

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
)  
) MURs 4530, 4531, 4547, 4642 and 4909  
DNC Services Corporation/Democratic )  
National Committee and its treasurer )

**CONCILIATION AGREEMENT**

These matters were generated by complaints filed with the Federal Election Commission ("Commission") by the DNC Services Corporation/Democratic National Committee, the Christian Coalition, Robert Fulkerson, and the Republican National Committee, as well as by information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities. After an investigation into these matters, the Commission found probable cause to believe that the DNC Services Corporation/Democratic National Committee and its treasurer ("DNC" or "Respondents") violated 2 U.S.C. §§ 441e(a), 441f and 441b(a).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of these proceedings.

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

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

IV. The pertinent facts are as follows:

1. The DNC is a political committee pursuant to 2 U.S.C. § 431(4) and a

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national committee pursuant to 2 U.S.C. § 431(14).

2. Robert Matsui was treasurer of the DNC from February 17, 1994 to August 19, 1995. Scott Pastrick was treasurer of the DNC from August 19, 1995 to January 21, 1997. Carol Pensky was treasurer of the DNC from January 21, 1997 to March 20, 1999. Andrew Tobias became treasurer of the DNC on March 20, 1999, a position he presently holds.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), prohibits the solicitation, acceptance, and receipt of any campaign contributions from foreign nationals. 2 U.S.C. § 441e(a). These prohibitions apply to all federal, state and local elections, including contributions to the non-federal accounts of national party committees. See 11 C.F.R. § 110.4(a)(1) and (3); United States v. Kanchanalak, 192 F.3d 1037, 1049-50 (D.C. Cir. 1999).

4. Pursuant to 2 U.S.C. § 441e, the term "foreign national" includes foreign principals as defined at 22 U.S.C. § 611(b), and individuals who are not United States citizens and not lawfully admitted for permanent residence as defined in 8 U.S.C. § 1101(a)(20). See 11 C.F.R. § 110.4(a)(4). Under 22 U.S.C. § 611(b), the term "foreign principal" includes:

- (1) a government of a foreign country and a foreign political party;
- (2) a person outside 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 within 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.

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22 U.S.C. § 611(b).

5. U.S. subsidiaries of foreign corporations are permitted to make contributions not otherwise prohibited by the Act so long as the source of the funds is the U.S. subsidiary and not the foreign national parent or other foreign source, and no foreign national individual participates in the decision-making process. 11 C.F.R. § 110.4(a)(3).

6. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his or her name to be used to effect such a contribution, and that no person shall knowingly accept a contribution made by one person in the name of another person.

7. Pursuant to 2 U.S.C. § 441b(a), corporations are prohibited from making contributions in connection with federal elections. This provision also prohibits political committees from knowingly accepting corporate contributions.

8. Pursuant to 11 C.F.R. § 103.3(b), political committee treasurers are responsible for examining all contributions received for evidence of illegality. Contributions that present genuine questions as to their legality may be, within ten days of receipt, either deposited or returned to the contributor. 11 C.F.R. § 103.3(b)(1). If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. Id. The treasurer shall make at least one written or oral request for evidence of the legality of the contribution. Id. Such evidence includes, but is not limited to, a written statement from the contributor explaining why the contribution is legal, or a written statement by the treasurer memorializing an oral communication explaining why the contribution is legal. If the contribution cannot be determined to be legal, the treasurer shall, within thirty days of receipt, refund the contribution to the contributor. Id. If the treasurer later discovers that an apparently

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lawful contribution is illegal based on new evidence not available at the time of receipt and deposit, the treasurer shall refund the contribution to the contributor within thirty days of the date on which the illegality is discovered. 11 C.F.R. § 103.3(b)(2). If the committee does not have sufficient funds to refund the contribution at the time the illegality is discovered, the committee shall make the refund from the next funds it receives. Id.

9. This Agreement addresses more than \$1 million in contributions during 1995-96 that were accepted by the DNC in violation of the Act.

