

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: October 17, 2007

ANALYST: Lauren Lien

I. COMMITTEE: Lewis for Congress Committee
C00090357
Dr. Robert Percy, Treasurer
Post Office Box 247
Redlands, CA 92373

II. RELEVANT STATUTE: 2 U.S.C. §434(b)
11 CFR §104.3(a)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

The Lewis for Congress Committee (“the Committee”) amended its 2006 30 Day Post-General Report to disclose additional receipts totaling \$276,614.66 (Attachment 2).

On December 7, 2006, the Committee filed its original 2006 30 Day Post-General Report covering the period from October 19, 2006 to November 27, 2006 (Image 26930718572). This report disclosed \$3519.86 on Line 15 (Other Receipts – Dividends, Interest, etc.) and \$144,944.86 on Line 16 (Total Receipts) of Column A (Total this Period) on the Post-Election Detailed Summary Page (Image 26930718575).

On January 26, 2007, a Request for Additional Information (“RFAI”) was sent to the Committee referencing the 2006 30 Day Post-General Report. The RFAI requested further clarification regarding 2006 General Election contributions, the Summary and Detailed Summary Page information and also informed the Committee it may have failed to file 48 hour notices (Image 27039360784).

On February 27, 2007, the Committee filed an Amended 2006 30 Day Post-General Report, covering the period from October 19, 2006 to November 27, 2006 (Image 27930174336). The amended report again disclosed \$3519.86 on Line 15 (Other Receipts – Dividends, Interest, etc.) and \$144,944.86 on Line 16 (Total Receipts) of Column A (Total this Period) on the Post-Election Detailed Summary Page (Image 27930174339).

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On April 12, 2007, the Committee's Assistant Treasurer, Meredith Kelly, contacted the RAD analyst because the Committee did not report capital gains received from 2006 investments. The Analyst advised Ms. Kelly to amend the report in order to disclose the capital gain. The Analyst also informed Ms. Kelly that the Committee may also receive a RFAI if increased activity was disclosed on an amended report (Attachment 3).

On April 15, 2007, the Committee filed an Amended 2006 30 Day Post-General Report covering the period from October 19, 2006 to November 27, 2006 (Image 27930610158). The amended report disclosed \$280,134.52 on Line 15 (Other Receipts – Dividends, Interest, etc) and \$421,559.52 on Line 16 (Total Receipts) of Column A (Total this Period) on the Detailed Summary Page of Receipts. The report disclosed \$276,614.66 from a T. Rowe Prime Reserve Fund as a capital gain from the sale of stock on Schedule A (Itemized Receipts) supporting Line 15 and a \$335,000.00 transfer of excess funds to the National Republican Congressional Comm. on Schedule B (Itemized Disbursements) supporting Line 21 (Images 27930610160, 27930174377). The report included a memo text, which stated in full:

“The Committee learned in 2007 that a check drafted from the T. Rowe Price money market account and made payable to the NRCC on October 30, 2006 simultaneously triggered a sale of stock that resulted in a capital gain of \$276,614.66. The Committee received a 1099-B with the total gain information in 2007, and is now amending its report to reflect the net gain in the value of the sold stock. The Committee contacted the FEC to inform them of the oversight and to properly report the sale in an amendment.” (Image 27930610199)

On May 22, 2007, a RFAI was sent to the Committee referencing the Amended 2006 30 Day Post-General Report, received April 15, 2007. The RFAI requested clarification regarding the substantial increase in the amount of receipts that were not disclosed in the original filing (Image 27039444307).

On June 11, 2007, the Assistant Treasurer, Meredith Kelly, contacted the RAD analyst to ask how the committee should respond to the RFAI since they already explained the increase in a memo text within the Amended 2006 30 Day Post-General Report, filed on April 15, 2007. The Analyst advised Ms. Kelly that increased activity is an issue taken seriously by the Commission and explained that this was an opportunity for the Committee to add any other relevant information concerning the increase (Attachment 3).

On June 11, 2007, the Committee filed a Miscellaneous Electronic Submission (Form 99), which stated in full:

“In response to your letter dated May 22, 2007, the Committee learned in 2007 that a check drafted from the T. Rowe Price money market account made payable to the NRCC on October 30, 2006 simultaneously triggered a sale of stock that resulted in a capital gain of \$276,614.66. The Committee received a 1099-B with the total gain information in 2007, and is now amending its report to reflect the net gain in the value of the sold stock. The

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Committee contacted the FEC to inform them of the oversight and to properly report the sale in an amendment” (Image 27990148452).

On July 17, 2007, a Request for Additional Information (“RFAI”) was sent to the Committee referencing the Amended 2006 30 Day Post-General Report, received on April 15, 2007. The RFAI requested that the committee amend their report to include a Post-Election Detailed Summary Page (Image 27039474870).

On August 16, 2007, the Committee filed an Amended 2006 30 Day Post-General Report, covering the period from October 19, 2006 to November 27, 2006 (Image 27990487666). Like the Amended 2006 30 Day Post-General Report filed on May 15, 2007, this amended report filed on August 16, 2007 disclosed \$280,134.52 on Line 15 (Other Receipts – Dividends, Interest, etc) and \$421,559.52 on Line 16 (Total Receipts) of Column A (Total this Period) on the Post Election Detailed Summary Page (Image 27990487669).

To date, no further communication has been received from the Committee regarding this matter.

