



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 2068

Date Filmed 2/8/86 Camera No. --- 2

Cameraman AS

360405/64399

FEDERAL ELECTION COMMISSION

blue cards, RAD referral information, material pertaining
to conciliation, except where requested by Respondent to
be included; pre-brief report (should not have been
written - internal procedure not understood)

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☒ (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 _____
date _____

FEC 9-21-77

TDW
2/18/6

36040564400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Stewart for Congress, Inc.
Perry E. Hewitt, as treasurer

MUR 2068

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 2, 1986, the Commission decided by a vote of 4-0 to take the followings actions in MUR 2068:

1. Accept the conciliation agreement attached to the General Counsel's Report signed December 18, 1985, as amended by the Errata Memorandum to the Commission dated December 23, 1985.
2. Close the file.

Commissioners Elliott, Harris, McDonald and McGarry voted affirmatively for this decision; Commissioners Aikens and Josefiak did not cast a vote.

Attest:

1-3-86
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Fri., 12-20-85, 3:04
Circulated on 48 hour tally basis: Mon., 12-23-85, 11:00
Deadline for vote: Thurs., 1-2-86, 4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Stewart for Congress, Inc.
Perry E. Hewitt, as treasurer

MUR 2068

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 23, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 2068:

1. Enter into conciliation with Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's Report signed September 18, 1985.

Commissioners Aikens, Elliott, JOsefiak, McDonald and McGarry voted affirmatively in this matter; Commissioner Harris did not cast a vote.

Attest:

9-24-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:
Deadline for votes:

Thur., 9-19-85, 12:03
Thur., 9-19-85, 4:00
Mon., 9-23-85, 4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Tom Stewart for Congress, Inc.)
Perry E. Hewitt, as treasurer)

M 2068
RAD Referral No. 85L-19

CERTIFICATION

3 6 0 4 0 5 6 4 4 0 3
I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 30, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

1. Open a Matter Under Review.
2. Find reason to believe that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).
3. Approve the General Counsel's Factual and Legal Analysis.
4. Approve and send the letter attached to the General Counsel's report dated July 22, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

7-31-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



Tom Stewart

P.O. BOX 80
HARBOR SPRINGS, MICHIGAN 49740
OFFICE: (516) 347-5200
RES: (516) 528-8893

Treasurer's Office
P. O. Box 20
Newberry, Michigan
49868-0020

906 293-3111
906 293-3400
906 293-3211

RECEIVED AT THE FEC
GC# 9500
86 JAN 21 10:00

January 13, 1986

Mr. Laurence E. Tobey
Staff Attorney
Federal Election Commission
1325 "K" Street, N.W.
Washington, DC 20463

Dear Mr. Tobey:

Thank you for your call concerning our conciliatory agreement, MUR 2068, indicating that the Federal Election Committee has agreed to our proposed settlement.

We would appreciate your including our letter of November 18, 1985, in the final public record of our case MUR2068.

Sincerely,

Perry E. Hewitt
Treasurer

cc: Mr. Tom Stewart
P. O. Box 80
Harbor Springs, Michigan
49740-0080

36 JAN 21 11:39

RECEIVED
GENERAL COUNSEL



Tom Stewart

P.O. BOX 60
HARBOR SPRINGS, MICHIGAN 49740
OFFICE: (616) 347-6200
RES: (616) 526-8886

Treasurer's Office
P. O. Box 20
Newberry, Michigan
49868-0020

906 293-3111 293-3211 293-3400

November 18, 1985

Mr. Laurence E. Tobey
Staff Attorney
Federal Election Commission
1325 "K" Street, N.W.
Washington, DC 20463

Dear Mr. Tobey:

We are in receipt of your proposed Conciliatory Agreement, MUR 2068, dated September 30, 1985.

At this point we feel we should formally explain a few of the circumstances relative to our late reports, as well as mentioning the changes that have been instituted to avoid these situations in the future.

The Campaign obtained a Victor Computer, and originally put all of the financial data on it. Problems developed with the computer, and mid-July, 1985, records were transferred back onto 4 X 6 cards. Repair for the computer wasn't available in the area. This is why our July 26, 1984, report was filed late.