**John Huang**

10. A number of the impermissible contributions described below were raised by John Huang, who served as DNC Vice Chairman for Finance from December 4, 1995 until November 1996. During his tenure John Huang worked with others toward a goal of raising \$7 million from the Asian-American community. Mr. Huang's fundraising was comprised of two methods: for some contributors, he was the direct contact; for others, he relied upon certain lay fundraisers. Previously, Mr. Huang was Deputy Assistant Secretary of the U.S. Department of Commerce, International Trade Administration, and an employee of the Lippo Group, an Indonesian industrial conglomerate.

11. John Huang organized and raised funds for several major DNC events: the February 19, 1996 Presidential Asian Dinner held at the Hay Adams Hotel in Washington, D.C.; the April 29, 1996 luncheon with Vice President Gore at the Hsi Lai Buddhist Temple in Los Angeles; the May 13, 1996 Presidential Asian Dinner at the Sheraton Carlton Hotel in Washington, D.C.; the June 18, 1996 coffee at the White House; the July 22, 1996 Presidential Asian Dinner held at the Century Plaza Hotel in Los Angeles; the July 30, 1996 Presidential Asian Dinner held at the Jefferson Hotel in Washington, D.C.; and the September 19, 1996 Asian Vice Presidential

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Dinner in San Francisco. John Huang also raised funds in connection with other events, such as the August 18, 1996 Birthday Dinner for President Clinton held at the Waldorf-Astoria Hotel in New York City.

#### **Cheong Am America, Inc. and Related Individuals**

12. Respondents accepted a \$250,000 contribution from Cheong Am America, Inc. ("Cheong Am") that was made with funds from Cheong Am's foreign parent corporation and that involved the CEO of Cheong Am who was a foreign national. Respondents also received \$28,000 in reimbursed contributions from individuals connected with Cheong Am. John Huang solicited these contributions.

a. At the time of the \$250,000 contribution, reported received by the DNC on April 10, 1996, Cheong Am was a newly-formed corporation with no business revenues other than \$1.3 million in start-up capital from its foreign parent, Ateck Company, Ltd. An additional impermissible aspect of the contribution was the involvement of Kyung Hoon "John" Lee, Cheong Am's foreign national CEO and signer of the contribution check, in the company's decision to make the contribution.

b. In September 1996, Respondents accepted individual contributions of \$10,000 each from Lee, Lucy Ham (Cheong Am Secretary and Director), and Comete Hong (Lee's secretary).

c. Respondents reported accepting these contributions on September 4, 1996 and deposited them into the federal account.

d. The funds used to make Lee's and Hong's \$10,000 contributions came from the start-up capital provided to Cheong Am by Ateck, while \$8,000 of Ham's contribution came from another source.

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e. Respondents accepted \$28,000 in reimbursed contributions from these three individuals, \$20,000 of which was foreign derived.

13. Respondents accepted a \$250,000 contribution from Cheong Am America, Inc., that was made with foreign funds and with which a foreign national, Kyung Hoon "John" Lee, was directly involved.

14. Respondents accepted a \$10,000 contribution from Comete-Hong and a \$10,000 contribution from Kyung Hoon "John" Lee that were made with foreign funds.

15. Respondents accepted Comete Hong's \$10,000 contribution that was reimbursed and Lucy Ham's contribution of which \$8,000 was reimbursed.

16. Respondents have refunded the Cheong Am, Lee and Hong contributions.

#### **Yah Lin "Charlie" Trie**

17. During 1995-96, Respondents received \$239,500 in contributions originating with foreign nationals and funneled through accounts of conduit donors by Yah Lin "Charlie" Trie or persons associated with Trie, such as Yuan Pei "Antonio" Pan, a Taiwanese national. Most of the foreign funds originated with Ng Lap Seng, a citizen of China who lives in Macau and travels on a Portuguese passport, who attended numerous DNC events with Trie. Mr. Trie served as an honorary vice-chair of the DNC's Finance Board and a managing trustee of the DNC, as well as a member of the DNC's Business Leadership Forum. The contributions at issue are set out in the chart below.

