILLIAM S. MILLER
JACQUELINE L. S. EARLE
KENNETH A. ROSE
LANE L. ESWART
RANDALL K. STEVENSON
KENNETH E. F. WONG
PATRICIA Y. LEE
SETTIMA W. J. LUM
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RICHARD T. HIRDA
ROBERT G. HITE
RONALD H. W. LAM
DAVID J. KIM
H. MITCHELL DYER
WARREN PRICE II
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MICHAEL A. NINA
WILLIAM S. MILLER
MICHAEL L. S. SABLE
BENNETT A. ROSE
LAW L. SWART
RANDALL E. STEVENSON
BENNETT E. P. WONG
DORCEA T. LEE
BETTY W. J. LAM
PETER T. KAWA
RUSSELL S. KATO

DEWEY H. KIM, JR.
LEA WOODS MUNDER
ERNEST J. T. LOO
BRUCE L. LAMON
LANT A. JOHNSON
STEVEN M. NAKASHIMA
JAMES L. TONG
SHARON S. HIGSON
JAMES J. BICKERTON
VINCENT A. PHEASANT
ALAN S. BURDICK
MICHAEL J. O'MALLEY
MARK E. DEMARRAS
ORNO H. NAKAMURA
SARINA SUELE WAGNER
KATHRYN S. MATAYOSHI
SCOTT A. MAKUAKANE
WM. W. RAMOS-SANDERS
PAMELA MALLISTER
LEIGHTON J. H. S. TURN

DARLYN HATSUEKO LINDO
CYNTHIA M. NORMA
RICHARD S. MILLER
WYNONA H. TANAKA
KIM H. ANDERSON
JAMES H. NITAHARA
KEO OKUMURA
CHAD S. HARRISON
MARK F. ITO
WAYNE H. MURAKAMI
LYN F. ANJAI
RICHARD E. MURKIN
LINDA A. HULAND
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OF COUNSEL:
JAMES M. RICHMOND
JOHN F. RUSSELL
H. BARRY HOWELL
WALTER E. BLISS
PAGE M. ANDERSON

December 12, 1986

Eric Kleinfeld, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2290

Dear Mr. Kleinfeld:

Enclosed please find a Response to Complaint
Filed by the Republican Party of Hawaii Against Hannemann
for Congress, Inc. and its Treasurer, Randall Sumida.

For the reasons stated in our Response, we
believe that the Complaint is without merit and should be
dismissed.

Please acknowledge receipt of this Response by
stamping the enclosed duplicate of this letter and return-
ing it in the self-addressed, stamped envelope. As indi-
cated in your letter, this Response shall be kept con-
fidential.

If you have any questions or if there are other
procedures I must follow, please feel free to call me.

Very truly yours,

Kenn Wong

Kenneth K. P. Wong

KKPW:jab
Enclosures

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Of Counsel:
GOODSILL ANDERSON QUINN & STIFEL

KENNETH K. P. WONG 2334-0
1600 Bancorp Tower
130 Merchant Street
Honolulu, Hawaii 96813
Telephone: (808) 547-5600

Attorney for HANNEMANN FOR
CONGRESS, INC. and RANDALL SUMIDA

FEDERAL ELECTION COMMISSION

MUR 2290

) RESPONSE TO COMPLAINT
) FILED BY THE REPUBLICAN
) PARTY OF HAWAII AGAINST
) HANNEMANN FOR CONGRESS,
) INC. AND ITS TREASURER,
) RANDALL SUMIDA
)

**RESPONSE TO COMPLAINT FILED BY THE REPUBLICAN
PARTY OF HAWAII AGAINST HANNEMANN FOR CONGRESS,
INC. AND ITS TREASURER, RANDALL SUMIDA**

INTRODUCTION

Hannemann for Congress, Inc. and its Treasurer,
Randall Sumida, by and through their attorney, Kenneth K.
P. Wong, hereby responds to the Complaint filed by the
Republican Party of Hawaii.

FACTUAL STATEMENT

1. The Culture. Although American Samoa
("Samoa") has been a Territory of the United States since
1900, its culture is different from that of the Continen-
tal United States. In order to understand the concept of
fundraising in Samoa, together with its inherent checks,

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balances and controls, we believe it is necessary to explain briefly the Samoan culture.

The Samoans are a very proud people whose society is marked by close family, clan and village ties. Clans are headed by "high talking chiefs" and villages are represented by a number of "paramount chiefs" who collectively represent all of the clans in a village. In Samoa, there are generally two main reasons for fundraisers: (1) to allow a family to honor an individual and (2) to allow a village to honor an individual. Samoan fundraisers are held either by general sales of tickets to the public or by invitation only.