Problems for all of the reports were encountered, as two bank accounts were opened for the campaign. One in Marquette, Michigan, and the other in Petoskey, Michigan. As I live in Newberry (approximately 100 miles from each of these communities), completion of the reports involved consolidation of two sets of records. In December, 1984, both accounts were combined into one and I personally handle the depositing. If Mr. Stewart elects to run again, all financial records will be handled at one location in Newberry.

Enclosed for your perusal is a copy of an amended statement of organization dated December 10, 1984. Recently we received a letter from Stuart N. Herschfeld, Reports Analyst, addressed to our old address in Marquette. As you can see, all the records for this committee have not had the proper addresses on them as filed on the Statement of Organization and its later amendments.

Enclosed is a freshly amended Statement of Organization to transfer all mail and committee addresses to Newberry. As a new post office has just been completed in this community, my box number had to be changed by the postmaster.

CC49023
RECEIVED AT THE REC

85 NOV 25 4:24

NOV 25 11:12

GENERAL COUNCIL

36040564405

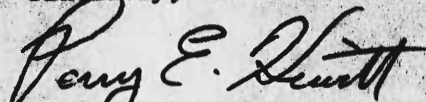
Mr. Laurence E. Tobey

-2-

November 18, 1985

Please let me know if this is satisfactory.

Sincerely,



Perry E. Hewitt
Treasurer

cc: Mr. Tom Stewart
P. O. Box 80
Harbor Springs, Michigan
49740-0080

36040564406

STATEMENT OF ORGANIZATION

(see reverse side for instructions)

1. (a) Name of Committee (in Full) ☒ Check if name or address is changed. Tom Stewart for Congress, Inc.	2. Date December 10, 1984
(b) Address (Number and Street) P. O. Box 852	3. FEC Identification Number 105988
(c) City, State and ZIP Code Petoskey, Michigan 49770	4. Is this an amended Statement? ☒ YES ☐ NO

5. TYPE OF COMMITTEE (check one):

- ☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Thomas P. Stewart Name of Candidate	Democratic Candidate Party Affiliation	Representative Office Sought	MI/11 State/District
---	--	--	--------------------------------

- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
None		

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name

Mailing Address and ZIP Code

Title or Position

Perry E. Hewitt

P.O. Box 4, Newberry, MI 49868 Treasurer
Res: 906 293-3400 or 906 293-3111 Ofc 906 293-3211

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name

Mailing Address and ZIP Code

Title or Position

Perry E. Hewitt

P. O. Box 4, Newberry, MI 49868 Treasurer
Res Tel 906 293-3400 or 906 293-3111 Office 906 293-3211

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address and ZIP Code

First National Bank of Petoskey, Main Office, Petoskey, MI 49770
First National Bank of Marquette, Main Office, Marquette, MI 49855
The Newberry State Bank, Newberry, Michigan, 49868

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Perry E. Hewitt

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

December 17, 1984

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

For further information contact:

Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4068

--	--	--	--	--	--	--	--	--	--

FEC FORM 1 (3/80)

36040564407

STATEMENT OF ORGANIZATION

(see reverse side for instructions)

Copy sent also to
Clerk of the House.

1. (a) Name of Committee (in Full) Tom Stewart for Congress, Inc.	2. Date November 18, 1985
(b) Address (Number and Street) P. O. Box 20	3. FEC Identification Number 105988
(c) City, State and ZIP Code Newberry, Michigan 49868-0020	4. Is this an amended Statement? ☒ YES ☐ NO

5. TYPE OF COMMITTEE (check one):

- ☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- | | | | |
|---|--|--|--------------------------------|
| <u>Thomas P. Stewart</u>
Name of Candidate | <u>Democratic</u>
Candidate Party Affiliation | <u>Representative</u>
Office Sought | <u>MI/11</u>
State/District |
|---|--|--|--------------------------------|
- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
None		

If the registering political committee has identified a "connected organization" above, please indicate type of organization:

- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
Perry E. Hewitt	P. O. Box 20, Newberry, MI 49868-0020 (906) 293-3111 293-3400 293-3211	Treasurer