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Reported Contributor	DNC Acct.	Amount	Date
Chau, Celia	Federal	\$ 5,000	11/14/1995
Caudle-Green, Phyllis	Federal	\$20,000	02/07/1996
Caudle-Green, Phyllis	Non-Federal	\$30,000	02/07/1996
Chu, Lei	Federal	\$12,500	02/20/1996
Chiang, Charles	Federal	\$12,500	02/23/1996
Chu, Yue	Federal	\$ 7,500	02/23/1996
Chu, Yue	Federal	\$12,500	02/23/1996
Foung, Manlin	Federal	\$12,500	02/23/1996
Landon, Joseph	Federal	\$12,500	02/23/1996
Wang, Xiping	Federal	\$ 5,000	02/23/1996
Zhan, Keshi	Federal	\$12,500	02/23/1996
J & M International Inc.	Non-Federal	\$25,000	02/27/1996
Foung, Manlin	Non-Federal	\$10,000	08/15/1996
Chien, Helen	Federal	\$10,000	08/20/1996
Yeh, Kun-Cheng	Federal	\$10,000	08/20/1996
Young, Kimmy	Federal	\$10,000	08/20/1996
Chiao, Hong Jeh	Federal	\$ 4,000	08/21/1996
Chou, Weifen	Federal	\$ 5,000	08/21/1996
Li, Qing	Federal	\$10,000	08/21/1996
Lima, Michelle	Non-Federal	\$ 3,000	08/21/1996
Wang, David	Federal	\$ 5,000	09/24/1996
Wu, Daniel	Federal	\$ 5,000	09/24/1996
<b>TOTAL</b>		<b>\$239,500</b>	

a. Respondents received a \$5,000 contribution through conduit Celia Chau, which was made in connection with the November 8, 1995, Car Barn fundraising event and which was deposited into the DNC's federal account. Mr. Trie served as the vice chair of the Car Barn fundraiser.

b. Respondents received \$112,500 in contributions arranged by Trie through eight conduits in connection with the Hay Adams fundraiser event on February 19, 1996. Each of these contributions, except one from J&M International, was deposited into the DNC

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federal account. John Huang, who asked Trie to help raise money for the Hay Adams fundraiser, was the DNC contact for these contributions.

c. Respondents received \$72,000 in contributions arranged by Trie through ten conduits in connection with fundraising for the President Clinton Birthday Party in New York City on August 18, 1996. All of these contributions, with the exception of Manlin Fong's and Michele Lima's, were deposited into the DNC federal account. As a trustee of the DNC, Mr. Trie was encouraged to raise contributions in connection with the President Clinton Birthday Party.

d. Between the Car Barn and Hay Adams events noted above, on February 6, 1996, Respondents received a \$50,000 contribution check signed by Phyllis Caudle-Green drawn on an account she shared with her husband, Ernest Green. According to Trie, he raised the contribution from Ernest Green in connection with a White House coffee on February 6, 1996 and then reimbursed Mr. Green for this contribution. This contribution was related to the attendance of Wang Jun at the White House coffee, which was facilitated by Trie.

18. Mr. Trie pled guilty to a violation of 18 U.S.C. § 1001 by causing the making of a false statement to the Commission, and to a violation of 2 U.S.C. § 441f by making a political contribution in the name of another.

19. Respondents accepted foreign national contributions funneled by Yah Lin "Charlie" Trie through conduits, including those made to the federal account.

20. Respondents have refunded or disgorged all of the above contributions except the \$50,000 related to Ernest Green and Phyllis Caudle-Green.

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### The Hsi Lai Buddhist Temple

21. Respondents received \$55,000 in contributions raised by John Huang and Maria Hsia that were reimbursed by the International Buddhist Progress Society, Inc. d/b/a Hsi Lai Buddhist Temple ("the Temple"), a California corporation. Mr. Huang and Ms. Hsia raised these contributions the day after an April 29, 1996 DNC event held at the Temple. In addition, Respondents received an in-kind corporate contribution from the Temple in connection with the event held at the Temple.

22. Maria Hsia was a longtime political activist and fundraiser with close ties to the Temple and known to Huang. In late 1995 or early 1996, Huang asked Hsia to become a member of the DNC Finance Board, whose members each had the goal of raising \$350,000. Ms. Hsia subsequently raised contributions in connection with several DNC events during 1996.