Generally, American contributors to political campaigns prefer not to have their names and the amounts contributed revealed in public. However, the opposite is true in Samoa. In the Samoan culture, money must never be given coldly. It must have a reason (honoring by a village or family), it must be formally presented (at the reception table or through a dance called a "siva") and it must be publicly acknowledged.

During a Samoan fundraiser the names of contributors and the amounts they contributed are often announced. In fact, contributors often take the microphone in hand and publicly overstate the amounts they have contributed in order to gain more recognition than

they are actually due and in order to challenge other contributors to match or surpass the donations. By publicly acknowledging and being recognized for their contributions, the contributors strengthen the family, clan and village ties and the sharing that are the underpinnings of Samoan culture.

2. The Hannemann Fundraiser. The Hannemann Fundraiser ("The Fundraiser") was held in Samoa on October 10, 1986. The Fundraiser was not an idea generated by the Hannemann campaign ("the Committee"). In fact, The Fundraiser was unsolicited and was initiated by the Governor of Samoa, A. P. Lutali, and Paramount Chief Soliai of Nuuli Village. (Mr. Hannemann's mother was born in Nuuli Village (although Mr. Hannemann was born in Hawaii) and Chief Soliai is a relative of Mr. Hannemann). Governor Lutali and Paramount Chief Soliai proposed The Fundraiser in order to honor Mr. Hannemann as a distinguished "son of Samoa."

It is important to realize that, in general, Samoans have a tarnished reputation in Hawaii. As one of the most recent immigrant groups, they like all of the other immigrant groups that migrated to Hawaii before them have started at the bottom and have begun climbing the ladder to success. There is a saying that Samoans are

"great football players, great entertainers and great troublemakers."

Now 32 years old, Mr. Hannemann was the first Samoan to be named an All American high school basketball player. He was the first Samoan ever to graduate from Harvard (and he graduated with honors) and he was the first Samoan ever to work as an aide to Vice President George Bush as a White House Fellow. Therefore, when Mr. Hannemann won the Hawaii Democratic nomination for Congress, the news was enthusiastically received in Samoa, as well as in Hawaii. He quickly became a symbol for tens of thousands of Samoans in Hawaii and in Samoa that perseverance, dedication and hard work can lead to the American dream.

Initially, Mr. Hannemann did not want to hold a fundraiser in Samoa because of time constraints, but a rejection of the invitation by the Governor and Paramount Chief would have been a terrible insult to the Samoan people. Therefore, he agreed to attend. However, the Committee insisted that certain controls be instituted so as to comply with the federal election laws. Anticipating that Complainant would attempt to make a political issue out of The Fundraiser, the following safeguards were instituted and in place for The Fundraiser:

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(a) The Fundraiser was by invitation only and no tickets were sold to the public.

(b) Only friends and relatives of the Hannemann family were invited.

(c) People who knew the invited guests were selected to record the names of the people making contributions and the amounts they contributed whether made at the reception table or during the siva dance. Only contributions from American Samoans or U. S. Citizens were accepted.

(d) As a result, accurate records were kept of the contributors and the amounts they contributed. The records are separated by contributions made in cash, by check and in kind and are attached to this Response as Exhibit 1.

LEGAL ARGUMENT

Complainant has based its series of allegations on events that "may" or "might" have occurred, on hearsay and without presenting any verified facts. As a result, the Complaint should be dismissed.

Complainant and Mr. Hannemann's opponent, Pat Saiki, made remarks in the local newspapers during the heat of political battle that it was improper for Mr. Hannemann to hold a fundraiser "out of the country." That remark underscored the Complainant's lack of understanding

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and sensitivity and drew criticism as a political ploy. In fact, Samoa is a Territory of the United States and therefore is a part of the United States. It is perfectly legal to hold political fundraisers in Samoa. In fact, Samoa is represented in the United States Congress by its own elected Congressman who frequently holds political fundraisers in Samoa. Contributions are routinely made to candidates for that federal office. Moreover, Samoans hold U.S. passports, can be drafted into the military and are granted all of the rights and privileges of a U. S. Citizen, except the right to vote in presidential elections.

1. Contributions from Foreign Nationals.

Complainant alleges that the Committee "may have accepted some contributions from foreign nationals." This allegation is tenuously based only on the fact that there are some foreign nationals living in Samoa.

There are also foreign nationals living in Hawaii, California and each of the 50 States of the Union. In fact, Hawaii has more foreign nationals (approximately 60,000) than the entire population of Samoa (approximately 30,000). For Complainant to base this allegation on the mere fact that there are some foreign nationals living in Samoa is specious. Nonetheless, anticipating that Complainant and Mr. Hannemann's opponent would attempt to

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make a political issue out of The Fundraiser, the Committee took special precautions to prevent contributions by foreign nationals including (1) structuring The Fundraiser by invitation only instead of ticket sales to the public, (2) sending invitations only to Hannemann family and friends and (3) accepting contributions only from known American Samoans or U. S. Citizens. With those safeguards in place, no contributions from foreign nationals were accepted at The Fundraiser.

