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By Office of General Counsel at 9:51 am, Nov 12, 2021

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By Office of the Commission Secretary at 10:30 am, Nov 12, 2021

OFFICE OF  
GENERAL COUNSEL  
October 13, 2021

2021 OCT 27 PM 12:50

339 E Pine Ave  
Wake Forest, NC 27587  
703-999-8075  
Matthew\_Hoh@riseup.net

Federal Election Commission  
Office of General Counsel  
1050 First Street, NE  
Washington, DC 20463

Dear Commissioners,

I am a 100% disabled Marine Corps combat veteran. Due to my disability, I have not been able to earn much income outside of the disability pay I receive from the Veterans Administration (VA). For most of five years, beginning in 2015, I was unable to earn any money. In the last two years, I have been able to make approximately \$5,000 annually.

My health has improved due to treatment, medicine and therapies from the VA. I believe I can expand my ability to work as I am better able to function (my disability primarily comes from a traumatic brain injury). At the same time, as my health improved this past summer, I was asked to consider running for the Green Party nomination for the 2022 US Senate race in North Carolina.

As you can imagine, having limited income, other than my disability pay for the last six years, has resulted in personal debt for me. With the positive change in my health, if not for the possibility of a political campaign, my concern would be to find employment to supplement my disability pay. Due to the nature of my brain injury, working a job in parallel to running a state-wide campaign is not an option for me. I will note that being classified as 100% disabled by the VA does not limit other income or employment.

*My question is, for a candidate's salary, does my VA disability pay qualify as earned income? I do not pay taxes on my disability income, so I would expect it does not. However, the FEC appears to have no definition of earned income, so I am asking for an advisory opinion as a matter of due diligence.*

For clarification, I am not interested in receiving a candidate salary greater than \$1,000-\$2,000 a month, so a lesser amount than my monthly disability payments. My purpose in receiving a candidate salary is to keep ahead of my debt and be able to meet any unexpected personal expenses as I run a state-wide campaign over the better course of a year.

With regards to my campaign, I have filed FEC Forms 1 and 2. My candidate ID is: S2NC00562 and my committee name and ID is: Matthew Hoh for Senate/C00789842.

Please let me know if you need any additional information or have any questions. My phone is 703-999-8075 and my email address is matthew\_hoh@riseup.net.

I appreciate your time and assistance in this matter.

With respect and in peace,

A handwritten signature in black ink, appearing to read 'M. P. Hoh', with a long horizontal flourish extending to the right.

Matthew P. Hoh

**From:** [Matthew Hoh](#)  
**To:** [Kevin Paulsen](#)  
**Cc:** [Amy Rothstein](#)  
**Subject:** Re: Request for advisory opinion  
**Date:** Thursday, November 11, 2021 12:46:04 PM

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Hi Kevin and Amy,

Thank you for taking the time on Tuesday to speak with me.

The below is correct, with the exception that I expect my income for 2021 to be approximately \$8,000 (speakers bureau payments for media and driving uber).

Please let me know if you need anything else. I appreciate your assistance.

Peace,

Matt

On Nov 9, 2021, at 6:39 PM, Kevin Paulsen <[KPaulsen@fec.gov](mailto:KPaulsen@fec.gov)> wrote:

Mr. Hoh,

Thank you for speaking with us this afternoon. Below is a summary of the material facts you provided. Please kindly respond to this email confirming that the information below is accurate or, if necessary, provide any corrections. This information will become part of the complete advisory opinion request the Commission publishes on its website.

1. You currently receive non-taxable Veterans Affairs ("VA") disability compensation. Your candidacy will have no impact on your VA disability compensation, and you expect to continue to receive this VA compensation during your campaign.
2. In your letter received on Oct. 27, 2021, you stated that you received "approximately \$5,000 annually" for "the last two years." This is the total taxable income you earned as compensation for employment in 2020. You anticipate that you will earn a similar amount of total taxable annual income for employment in 2021, in addition to VA benefits.

Best,  
Kevin