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
Perry E. Hewitt	P. O. Box 20, Newberry, MI 49868-0020 (906) 293-3111 293-3400 293-3211	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
First National Bank of Petoskey, Main Office, Petoskey, MI	49770
The Newberry State Bank, P. O. Box 425, Newberry, MI	49868-0425

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Perry E. Hewitt
Type or Print Name of Treasurer

Perry E. Hewitt
SIGNATURE OF TREASURER

Nov. 18, 1985
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

For further information contact:

Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4068

--	--	--	--	--	--	--	--	--	--

FEC FORM 1 (3/80)

36040564408



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6081
January 13, 1986

Tom Stewart for Congress, Inc
Attn: Perry E. Hewitt, Treasurer
P.O. Box 20
Newberry, MI 49868

Re: MUR 2068
Tom Stewart for Congress, Inc.
and Perry E. Hewitt,
as treasurer

Dear Mr. Hewitt:

On January 2, 1986, the Commission accepted the conciliation agreement signed by you and a civil penalty in settlement of a violation of 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended.

Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

36040564409



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

OCT 29 1985

Perry E. Hewitt, Treasurer
Tom Stewart for Congress, Inc.
P.O. Box 476
Marquette, MI 49855

Identification Number: C00166405

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Hewitt:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Your report discloses \$3,819 on Line 17, Column A of the Detailed Summary Page as Operating Expenditures. You are reminded that each expenditure to a person which in the aggregate is greater than \$200 for the year must be reported on Schedule B. "Person" includes an individual, partnership, corporation, association, or public or private organization, other than an agency of the United States Government. Please amend your report if necessary. (11 CFR 104.3(b)(4)(i)(A))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Stuart N. Herschfeld
Reports Analyst
Reports Analysis Division

36040564410



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE FEDERAL
COMMISSIONER
SENSITIVE
85 DEC 24 AIO: 47

December 23, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: MUR 2068 - Erratum

Attached is a corrected page 2 of the
conciliation agreement in this matter presently
on circulation. Paragraph IV, 3 stated the date as
August 6, 1985; it should have been August 6, 1984.

KAG:ha

Attachment

36040564411

2. Perry E. Hewitt is the treasurer of Tom Stewart for Congress, Inc.

3. The Respondents were required to file the 12 day pre-primary election report by July 26, 1984. The report was filed on August 6, 1984, 11 days late.

4. The Respondents were required to file the 1984 October Quarterly report by October 15, 1985. The report was filed on October 22, 1984, 7 days late.

5. The Respondents were required to file the 1984 30 day post-general election report by December 6, 1984. The report was filed on December 21, 1984, 15 days late.

6. Respondents contend that the reports were late due to circumstances beyond Respondents' control.

V. 1. Respondents violated 2 U.S.C. § 434(a)(2)(A)(i) by failing to file the 12 day pre-primary report in a timely manner.

2. Respondents violated 2 U.S.C. § 434(a)(2)(A)(ii) by failing to file the 1984 30-day post general election report in a timely manner.

3. Respondents violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the 1984 October Quarterly report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Four Hundred Dollars (\$400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue

36040564412



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *rd*
DATE: December 24, 1985
SUBJECT: MUR 2068 - Errata Memo

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒
Sensitive ☒
Non-Sensitive ☐

24 Hour No Objection ☐
Sensitive ☐
Non-Sensitive ☐

Information ☐
Sensitive ☐
Non-Sensitive ☐

Other ☐

DISTRIBUTION

Compliance ☒
Audit Matters ☐

Litigation ☐
Closed MUR Letters ☐

Status Sheets ☐
Advisory Opinions ☐

Other (see distribution
below) ☐

36040564413

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Tom Stewart for Congress, Inc.
Perry E. Hewitt, as treasurer

MUR 2068

SENSITIVE

GENERAL COUNSEL'S REPORT

BACKGROUND

Attached is a conciliation agreement which has been signed by Perry E. Hewitt, the treasurer of Tom Stewart for Congress, Inc. ("the Committee"). See Attachment I.