2. Cash Contributions Over \$100. Complainant alleges that the Committee "may have" accepted contributions in cash over \$100.

Those who were in charge of recording contributions at The Fundraiser were specifically instructed not to accept cash contributions over \$100. Moreover, detailed records were kept of the contributions made at The Fundraiser. The records of contributions are attached hereto as Exhibit 1. The records indicate that a number of cash contributions of \$100 were received, but none over \$100. Those contributions exceeding \$100 were either made by check or by in kind contributions.

Complainant's allegations are without merit.

3. Anonymous Contributions Aggregating More Than \$50. Complainant alleges that the Committee accepted anonymous cash contributions in an aggregate amount over

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\$50. The allegations are false and display a lack of understanding of the Samoan culture and the Samoan style and concept of fundraising.

It would be completely out of character for a Samoan to anonymously contribute money at a fundraiser. Samoans require recognition and acknowledgment for their contributions. \$50 is considered a major contribution in Samoa (where the minimum wage is \$2.50 per hour) and to contribute anonymously would be risking the stigma of not being willing to help a fellow family or village member in time of need. Simply, there would be no reason to anonymously contribute more than \$50 and, in fact, there were no anonymous contributions aggregating \$50 or more at The Fundraiser. See Exhibit 1.

4. Alleged Family/Village Contribution of \$1,000.

Although the Nuuli Village Chief announced on the public address system a contribution of \$1,000, in fact, when the money was counted it amounted to \$500. The contribution was in cash and the people who donated to that \$500 total are listed on page 3 of Exhibit 1 under the section "Nuuli Village - Village Council of Chiefs."

To understand why a public announcement of \$1,000 was made, one must understand Samoan culture. Often, contributions are exaggerated in public in order to gain

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more credit and respect for the donor. Although the Committee does not know the reason why a \$1,000 contribution was announced by the Nuuli Chief, it is believed that it was meant to gain more credit and respect for the donor and to prevent a loss of face since Nuuli Village is Mr. Hannemann's family's village and the family's village is expected to make significant contributions. Moreover, it is also believed that the \$1,000 announcement was made in order to "challenge" and spur the guests at The Fundraiser into matching or exceeding the purported contribution.

In any event, the contribution made by Nuuli Village was \$500 and not \$1,000 and there was no violation of law.

CONCLUSION

There were no violations of federal election laws in connection with The Fundraiser. The Complainant's allegations have no foundation, are not based on verified facts, are grounded on hearsay and what "may" or "might" have happened at The Fundraiser. Anticipating that Complainant would make a political issue out of The Fundraiser, the Committee took special precautions to ensure compliance with the law.

By the way, Mr. Hannemann's opponent, who has been a politician for 20 years, won the election.

It is respectfully requested that the Complaint
be dismissed.

DATED: Honolulu, Hawaii, December 12, 1986.

Kenneth K. P. Wong
KENNETH K. P. WONG

Attorney for HANNEMANN FOR
CONGRESS, INC. and RANDALL
SUMIDA

87040634438

FEDERAL ELECTION COMMISSION

MUR 2290

) AFFIDAVIT OF RANDALL
) SUMIDA
)

AFFIDAVIT OF RANDALL SUMIDA

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

)
) SS.
)

RANDALL SUMIDA, being first duly sworn upon oath,
deposes and says:

1. I am the Treasurer of Hannemann for
Congress, Inc.

2. Attached hereto as Exhibit 1 is a true and
correct copy of records of contributions in cash, by check
and in kind made at the Hannemann Fundraiser held in
American Samoa on October 10, 1986.

Further Affiant Sayeth Naught.

Randall Sumida
RANDALL SUMIDA

Sworn to and subscribed in my presence
this 12th day of December, 1986.

Jeannine M. Hen
Notary Public, State of Hawaii
My Commission expires: 12/7/87

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Samoa Fundraiser

10-10-86 (American Samoa)

cash contributions

NAME	ADDRESS	AMOUNT	COMMENTS
Mr. & Mrs. Moaliitele Tuufuli	American Samoa	100.00	
Sen. & Mrs. Lutu Fuimanono	" "	100.00	
Mr. & Mrs. Tauese Sunia	" "	100.00	
Gov. & Mrs. Peter Coleman	" "	40.00	
Mr. & Mrs. Penei Sewell	" "	50.00	
Mr. & Mrs. Willie Sward	" "	20.00	
OLO FAMILY			
Judge & Mrs. Olo Letuli	American Samoa	100.00	
Mrs. Pat Olo	" "	20.00	
Fred Toilolo	" "	20.00	
Lucy Toilolo	" "	20.00	
Palelei	" "	7.00	
Leapai Faola	" "	30.00	
Puletasi	" "	15.00	
A.D. Meredith	" "	30.00	
John Holland	" "	20.00	
Gene Hill	American Samoa	25.00	
Mrs. Tele Hill	" "	25.00	