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FEDERAL ELECTION COMMISSION
 OGC INDEX - (0) (2005-2006)

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LEWIS, JERRY

ID #H8CA37079

LEWIS FOR CONGRESS COMMITTEE

HOUSE

ID #C00090357

Percy, Dr. Robert

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CA 92373

FILING FREQUENCY: QUARTERLY

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1			A	1/13/2006	14	26990051139						
MS			T	1/13/2005	1	25980155634						
MS			4	5/24/2006	2	26960119220						
MS			4	5/26/2006	2	26940176569						
MS			4	5/28/2006	2	26950136693						
MS			4	5/31/2006	2	26940178473						
MS			T	9/05/2006	1	26960351222						
MS			4	10/20/2006	7	26950662979						
MS			4	10/26/2006	2	26950726816						
MS			4	10/30/2006	2	26950732985						
MS			4	11/01/2006	2	26940572113						
28190274242 RQ	YE		2	2/07/2006	3	26038990117	10/01/2005 12/31/2005					
RQ	Q1		2	7/27/2006	3	26039153386	1/01/2006 3/31/2006					
RQ	12G		7	10/27/2006	2	26039254012	10/01/2006 10/18/2006					
RQ	30G		2	1/26/2007	6	27039360784	10/19/2006 11/27/2006					
RQ	30G		2	5/22/2007	3	27039444307	10/19/2006 11/27/2006					
RQ	30G		2	7/17/2007	3	27039474870	10/19/2006 11/27/2006					
3	Q1	N	2	4/12/2005	34	25990446651	1/01/2005 3/31/2005	1228761	17815	82329	1164246	0
3	Q2	N	2	7/15/2005	108	25970661192	4/01/2005 6/30/2005	1164246	307147	60576	1410818	0
3	Q2	A	2	1/25/2006	108	26990116396	4/01/2005 6/30/2005	0	307321	60750	246571	0
3	Q2	A	2	1/25/2006	108	26990119758	4/01/2005 6/30/2005	1164246	307321	60750	1410818	0
3	Q3	N	2	10/13/2005	73	25971158677	7/01/2005 9/30/2005	1410818	203975	50466	1564327	0
3	Q3	A	2	1/25/2006	73	26990117400	7/01/2005 9/30/2005	0	203975	50466	153509	0
3	Q3	A	2	1/25/2006	73	26990119905	7/01/2005 9/30/2005	1410818	203975	50466	1564327	0
3	YE	N	2	1/25/2006	41	26990121043	10/01/2005 12/31/2005	1564327	68865	69920	1563272	0
3	YE	A	2	2/22/2006	42	26980163913	10/01/2005 12/31/2005	1564327	68865	69920	1563272	0

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3	Q1	N	2	4/13/2006	40	26960047244	1/01/2006 3/31/2006	1563272	55494	94288	1524478	0
3	Q1	A	2	7/15/2006	42	26960218475	1/01/2006 3/31/2006	1563272	57895	104717	1516450	0
3	12P	N	2	5/25/2006	66	26930158350	4/01/2006 5/17/2006	1524478	179546	52397	1651627	0
3	12P	A	2	7/15/2006	66	26940252657	4/01/2006 5/17/2006	1516450	179546	52397	1643598	0
3	Q2	N	2	7/15/2006	27	26940252742	5/18/2006 6/30/2006	1643598	59976	214414	1489160	0
3	Q3	N	2	10/13/2006	93	26940421019	7/01/2006 9/30/2006	1489160	262162	691785	1059536	0
	12G	N	2	10/27/2006	23	26930554369	10/01/2006 10/18/2006	1059536	73892	67452	1065976	0
	12G	A	2	2/27/2007	22	27930174314	10/01/2006 10/18/2006	1059536	71892	67452	1063976	0
	30G	N	2	12/07/2006	42	26930718572	10/19/2006 11/27/2006	1065976	144944	362150	848770	0
	30G	A	2	2/27/2007	43	27930174336	10/19/2006 11/27/2006	1063976	144944	362150	846770	0
	30G	A	2	4/15/2007	42	27930610158	10/19/2006 11/27/2006	1063976	421559	362150	1123385	0
	30G	A	2	8/16/2007	43	27990487666	10/19/2006 11/27/2006	1063976	421559	362150	1123385	0
	YE	N	G	1/31/2007	9	27930113648	11/28/2006 12/31/2006	848770	10095	50152	808713	0
	YE	A	2	2/01/2007	8	27960046370	11/28/2006 12/31/2006	848770	10095	50152	808713	0
	YE	A	2	2/27/2007	8	27930174386	11/28/2006 12/31/2006	848770	10095	50152	806713	0
	YE	A	2	4/15/2007	8	27930610295	11/28/2006 12/31/2006	1123385	10095	50152	1083328	0
TOTAL									1661101	1806532		

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1			A	1/29/2007	16	27940089181						
MS			T	6/11/2007	1	27990148452						
3	Q1	N	2	4/15/2007	39	27930610355	1/01/2007 3/31/2007	1083328	123774	270140	936962	0
3	Q1	A	2	7/15/2007	40	27930936853	1/01/2007 3/31/2007	1083328	123774	270140	936962	0
3	Q2	N	2	7/15/2007	37	27930936893	4/01/2007 6/30/2007	936962	81550	86228	932284	0
3	Q3	N	2	10/15/2007	32	27990794207	7/01/2007 9/30/2007	932284	79580	56097	955766	0
TOTAL									284904	412465		

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Lewis for Congress Committee (C00090357)
30-Day Post-General Report/Amended 30-Day Post-General Report
Overview of Additional Receipt

Report Line	Original 30-Day Post-General Report, filed 12/7/06 (Image 26930718575)	Receipts: Amended 30-Day Post-General Report, filed 8/16/07 (Image 27990487669)	Receipt Variance Amount
Line 15: Other Receipts	\$3519.86	\$280,134.52	\$276,614.66
Line 16: Total Receipts	\$144,944.86	\$421,559.52	\$276,614.66
		Total Variance	\$276,614.66

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