36040564414

RECOMMENDATION

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Charles N. Steele
General Counsel

December 18, 1985
Date

BY:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

1. Signed Conciliation Agreement (1)
2. Check for civil penalty
3. Letter from Respondents with attachments
4. Proposed letter to Respondents

CCC#9023

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Tom Stewart for Congress, Inc.) MUR 2068
Perry E. Hewitt, as treasurer)
)

15 NOV 25 AIO:52

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer (hereinafter "the Respondents") violated 2 U.S.C. § 434(a)(2)(A)(i), (ii) and (iii).

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

IV. The pertinent facts in this matter are as follows:

1. Tom Stewart for Congress, Inc. is a political committee registered with the Commission.

3604056416

2. Perry E. Hewitt is the treasurer of Tom Stewart for Congress, Inc.

3. The Respondents were required to file the 12 day pre-primary election report by July 26, 1984. The report was filed on August 6, 1984, 11 days late.

4. The Respondents were required to file the 1984 October Quarterly report by October 15, 1984. The report was filed on October 22, 1984, 7 days late.

5. The Respondents were required to file the 1984 30 day post-general election report by December 6, 1984. The report was filed on December 21, 1984, 15 days late.

6. Respondents contend that the reports were late due to circumstances beyond Respondents' control.

V. 1. Respondents violated 2 U.S.C. § 434(a)(2)(A)(i) by failing to file the 12 day pre-primary report in a timely manner.

2. Respondents violated 2 U.S.C. § 434(a)(2)(A)(ii) by failing to file the 1984 30-day post general election report in a timely manner.

3. Respondents violated 2 U.S.C. § 434(a)(2)(A)(iii) by failing to file the 1984 October Quarterly report in a timely manner.

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Four Hundred Dollars (\$400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue

36040564417

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

X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and 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 valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross (Signature)
Kenneth A. Gross
Associate General Counsel

Date

1/10/86

FOR THE RESPONDENTS:

Perry E. Hewitt (Signature)
Perry E. Hewitt, treasurer
Tom Stewart for Congress, Inc.

Date

Nov. 20, 1985

36040564418



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2068

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: *MWE* MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: JULY 25, 1985
SUBJECT: OBJECTION - RAD REFERRAL 85L-19
First General Counsel's Report
signed July 22, 1985

The above-named document was circulated to the
Commission on Tuesday, July 23, 1985 at 11:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____
Commissioner McDonald	☒ X _____
Commissioner McGarry	_____
Commissioner Reiche	_____

This matter will be placed on the Executive Session
agenda for Tuesday, July 30, 1985.

36540564419



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *pd*
DATE: July 22, 1985
SUBJECT: RAD Ref. 85L-19 - First General Counsel's Rpt.

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [X]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

36040564420

**FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C.**

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

35 JUL 22 P 4: 1

**DATE AND TIME OF
TRANSMITTAL BY
OGC TO THE COMMISSION:**

**RAD REFERRAL NO. 85L-19
STAFF MEMBER: Laurence Tobey**

SENSITIVE

SOURCE OF REFERRAL: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAME: Tom Stewart for Congress, Inc.
Perry E. Hewitt, as treasurer

RELEVANT STATUTES: 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and
(iii)

**INTERNAL REPORTS
CHECKED:** Committee Reports

GENERATION OF MATTER

This matter arose from a referral to the Office of General Counsel from the Reports Analysis Division (hereinafter "RAD"), pursuant to RAD's Review and Referral Procedures for Authorized Committees. The referral states that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer (the "Committee" or "Respondent") an authorized committee, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii) by failing to file three reports in a timely manner during the 1983-84 election cycle.1/

FACTUAL AND LEGAL ANALYSIS

In a year during which there is a regularly scheduled election, a political committee which is the principal campaign

36040564421

committee of a candidate running in that election, such as Respondent, is required to file a 12 day pre-election report and four quarterly reports. The pre-election report must be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such an election. The post-general election report must be filed no later than the 30th day after any general election in which the candidate has run. The quarterly reports must be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year. 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).

In this matter, Respondent failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seven and fifteen days late.