Samoa Fundraiser

10-10-86 (American Samoa)

Cash contributions

	NAME	ADDRESS	AMOUNT	COMMENTS
	Mr Fotu Soliai.	American Samoa	10.00	
	T. Soliai	" "	10.00	
	Sailua Tupua	" "	5.00	
11	Pe'a Tupua	" "	5.00	
4	Vaofua Soliai	" "	3.00	
4	Nafanua Savali	" "	100.00	
3	Li'a Savali	" "	100.00	
5	Pina Soliai.	" "	5.00	
4	Mrs. S. Rada	" "	20.00	
0	Mrs. Leutu Soliai	" "	5.00	
7	Po'u Soliai	" "	5.00	
8	Mrs. A. Meredith.	" "	5.00	
	Mrs. S. Fuimaono	" "	5.00	
	Mr. Y. Ava	" "	5.00	
	Mr. Tuitama	" "	10.00	
	Jack Kuaca	" "	10.00	
	Senituri Senituri	" "	20.00	
	Malu Mageo	" "	50.00	
	U. Hall	" "	20.00	

Samoa Fundraiser

10-10-86

(American Samoa)

cash contributions

	NAME	ADDRESS	AMOUNT	COMMENTS
	<u>Nuuli Village - Village Counsel of Chiefs</u>			
	High chief T. Solia'i	American Samoa	100.00	
	" " Savusa	" "	100.00	
2	" " Lova	" "	100.00	
4	Talking chief Lagafua	" "	100.00	
4	" " L. Seui	" "	50.00	
3	" " A Seui	" "	50.00	
5	<u>Reed Family</u>			
0	Mrs. Tuputausi Reed	American Samoa	100.00	
4	Miss Milavala Reed	" "	100.00	
0	Mr. George Reed	" "	50.00	
7	Mr. Keni Reed	" "	50.00	
8	Mr. Gabriel Reed	" "	50.00	
	Jarrett Reed	" "	50.00	
	Spencer / Tuputausi Reed	" "	50.00	
	Gordon / J.J. Reed	" "	25.00	
	Louise Puthedehine	" "	25.00	

cash contributions

NAME	ADDRESS	AMOUNT	COMMENTS
John Faumuina	American Samoa	20.00	
Sen & Mrs. Mulitauopele	" "	20.00	
J. Masunu	" "	20.00	
L. Saifanua	" "	10.00	
Phil Longsford	" "	20.00	
H. Huttkin	" "	100.00	
Josie Lutali	" "	100.00	
F. Tago	" "	50.00	
A. Toloo	" "	37.00	
E. Pa'u	" "	25.00	
L. Letuli	" "	25.00	
Afutoto & Dave Meredith	" "	100.00	
Larry Sulfanua	" "	10.00	
Galeai, William & Margaret	P.O. Box 3502 Pago Pago Amer. Samoa 96799	100.00	check

American.

Samoa Fundraiser

10-10-86

contributions by check.

Lutali, A.P. & Susana P.O. Box 486 Pago Pago, Amer. Samoa 96799 A.S. govt, governor.	250.00
Siliga, Nafo & Asolelei P.O. Box 756 Pago Pago, Amer. Samoa 96799 self empl, doctor	25.00
Passi, Padilla & Teuila V. P.O. Box 2445 Pago Pago, Amer. Samoa 96799 self empl, businessman Asst Dir	20.00
Foster, Walter & Mabel T. P.O. Box 1046 Pago Pago, Amer. Samoa 96799 self empl, businessman	50.00
Hunter, Samuel & Linette A. P.O. Box 577 Pago Pago, Amer. Samoa 96799 Amer Samoa Comm College, teacher	50.00
Hunt, Kalilimoku & Taputausi H. P.O. Box 104 54-118 Kawapuna St. Hauula 96717 Adm govt.	50.00
Iuli, Josefo K. & Isa Lei F P.O. Box 9638 Pago Pago, Amer. Samoa 96799 A.S. Govt, legislator	50.00
Manuma, Dr. P.Y. & Ilalia P.O. Box 854 Pago Pago Amer. Samoa 96799 A.S. govt, teacher.	25.00
Richmond, Lyle L. P.O. Box 3570 Pago Pago, Amer. Samoa 96799 A.S. Govt, Legal admin.	100.00
Tufa, Joseph. & Juliette L. P.O. Box 1850 Pago Pago, Amer. Samoa 96799 A.S. govt.	50.00
Soliai, Fotu & June P. P.O. Box 476 Pago Pago, Amer. Samoa 96799 Hawn Airline.	100.00

American

Samoa Fundraiser 10-10-86 contributions by check.