23. The contributions to the DNC reimbursed by the Temple are set out in the table below.

Reported Contributor	DNC Account	Amount	Receipt Date
Master Shing Yun	Federal	\$5,000.00	04/30/96
Abbess Suh Jen Wu	Federal	\$5,000.00	04/30/96
Man Ya Shih	Federal	\$5,000.00	04/30/96
Hsui Chu Lin	Federal	\$5,000.00	04/30/96
Pi-Hsia Hsiao	Federal	\$5,000.00	04/30/96
Siuw Moi Lian	Federal	\$5,000.00	04/30/96
Hueitsan Huang	Federal	\$5,000.00	04/30/96
Hsiu Luan Tseng	Federal	\$5,000.00	04/30/96
Bor Yun Jeng	Federal	\$5,000.00	04/30/96
Chia Hui Ho	Federal	\$5,000.00	04/30/96
Seow Fong Ooi	Federal	\$5,000.00	04/30/96
<b>TOTAL</b>		<b>\$55,000.00</b>	

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24. John Huang organized a luncheon event at the Temple on April 29, 1996 that was attended by Vice President Albert Gore. Mr. Huang worked with Hsia on this event. Up to the time of the event, Huang and Hsia had raised \$45,000 in contributions in connection with the event. The day after the event, Huang spoke to Richard Sullivan, DNC Finance Director, about the amount of funds raised in connection with the event. John Huang then advised Hsia that they needed to raise more contributions. Later that same day, Huang returned to the Temple and collected from Hsia the contributions raised in connection with the event including the \$55,000 in contributions raised that day.

25. Respondents received \$55,000 in contributions from individuals who were reimbursed with funds from the Temple in connection with this event. Respondents deposited each of the contribution checks into the federal account.

26. Respondents also received an impermissible in-kind corporate contribution from the Temple in connection with the April 29, 1996 event. The Temple incurred \$4,424.13 in out-of-pocket expenses for the event.

27. Maria Hsia was found guilty of five counts of causing the submission of false statements to be filed with the Commission, one of which is based on contributions to the DNC reimbursed by the Temple in connection with the April 29, 1996 Temple event.

28. Respondents accepted a total of \$55,000 in contributions reimbursed by the Temple in April 1996, which were made through individual monastics and devotees, plus an in-kind contribution from the Temple in the form of the costs of the April 29, 1996 event.

29. Respondents have refunded or disgorged all of the \$55,000 in reimbursed contributions and the in-kind contribution received.

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**Subandi Tanuwidjaja and Suryanti Tanuwidjaja**

30. During 1996, Respondents received a total of \$40,000 from Subandi Tanuwidjaja and Suryanti Tanuwidjaja, who apparently used foreign funds for their contributions. John Huang solicited these contributions.

31. Subandi and Suryanti Tanuwidjaja had legal permanent residence in the U.S. during the relevant period. The Tanuwidjajas left the U.S. some time after making these contributions and have not returned.

32. Subandi Tanuwidjaja made a \$20,000 contribution to Respondents by check dated September 19, 1996, which Respondents reported receiving on October 2, 1996. Respondents deposited the \$20,000 contribution check in the federal account. Subandi Tanuwidjaja received a \$20,000 wire transfer from Dragon Union, Ltd., a Hong Kong company, the day before he wrote his \$20,000 contribution check. The funds for the contribution came from that \$20,000 wire transfer.

33. Suryanti Tanuwidjaja made a \$20,000 contribution to Respondents by check dated September 16, 1996, which Respondents reported receiving on September 27, 1996. Respondents deposited the \$20,000 contribution check in the federal account. Suryanti Tanuwidjaja received a \$20,000 wire transfer from Dragon Union, Ltd., a Hong Kong company, two days after she wrote her \$20,000 contribution check.

34. Despite the above information, which has been publicly available since 1998, Respondents have retained the Tanuwidjajas' contributions without confirming their legality. See 11 C.F.R. § 103.3(b)(1) and Advisory Opinion 1995-19.