On July 2, 1984, RAD sent Respondent prior notice to the fact that the Committee's 1984 12 day pre-primary election report, covering the period of July 1, 1984 through July 18, 1984, was due on July 26, 1984. On July 27, 1984, RAD sent Respondent a non-filer notice regarding that report. Respondent filed its 1984 12 day pre-primary election report on August 6, 1984, 11 days late.

On September 21, 1984, RAD sent Respondent prior notice of the fact that the Committee's 1984 October quarterly report,

86040564422

covering the period of July 19, 1984 through September 30, 1984, was due on October 15, 1984. Respondent filed that report on October 22, 1984, 7 days late.

On October 1, 1984, RAD sent Respondent prior notice of the fact that the Committee's 1984 30 day post-general election report, covering the period of October 18, 1984 through November 26, 1984, was due on December 6, 1984. RAD sent Respondent a non-filer notice regarding that report on December 21, 1984. Respondent filed its 30 day post-general election report on December 21, 1984, 15 days late.

On November 13, 1984, RAD sent Respondent a Chronic Late Filing Notice for failing to file its 1984 12 day pre-primary election and 1984 October quarterly reports in a timely manner. Subsequent to its receipt of that Notice, Respondent failed to file its 1984 30 day post-general election report in a timely manner. See chart.

<u>Report</u>	<u>Period Covered</u>	<u>Date Due</u>	<u>Date Filed</u>	<u>Days Late</u>
1984 12 day pre-primary election	7-1-84- 7-18-84	7-26-84	8-6-84	11
1984 October quarterly	7-19-84- 9-30-84	10-15-84	10-22-84	7
1984 30 day post-general election	10-18-84- 11-26-84	12-6-84	12-21-84	15

86040564423

By filing its reports in an habitually delinquent manner, Respondent violated the statutory provisions which require that such reports be filed in a timely manner. As such, the Office of General Counsel recommends that the Commission open a Matter Under Review and find reason to believe that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).

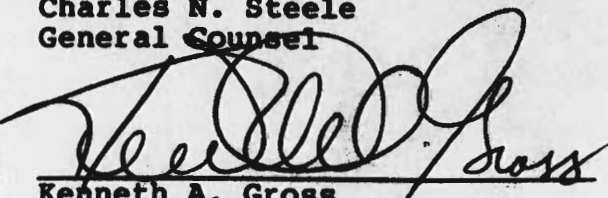
RECOMMENDATIONS

1. Open a Matter Under Review.
2. Find reason to believe that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).
3. Approve the General Counsel's Factual and Legal Analysis.
4. Approve and send the attached letter.

Charles N. Steele
General Counsel

July 22, 1985

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

1. Letter to Respondent.
2. General Counsel's Factual and Legal Analysis
3. RAD referral

86040564424



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Perry E. Hewitt, Treasurer
Tom Stewart for Congress, Inc.
P.O. Box 852
Petoskey, Michigan 49770

RE: MUR
Tom Stewart for Congress Inc.
Perry E. Hewitt, as treasurer

Dear Mr. Hewitt:

On , 1985, the Federal Election Commission determined that there is reason to believe that Tom Stewart for Congress, Inc. and you, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

36040564425

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 each counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Laurence Tobey, the staff member attorney assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

36040564426

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO.

RESPONDENT: Tom Stewart for Congress, Inc.
Perry E. Hewitt, as treasurer

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer (hereinafter the "Committee" or "Respondent"), allegedly violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii) by failing to file three reports in a timely manner during the 1983-84 election cycle.

FACTUAL AND LEGAL ANALYSIS

In a year during which there is a regularly scheduled election, a political committee which is the principal campaign committee of a candidate running in that election, such as Respondent, is required to file a 12 day pre-election report and four quarterly reports. The pre-election report must be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such an election. The post-general election report must be filed no later than the 30th day after any general election in which the candidate has run. The quarterly reports must be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year. 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).

36040564427

In this matter, Respondent failed to file three Reports of Receipts and Disbursements in a timely manner for the 1983-84 election cycle. The reports were filed between seven and fifteen days late.