Hill, Tele F. & Eugene P. Pago Pago, Amer. Samoa 96799 A.S. Govt, nurse	50.00
Tuiteleleleapaga, Peseta Fuc & Rufo F. P.O. Box 3523 Pago Pago, Amer. Samoa 96799 A.S. Govt.	100.00
Friends of FoFo Organization P.O. Box 105 Fagatogo, Amer. Samoa 96799	500.00
Schuster, Carl & Starr P.O. Box 1793 Pago Pago, Amer. Samoa 96799 A.S. Govt.	50.00
Watson, Steven H. P.O. Box 3452 Pago Pago, Amer. Samoa 96799 A.S. Govt. chief of staff.	25.00
Poumele, Galea'i P. P.O. Box 615 Pago Pago, Amer. Samoa 96799 A.S. Govt. sec of Samoan Affairs	100.00
Soliai, Pa'u & Leutu T. P.O. Box 3363 Pago Pago, Amer. Samoa 96799 A.S. Govt, politician.	100.00
Faaleva, Ariata F. P.O. Box 717 Pago Pago 96799 self empl., atty.	100.00
Finagalo, Arcina P.O. Box 867 Pago Pago 96799 self employed, business man.	100.00
Togapau, Malietasi Mauget Oreta M. P.O. Box 353 Pago Pago, 96799 A.S. Govt, judge.	100.00
Mailo, Faasesa P. & Lapataume P.O. Box 3040 Pago Pago 96799 Rainmaker Hotel, mgr.	100.00

American

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Samoa Fundraiser

10-10-86

contributions by check.

Vaovasa, E.V. & Tuna F. P.O. Box 3543 Pago Pago, Amer. Samoa 96799 A.S. Govt., sec	25.00
Fajivae, A.G. John. P.O. Box 358 Pago Pago, Amer. Samoa 96799 A.S. Govt.	25.00
Vink, Cheryl A. P.O. Box 3613 Pago Pago, Amer. Samoa 96799 A.S. Govt.	50.00
Chanel, Asulu F. P.O. Box 3153 Pago Pago, Amer. Samoa 96799	25.00
Faleafine, Mrs. Lui P.O. Box 1219 Iilili, Amer. Samoa 96799. housewife	200.00
Aumoeualogo, Soli S. & Freda Anoni P.O. Box 1514, Sofia Hill, Amana Tutuila, Amer. Samoa 96799 A.S. Govt, politician.	100.00
Satele, William. P.O. Box 28 Pago Pago, Amer. Samoa 96799 self empl., businessman.	200.00
Letuli, Olo U.M. & Patricia R. P.O. Box 1048. Pago Pago, Amer. Samoa 96799 AS govt, Judge.	100.00
Aolaolaqi, Soli P.O. Box 3603 Pago Pago, Amer. Samoa 96799. A.S. Govt, district governor (Manua).	50.00
Levi, Enere H. Atty General Office Pago Pago, Amer. Samoa 96799. A.S. Govt, Asst Atty Gen.	25.00
Ah. Ching, Otto M. & Lucy M. 1336 Uila St., Foster Village 96818. self empl., businessman.	25.00

American

Samoa Fundraiser

10-10-86

contributions by check
in-kind contributions.

Seanlan, Herb Jr. & Carer 25.00
 P.O. Box 1587
 Pago Pago 96799
~~A.S. Govt.~~ businessman

Fuimaono, Sinira T & Tenari S. 100.00
 P.O. Box 355
 Pago Pago 96799.
 A.S. govt, politician (Tenari).

Yakutis, Susan A. 25.00
 P.O. Box 3680
 Pago Pago 96799
 A.S. govt, atty.

in-kind. Lolotai, Al. 1,000.00
 P.O. Box 268
 Pago Pago, Amer. Samoa 96799.
 Dept. of Educ.

in-kind Lolotai, Matilda 224.00
 P.O. Box 268
 Pago Pago, Amer. Samoa 96799
 Dir. of Art.

in-kind Lutali, A.P. 300.00
 P.O. Box 486
 Pago Pago, Amer. Samoa.