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**Chien Chuen "Johnny" Chung**

35. Respondents accepted \$275,000 from Chien Chuen "Johnny" Chung during 1995-1996. The sources of some of Chung's contributions during 1996 were foreign nationals who transferred funds to Mr. Chung for the specific purpose of making political contributions. Mr. Chung used funds received from foreign nationals for other contributions.

a. Mr. Chung, a United States citizen since 1988, was, during the time relevant, the Chairman and CEO of Automated Intelligent Systems, Inc. ("AIS"), a California corporation engaged in the fax broadcast system business. This was a legitimate but unprofitable business; however, AIS received sizable sums from investors in the company during 1993 and 1994.

b. Beginning in 1995 and through the end of 1996, Mr. Chung derived other, significant income from Chinese business contacts for whom he performed services such as assisting them to obtain visas, escorting them around the country, and introducing them to government officials. Mr. Chung used foreign funds from these Chinese business contacts to make contributions to the DNC to facilitate escorting these contacts to DNC fundraising events. However, at least one use of foreign funds was not connected to Chung's escorting business; instead, it began as a direct instruction by a foreign national to use funds provided by that individual to promote the re-election of President Clinton and the DNC.

c. The chart below lists all of Chung's 1995-96 contributions to the DNC.

<b>Contributor</b>	<b>Receipt date</b>	<b>Amount</b>	<b>DNC Account</b>
Chung	3/17/95	\$50,000	Non-Federal
Chung	4/12/95	\$125,000	Non-Federal
Chung	6/14/96	\$20,000	Non-Federal
Chung	7/25/96	\$20,000	Non-Federal
Chung	7/25/96	\$25,000	Non-Federal
Chung	9/24/96	\$20,000	Federal
Chung	9/24/96	\$10,000	Federal
Chung	9/24/96	\$5,000	Federal
	<b>TOTAL</b>	<b>\$275,000</b>	

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36. Regarding the first of these contributions, in March 1995, Chung initially offered a \$50,000 contribution check to Richard Sullivan in connection with attending - along with an entourage of several foreign nationals - a radio address by President Clinton at the White House. Mr. Sullivan, then DNC Deputy Finance Director and Director of the DNC Business Leadership Forum, refused the check based on his concern that Chung might be offering a contribution made with funds from the foreign nationals. Nevertheless, Respondents ultimately accepted the contribution on March 17, 1995. Mr. Chung was able to afford this \$50,000 contribution because of funds received from the Haomen Group, a Chinese company, which transferred \$150,000 to Chung on March 6, 1995.

37. Respondents accepted other contributions from Chung during 1995 and 1996 made with funds from other foreign nationals. In one instance, a Chinese contact gave Chung money and explicitly told him to use it promote the re-election of President Clinton and the Democratic Party.

a. According to Chung, his Chinese contact was the Military Intelligence

Director of the People's Liberation Army, General Ji Shengde ("General Ji"), to whom Chung was introduced by his then-business partner, and daughter of a retired Chinese general, Liu Chao-Ying ("Liu").

b. Of Chung's \$35,000 in contributions reported by the DNC as received in the federal account on September 24, 1996, \$20,000 can be traced to the funds received from General Ji and Liu.

38. In connection with contributions to political committees other than the DNC, Chung pled guilty to conspiracy to violate 2 U.S.C. §§ 441a and 441f.

39. Respondents accepted contributions made by Chung using funds from foreign sources and that were made in the name of another.

40. Respondents have refunded the contributions from Chung.

#### **George Psaltis**

41. Respondents accepted \$50,000 in July and August 1996 from George Psaltis, a foreign national, and his company, Psaltis Corporation, a newly incorporated entity which had not yet earned any revenues.

42. Respondents reported the receipt of a \$10,000 contribution from Psaltis Corporation on July 10, 1996. The \$10,000 check was dated June 14, 1996, the same date the corporation was formed. The check contained the hand-written name "Psaltis Corporation" without an address.

