

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

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4 In the Matter of )  
5 )  
6 Ng Lap Seng a/k/a Mr. Wu ) MUR 4530  
7 Yuan Pei "Antonio" Pan )  
8 Daihatsu International Trading Inc. )  
9 San Kin Yip International )  
10 Cheong Am America, Inc. )  
11 Ateck Company, Ltd. )  
12 Comete Hong )  
13 Yoshio Tanaka )  
14 Chiu-Lan Ho )

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16 **GENERAL COUNSEL'S REPORT**

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18 **I. ACTIONS RECOMMENDED**

19 Take no further action and close the file regarding the above-captioned respondents in  
20 this matter.

21 **II. BACKGROUND**

22 This matter involves over \$3 million in illegal contributions, most of which originated  
23 with foreign national sources and was funneled through domestic conduits, and most of  
24 which was accepted by the Democratic National Committee ("DNC"). See 2 U.S.C.  
25 §§ 441e(a) and 441f; General Counsel's Briefs to the DNC dated October 12, 2000 and  
26 January 22, 2001.

27 This Office previously advised the Commission of the respondents in this matter for  
28 whom we ultimately intended to recommend no further action, in many cases because they  
29 are individuals that are out of the country and beyond our reach or corporations that are  
30 defunct. See the General Counsel's Report dated May 8, 2000, page 6 and chart at

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1 this matter is proceeding toward completion,<sup>1</sup> this Office now brings forth those  
2 recommendations.

3 **III. ANALYSIS**

4 The respondents recommended for no further action and closing are listed on the chart  
5 at pages 3-4, grouped together by contribution fact pattern. The chart sets out respondents'  
6 reason to believe findings,<sup>3</sup> a short summary of their activity, sources of more detailed  
7 information, i.e., General Counsel's Reports and Briefs, and the rationale for the no further  
8 action recommendations.<sup>4</sup>

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<sup>1</sup> So far in this matter and the related MURs 4531, 4547, 4642 and 4909, the Commission has entered into thirteen conciliation agreements including with major respondents John Huang, Yah Lin "Charlie" Trie, Chien Chuen "Johnny" Chung, and the Hsi Lai Buddhist Temple.

<sup>3</sup> The Commission made these reason to believe findings on June 17, 1997 and June 2, 1998. See the First General Counsel's Report dated May 30, 1997 and the General Counsel's Report dated May 4, 1998.

<sup>4</sup> An additional overall rationale for the no further action recommendations is the statute of limitations. More than five years has passed since most of the activity by these respondents. Although there is an issue whether the statute of limitations is tolled while individuals are out of the U.S., in any event this Office does not recommend further pursuit of these respondents, in view of the difficulty of locating and serving them overseas and the desire to close the entire matter involving 1996 cycle activity in a reasonable time frame.

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RESPONDENTS RECOMMENDED FOR NO FURTHER ACTION IN MUR 4530

RESPONDENTS	REASON TO BELIEVE FINDINGS	ACTIVITY	SOURCE OF FULLER DESCRIPTION OF ACTIVITY	RATIONALE
Ng Lap Seng a/k/a Mr. Wu; Yuan Pei "Antonio" Pan; Daihatsu International Trading Inc.; San Kin Yip International	2 U.S.C. §§ 441e(a) and 441f for Ng and Pan; 2 U.S.C. § 441e(a) for the corporations	Ng, a foreign national, was the source of most of the funds used by Yah Lin "Charlie" Trie for his contributions to the DNC; Pan assisted Trie in carrying out conduit contributions; several of Trie's foreign-sourced contributions came through Daihatsu and one came through San Kin Yip	General Counsel's Brief to Yah Lin "Charlie" Trie dated November 29, 2000	Unable to serve Ng and Pan; Daihatsu and San Kin Yip are defunct
Cheong Am America, Inc.; Ateck Company, Ltd.; Comete Hong	2 U.S.C. § 441e(a)	Cheong Am, a U.S. subsidiary of Ateck, a foreign corporation, used funds from Ateck to make a \$250,000 contribution to the DNC; Comete Hong, an employee of Cheong Am, made a \$10,000 contribution to the DNC using foreign funds	General Counsel's Brief to DNC dated January 22, 2001, pages 22-32	Cheong Am is defunct; Ateck dropped its U.S. counsel and is no longer responding; Hong, a minor player in this matter, submitted to an FEC deposition 5
Yoshio Tanaka	2 U.S.C. § 441e(a)	Foreign national who provided the funds used by Yogesh Gandhi for a \$325,000 contribution to the DNC	General Counsel's Report dated July 28, 2000	Available information shows that Tanaka did not intend the funds to be used to make a contribution

<sup>5</sup> The Commission approved this Office's recommendation that the Commission offer to take no further action against Comete Hong in exchange for her submitting to a deposition by this Office. See the General Counsel's Report dated June 9, 1999, pages 23-24 and the Commission certification for the July 13, 1999 Executive Session, item F.

RESPONDENTS	REASON TO BELIEVE FINDINGS	ACTIVITY	SOURCE OF FULLER DESCRIPTION OF ACTIVITY	RATIONALE
Chiu-Lan Ho	2 U.S.C. §§ 441e(a) and 441f	Made a \$5,000 contribution that was raised by John Huang and related to the April 29, 1996 Hsi Lai Temple event	First General Counsel's Report dated May 30, 1997 pages 23-24	Did not respond; apparently out of the U.S.; minor player in this matter

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**IV. RECOMMENDATIONS**

- 1. Take no further action and close the file regarding Ng Lap Seng a/k/a Mr. Wu, Yuan Pei "Antonio" Pan, Daihatsu International Trading Inc. and San Kin Yip International.
- 2. Take no further action and close the file regarding Cheong Am America, Inc., Ateck Company, Ltd. and Comete Hong.
- 3. Take no further action and close the file regarding Yoshio Tanaka.
- 4. Take no further action and close the file regarding Chiu-Lan Ho.
- 5. Approve the appropriate letters.

8/28/01

Date



Lois G. Lerner  
Acting General Counsel

Staff Assigned: Mark Allen