MARSHALL M. GOODSILL
MARTIN ANDERSON
WILLIAM F. QUINN
RICHARD E. STIFEL
HUGH SHEARER
GIMNO KASHIWA
C. FINSON GALLAND
CONRAD M. WILSON
DAVID J. DREZANS
RICHARD T. WREDA
ROBERT O. WITE
RONALD H. W. LUM
DAVID J. BERNER
H. MITCHELL DOLAN
WILLIAM C. MCCORRISTON
JOHN S. LACY

ROBERT F. HIRANO
CLIFFORD J. MILLER
RONALD E. K. SAKEMURA
THOMAS W. WILLIAMS, JR.
MICHAEL D. TOM
MICHAEL A. SHEA
WILLIAM S. MILLER
JACQUELINE L. S. EARLE
KENNETH A. ROSS
LARI L. SWART
RANDALL E. STEVENSON
KENNETH K. P. WONG
PATRICIA Y. LEE
BETTY W. J. LUM
PETER T. KASHIWA
RUSSELL S. KATO

GOODSILL ANDERSON QUINN & STIFEL

ATTORNEYS AT LAW

1600 BANCORP TOWER

130 MERCHANT STREET

HONOLULU, HAWAII 96813

MAIL ADDRESS: P. O. Box 3196

HONOLULU, HAWAII 96801

TELESCOPIER
(808) 531-2628

TELEPHONE
(808) 347-5600

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DEWEY H. LEE
LISA WOODS MCMON
BRYANT J. T. LOO
BRUCE L. LAMON
LANT A. JOHNSON
STEVEN M. HAKAMURA
LAWRENCE L. TONG
SHARON S. HENNO
JAMES J. BUCKSTON
VINCENT A. FIKKARI
ALAN S. BURGICE
MICHAEL J. O'MALLEY
MARK S. DEMARALIS
CRAIG H. HAKAMURA
SARINA RUSSE MCKENNA
KATHRYN S. MATAYOSHI
SCOTT A. MARUHANKE
VIN. W. RAMOS-SALDIERES
BARBARA McALLISTER
LEWISTON J. H. S. TURN

DAROLYN HATFIELD-LINDO
CYNTHIA M. KOBRA
RICHARD S. MILLER
WINONA M. TANAKA
KIRK H. ANDERSON
JANICE S. MIYAHARA
BENI OKUMURA
CRAIG S. HANSEN
MARK S. ITO
WAYNE R. SHIBAKA
LYN R. ANSAI
RICHARD E. MURKIN
LINDA A. NULAND-AMIS
ALDRIN S. J. MO
FAMILA MURCH BLISS
SHARON B. TARELCHI
CHARLES H. Y. DANO
CORINNE S. YEO
ALAN S. FUJIMOTO

* A LAW CORPORATION

** HONA OFFICE
P.O. BOX 2639
KAILUA-HONA, HAWAII 96741
(808) 329-7771

COUNSEL:
GARY M. SLOVIN
RANDALL W. BETH

OF COUNSEL:
JAMES M. RICHMOND
JOHN P. BURNELL
H. DAVID EDWELL
WALTER E. BLISS
MOE M. ANDERSON

December 2, 1986

Eric Kleinfeld, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2290

Dear Mr. Kleinfeld:

I enjoyed our discussion of December 2, 1986 and the helpful information you provided.

This is to confirm that Mr. Sumida received from the Federal Election Commission ("FEC") a notice of the complaint in the above matter on December 1, 1986 and that we will be filing a response by December 16, 1986. Also enclosed is the Statement of Designation of Counsel.

Thank you for your consideration.

Very truly yours,

Kenneth K. P. Wong
Kenneth K. P. Wong

KKPW:jab
Enclosure

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FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

FILE 2290

NAME OF COUNSEL: Kenneth K. P. Wong, Esq.
Goodsill Anderson Quinn & Stifel
ADDRESS: Suite 1600, Bancorp Tower
130 Merchant Street
Honolulu, Hawaii 96813

TELEPHONE: (808) 547-5600

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

12-1-86
Date

Randall L. Sumida
Signature

RESPONDENT'S NAME: Randall Sumida

ADDRESS: 888 Mililani Street
Penthouse #2
Honolulu, Hawaii 96813

HOME PHONE: (808) 488-3046

BUSINESS PHONE: (808) 533-4291

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 19, 1986

Howard K.O. Chong, Jr., Chairman
Republican Party of Hawaii
1270 Queen Emma Street
Suite 300
Honolulu, HI 96813

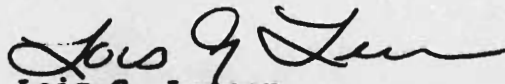
Dear Mr. Chong:

This letter will acknowledge receipt of your complaint which we received on November 10, 1986, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Hannemann For Congress and Mr. Randall Sumida as treasurer. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as the original complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints. We have numbered this matter MUR 2290. Please refer to this number in all future correspondence. If you have any questions, please contact Retha Dixon at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel


By: Lois G. Lerner
Associate General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 19, 1986

Randall Sumida, Treasurer
Hannemann For Congress
4614 Kilauea Avenue
Box 443
Honolulu, HI 96816

Re: MUR 2290

Dear Mr. Sumida:

The Federal Election Commission received a complaint which alleges that Hannemann For Congress and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2290. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and Hannemann For Congress in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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 matter to be made public. 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles W. Steele
General Counsel


By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel Statement

cc: Mr. Mufi Hannemann

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Republican
Party
of Hawaii

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COMMISSION SECRETARY

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mm 2290

November 4, 1986

Mr. Lawrence M. Nobel
Deputy General Counsel
Federal Election Commission
Washington, D.C. 20462

Dear Mr. Nobel:

Thank you for your letter of October 24, 1986 regarding
our complaint to your office. Per your instructions enclosed
herewith, please find my affidavit and sworn statement.