43. Respondents reported the receipt of \$40,000 in contributions from George Psaltis on August 1, 1996, \$20,000 to the federal account and \$20,000 to the non-federal account. These contributions were made via a single \$40,000 check drawn on the same account as the earlier \$10,000 check.

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44. Christine Warnke, a DNC lay fundraiser, solicited the Psaltis contributions. Tom Albert, a DNC employee in the office of ethnic outreach, organized the June 14, 1996 Ethnic Leadership Day with which the first Psaltis contribution was associated, and was involved in the receipt of that contribution. Both Warnke and Albert were aware of George Psaltis' status as a foreign national.

45. George Psaltis attended DNC events in connection with both contribution checks, and participated in the decision to make the corporate contribution. See 11 C.F.R. § 110.4(a)(3).

46. Respondents accepted \$50,000 in contributions from George Psaltis and Psaltis Corporation, all of which was funded by George Psaltis, a foreign national.

47. Respondents have refunded the Psaltis contributions.

#### **Gilberto Pagan**

48. Respondents received a \$5,000 contribution on February 23, 1996 from a foreign national, Gilberto Pagan, a resident and citizen of the Dominican Republic. Mr. Pagan made his contribution by an "Official Check," resembling a cashier's check, drawn on the Royal Bank of Canada. Pagan's name and Dominican Republic address are typed on the memo line.

49. Joan Tumpson, a DNC lay fundraiser, solicited Pagan's contribution.

50 Respondents accepted a \$5,000 contribution from Gilberto Pagan, a foreign national.

51. Respondents have refunded the Pagan contribution.

#### **ACPC, Inc.**

52. Respondents received a \$50,000 contribution on April 25, 1996 from ACPC, Inc., a U.S. corporation. ACPC, Inc.'s president, Alfredo Riviere, a Venezuelan national, participated in the company's decision-making process regarding the contribution.

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53. Charles Dusseau and Howard Glicker, DNC lay fundraisers, solicited this contribution. By letter dated April 12, 1996, Glicker formally solicited Riviere to become a Trustee of the DNC by making a \$50,000 contribution. The solicitation letter was on DNC letterhead over Glicker's signature as Director, National Finance Board, and was addressed to Riviere in Caracas, Venezuela. Mr. Glicker informed DNC officials that he was soliciting Riviere and that Riviere was a foreign national.

54. ACPC, with Riviere's participation, thereupon decided to make the \$50,000 contribution to the DNC. The contribution entitled Mr. Riviere to attend the April 29, 1996 Presidential Gala in Miami, Florida and a reception at the home of Marvin Rosen, then DNC Finance Chairman, in Coral Gables, Florida.

55. The ACPC, Inc. contribution involved Alfredo Riviere, a foreign national, rendering the contribution illegal. See 11 C.F.R. § 110.4(a)(3).

56. Respondents refunded the ACPC, Inc. contribution.

#### Additional Impermissible Foreign National Contributions

57. Respondents accepted four additional foreign national contributions totaling \$105,000 as set out in the chart below.

Contributor	Date	Amount	DNC account	Basis of illegality
American Eco Corp.	6/28/96	\$10,000	Non-Federal	foreign corporation
Japan Green Stamp America, Inc.	7/17/95	\$85,000	Non-Federal	foreign national participated
T&W Arts & Crafts (USA) Inc.	5/17/96	\$5,000	Non-Federal	foreign national participated
T&W Arts & Crafts (USA) Inc.	7/31/96	\$5,000	Non-Federal	foreign national participated
TOTAL:		\$105,000		

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58. Respondents identified these contributions as illegal as part of their contribution review publicly announced on February 27, 1997. Respondents refunded these contributions on June 23, 1997, beyond the 30 day limit set out in 11 C.F.R. § 103.3(b)(2).

V. 1. Respondents accepted a \$250,000 contribution from Cheong Am America, Inc., that was made with foreign funds and with which a foreign national, Kyung Hoon "John" Lee, was directly involved, in violation of 2 U.S.C. § 441e(a). Respondents accepted a \$10,000 contribution from Comete Hong and a \$10,000 contribution from Kyung Hoon "John" Lee that were made with foreign funds, in violation of 2 U.S.C. § 441e(a). Respondents accepted Comete Hong's \$10,000 contribution that was a contribution made in the name of another and accepted Lucy Ham's contribution of which \$8,000 was a contribution made in the name of another, in violation of 2 U.S.C. § 441f. See Paragraphs IV.12-16.