Very truly yours,

REPUBLICAN PARTY OF HAWAII

Howard K.O. Chong, Jr.
Chairman

Encl.

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RECEIVED
GENERAL COUNSEL

87040634453



Republican
Party
of Hawaii

AFFIDAVIT OF HOWARD K.O. CHONG, JR.

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

SS.

HOWARD K.O. CHONG, JR., in his capacity as Chairman of the Republican Party of Hawaii, being first duly sworn, on oath deposes and says:

1. That he is the affiant herein;
2. That he is a resident of the City and County of Honolulu, State of Hawaii;
3. That he has read the complaint to the Federal Election Commission and knows the contents thereof (Hannemann fundraiser in American Samoa);
4. That the said complaint is true to the best of his knowledge and belief.

Further affiant sayeth not.

Howard K.O. Chong, Jr.

Subscribed and sworn to before me this

4th day of November, 1986.

Thomas C. [Signature]
My commission expires: 1/11/89

87040534454



Republican
Party
of Hawaii

October 16, 1986

Federal Election Commission
Office of the General Council
999 "E" Street, N.W.
Washington, D.C. 20463

Gentlemen:

Pursuant to 2 U.S.C. sec. 437g(a)(1) we are filing a complaint relative to the campaign of Mufi Hannemann, candidate for Congress, Hawaii C.D. 1. The complainant is the Republican Party of Hawaii, by its Chairman, Howard K.O. Chong, Jr..

We believe that Mr. Hannemann has violated Federal Election Law in accepting anonymous cash contributions in an aggregate amount over \$50.00, and may have accepted some contributions from foreign nationals. Mr. Hannemann may also have violated 2 U.S.C. sec. 441g by accepting contributions in cash of over \$100.00.

The instance of the violation was a fundraiser held for Mr. Hannemann in American Samoa on Friday, October 10, 1986. We refer you to a clipping from the Honolulu Advertiser, attached hereto. We also refer you to film footage of the event, by Honolulu television station KGBM, and its reporter, Tom Armbruster, showing Mr. Hannemann receiving cash contributions.

KGBM television is located at 1531 Kapiolani Boulevard. Its News Director is Jim Hanke.

26 OCT 23 4 9: 57

26 OCT 23 4 9: 03

87040534455

Per the Honolulu Advertiser story Mr. Hannemann also received a contribution of \$1,000.00 from his family's village. It has not been determined if said contribution was in cash, or if individual contributors to that fund were listed.

The Republican Party of Hawaii was not present at the above mentioned fundraiser, and is relying on newspaper and television coverage of same as the basis of its complaint.

Thank you for your consideration of this matter.

Very truly yours,

REPUBLICAN PARTY OF HAWAII



Howard K.O. Chong, Jr.
Chairman

Attachment

STATE OF HAWAII

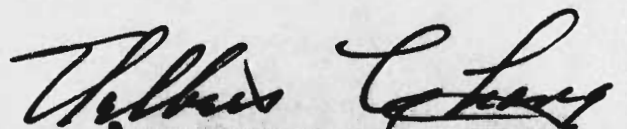
COUNTY OF HONOLULU

} ss.

On this 16th day of October, 1986,

before me personally appeared HOWARD K.O. CHONG, JR. to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Witness my hand and seal.


My commission expires: 3/11/89

87040334456

Fund-raiser for Hannemann in Samoa honors his heritage

By Lewis Wolman
Special to The Advertiser

PAGO PAGO, American Samoa — At a campaign fund-raiser rich in Samoan tradition, 150 supporters of Hawaii congressional candidate Mufi Hannemann gathered late Friday night to bestow their proud blessing on a son of Samoa.

Democratic Gov. A.P. Lutali captured the night's feeling of Samoan fellowship when he asked the people of American Samoa to pray for "one of our most exceptional young men."

High Chief Galea'i Pounale, secretary of the Office of Samoan Affairs and former president of the American Samoan Senate, emotionally told the crowd, "I want to cry that a son of Samoa can run for Congress so soon."

Hannemann, 32, won the Democratic primary for the 1st Congressional District (Urban Honolulu). He will face Republican Pat Salki and Libertarian Blaise Harris in the Nov. 4 general election.

Hannemann's family is from American Samoa, although he was born in Hawaii.

Addressing the crowd, Hannemann drew applause when he said:

"In Hawaii, Samoans are seen as great entertainers, great athletes and great troublemakers. My candidacy says: Samoans are more than that . . . What I'm doing today is living my American dream."

The reception at the Rainmaker Hotel dining room was supposed to start at 6:30 p.m., but Hannemann didn't arrive until 10:30 p.m. because his flight was delayed. His South Pacific Island Airways plane left Honolulu on time but had to return for a mechanical check.

The bipartisan crowd waited patiently. And

when Hannemann arrived, they greeted him with warmth and affection.

American Samoa's leading political figures, including Lutali and Peter Coleman, former Republican governor and party chairman, were present to lend their backing.

Others who spoke included High Chief Seui La'ao from the village of Nu'uuli, the family home of Hannemann's late mother, and the high chief of Hannemann's family. Most of the evening's speeches were in English and Samoan.

Associate Judge Olo Letuli did not give a speech, but instead offered a *siva* (dance) in Hannemann's honor. According to Samoan custom, Olo placed a \$100 bill on the floor to open the dance. He was joined by others who wished to honor Hannemann and who put \$1, \$5, \$10, \$20 and \$100 bills on the dance floor.

The village of Nu'uuli presented Hannemann with a *mealofo* (a gift of love) of \$1,000. When it was time for Hannemann to acknowledge the gift, as is customary in Samoa, he offered to sing a song in response to his village's generosity. Hannemann then sang two popular folk songs, "Let Me Hear You Whisper" and "Siva Siva Mai."

In his remarks, Hannemann said some of his advisers had told him early in the campaign that his Samoan heritage would be a negative factor in his congressional race.

"But I am very proud of my Samoan roots," Hannemann said last night, "and will never deny them."

"I have deep feelings for Samoa. This is where my mother and grandparents are from. My ancestral roots are here . . . I've been visiting American Samoa since 1966, in times of joy and sorrow. If the people of Hawaii see fit to elect me in November, I'll not forget American Samoa or its South Pacific neighbors," Hannemann said.

"Tonight is a manifestation of Hawaii's reaching out within the Pacific region."



Hannemann

87040634457



Republican
Party
of Hawaii

November 4, 1986

Mr. Lawrence M. Nobel
Deputy General Counsel
Federal Election Commission
Washington, D.C. 20462

Dear Mr. Nobel:

Thank you for your letter of October 24, 1986 regarding
our complaint to your office. Per your instructions enclosed
herewith, please find my affidavit and sworn statement.

Very truly yours,

REPUBLICAN PARTY OF HAWAII

Howard K.O. Chong, Jr.
Chairman

Encl.

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QCC#1962
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RECEIVED
OFFICE OF THE
GENERAL COUNSEL

86 NOV 10 A11:20

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Republican
Party
of Hawaii

AFFIDAVIT OF HOWARD K.O. CHONG, JR.

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

} SS.

HOWARD K.O. CHONG, JR., in his capacity as Chairman of the Republican Party of Hawaii, being first duly sworn, on oath deposes and says;

1. That he is the affiant herein;
2. That he is a resident of the City and County of Honolulu, State of Hawaii;
3. That he has read the complaint to the Federal Election Commission and knows the contents thereof (Hannemann fundraiser in American Samoa);
4. That the said complaint is true to the best of his knowledge and belief.

Further affiant sayeth not.

Howard K.O. Chong, Jr.

Subscribed and sworn to before me this

4th day of November, 1986.

William L. ...
My commission expires: 3/11/89

87040634459

86 OCT 23 A 9: 57



Republican
Party
of Hawaii

October 16, 1986

Federal Election Commission
Office of the General Council
999 "E" Street, N.W.
Washington, D.C. 20463

Gentlemen:

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86 OCT 23 P 4: 03

GENERAL COUNCIL

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Howard K.O. Chong, Jr.
Chairman

Attachment

STATE OF HAWAII

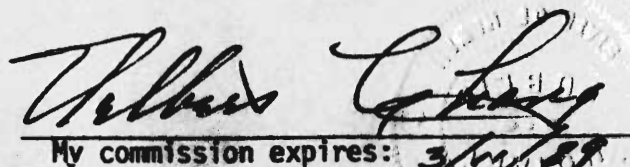
COUNTY OF HONOLULU

} SS.

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before me personally appeared HOWARD K.O. CHONG, JR. to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Witness my hand and seal.



My commission expires: 3/17/89



87040634461

SB-ADV 10-12-76

Fund-raiser for Hannemann in Samoa honors his heritage

By Lewis Wolman

Special to The Advertiser

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Hannemann

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF FUR # 2290

Date Filmed 2/2/87 Camera No. --- 2

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