2. Respondents accepted \$189,500 in foreign national contributions funneled by Yah Lin "Charlie" Trie through conduits, in violation of 2 U.S.C. § 441e(a). Respondents accepted \$151,500 of this figure into the federal account and so accepted contributions made in the name of another, in violation of 2 U.S.C. § 441f. In addition, the Commission found probable cause to believe that Respondents violated 2 U.S.C. §§ 441e(a) and 441f by accepting \$50,000 in contributions from Phyllis Caudle-Green. Respondents assert that the evidence has not shown that this \$50,000 in contributions is illegal. See Paragraphs IV.17-20.

3. Respondents accepted \$55,000 in corporate contributions from International Buddhist Progress Society, Inc. d/b/a Hsi Lai Buddhist Temple which were made in the names of others in violation of 2 U.S.C. §§ 441b(a) and 441f, respectively. Respondents accepted an in-kind corporate contribution from the Temple in violation of 2 U.S.C. § 441b(a). See Paragraphs IV.21-29.

4. The Commission found probable cause to believe that Respondents accepted contributions of \$20,000 each from Subandi Tanuwidjaja and Suryanti Tanuwidjaja in violation of 2 U.S.C. §§ 441e(a) and 441f. Respondents assert that the evidence has not shown that these contributions are illegal. See Paragraphs IV.30-34.

5. Respondents accepted contributions made by Chien Chuen "Johnny" Chung using funds from foreign sources in violation of 2 U.S.C. § 441e(a) and that were made in the name of another in violation of 2 U.S.C. § 441f. See Paragraphs IV.35-40.

6. Respondents accepted \$50,000 in contributions from George Psaltis and Psaltis Corporation, all of which was funded by George Psaltis, a foreign national, in violation of 2 U.S.C. § 441e(a). See Paragraphs IV.41-47.

7. Respondents accepted a \$5,000 contribution from Gilberto Pagan, a foreign national, in violation of 2 U.S.C. § 441e(a). See Paragraphs IV.48-51.

8. Respondents accepted a \$50,000 contribution from ACPC, Inc., in violation of 2 U.S.C. § 441e(a). See Paragraphs IV.52-56.

9. Respondents accepted contributions from American Eco Corp., Japan Green Stamp America, Inc., and T&W Arts & Crafts (USA), Inc., in violation of 2 U.S.C. § 441e(a). See Paragraphs IV.57-58.

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of One Hundred Fifteen Thousand dollars (\$115,000), pursuant to 2 U.S.C.

§ 437g(a)(5)(A), such penalty to be paid as follows:

1. One initial payment of \$75,000 due within 30 days from the date this agreement becomes effective.

2. An additional payment of \$40,000 due within 60 days from the date this

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agreement becomes effective.

3. In the event that the initial payment referenced above is not received by the Commission within 30 days from the date this agreement becomes effective, the Commission may, at its discretion, accelerate the remaining payment and cause the entire amount to become due upon ten days written notice to the Respondents.

VII. Respondents will disgorge \$128,000 to United States Treasury, representing contributions that the Commission has found to be illegal and that Respondents have not refunded or disgorged, such disgorgement to be paid within 60 days from the date this agreement becomes effective.

VIII. 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.

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

X. This Conciliation Agreement, unless violated, constitutes a complete and final agreement between the Respondents and the Commission regarding the activity addressed in these matters and is a complete bar to any further action by the Commission regarding the same.

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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 H. Norton  
General Counsel

BY: *Rhonda J. Vosdingh*  
Rhonda J. Vosdingh  
Acting Associate General Counsel

12/6/01  
Date

FOR THE RESPONDENTS:

*J. E. Sandler*  
(Name) Joseph E. Sandler  
(Position) General Counsel

11/8/01  
Date

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