On July 2, 1984, RAD sent Respondent prior notice to the fact that the Committee's 1984 12 day pre-primary election report, covering the period of July 1, 1984 through July 18, 1984, was due on July 26, 1984. On July 27, 1984, RAD sent Respondent a non-filer notice regarding that report. Respondent filed its 1984 12 day pre-primary election report on August 6, 1984, 11 days late.

On September 21, 1984, RAD sent Respondent prior notice of the fact that the Committee's 1984 October quarterly report, covering the period of July 19, 1984 through September 30, 1984, was due on October 15, 1984. Respondent filed that report on October 22, 1984, 7 days late.

On October 1, 1984, RAD sent Respondent prior notice of the fact that the Committee's 1984 30 day post-general election report, covering the period of October 18, 1984 through November 26, 1984, was due on December 6, 1984. RAD sent Respondent a non-filer notice regarding that report on December 21, 1984. Respondent filed its 30 day post-general election report on December 21, 1984, 15 days late.

On November 13, 1984, RAD sent Respondent a Chronic Late Filing Notice for failing to file its 1984 12 day pre-primary

election and 1984 October quarterly reports in a timely manner. Subsequent to its receipt of that Notice, Respondent failed to file its 1984 30 day post-general election report in a timely manner. See chart.

<u>Report</u>	<u>Period Covered</u>	<u>Date Due</u>	<u>Date Filed</u>	<u>Days Late</u>
1984 12 day pre-primary election	7-1-84- 7-18-84	7-26-84	8-6-84	11
1984 October quarterly	7-19-84- 9-30-84	10-15-84	10-22-84	7
1984 30 day post-general election	10-18-84- 11-26-84	12-6-84	12-21-84	15

By filing its reports in an habitually delinquent manner, Respondent violated the statutory provisions which require that such reports be filed in a timely manner. As such, the Office of General Counsel recommends that the Commission open a Matter Under Review and find reason to believe that Tom Stewart for Congress, Inc. and Perry E. Hewitt, as treasurer, violated 2 U.S.C. §§ 434(a)(2)(A)(i), (ii) and (iii).

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 3 May 1985

ANALYST: Gregory Swanson

I. COMMITTEE:

Tom Stewart for Congress, Inc.
(C00166405)
Perry E. Hewitt, Treasurer
(July 17, 1984-present)
Gerald Drake, Treasurer
(April 11, 1983-July 17, 1984)
P.O. Box 852
Petoskey, MI 49770

II. RELEVANT STATUTES:

2 U.S.C. §441a(f)
2 U.S.C. §434(a)(2)(A)(i), (ii) and
(iii)
11 CFR 104.5(a)(1)(i), (ii) and (iii)

III. BACKGROUND:

86040564430

2. Possible Violations Discovered During Referral Preparation

The final review of reports filed by the Committee prior to this referral disclosed the receipt of additional apparent excessive contributions totalling either \$1,200 or \$1,300 on the 1984 October Quarterly and 12 Day Pre-General Reports. The 1984 July and October Quarterly Reports disclosed the receipt of two (2) contributions totalling \$1,700 (with an aggregate year-to-date total of \$1,800) designated for the 1984 primary election from an individual (see Chart A and Attachments 12 and 13).

The 1984 October Quarterly and 12 Day Pre-General Reports disclosed the receipt of two (2) contributions totalling \$1,500 designated for the 1984 general election from an unregistered organization (see Chart A and Attachments 2 and 3). It appeared, therefore, that the Committee received apparent excessive contributions totalling either \$700 or \$800 for the 1984 primary election and apparent excessive contributions totalling \$500 for the 1984 general election. An Informational Notice ("IN") noting the receipt of the apparent excessive contributions was sent to the Committee on April 23, 1985 for the 1984 October Quarterly and 12 Day Pre-General Reports (Attachment 14). To date, no response has been received.

36040564431

B. Failure to Timely File Reports
- 2 U.S.C. §434(a)(2)(A)(i), (ii) and (iii)

The Committee has failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1983-1984 election cycle (see Chart B). The reports were filed between seven (7) and fifteen (15) calendar days late.

On November 13, 1984, a Chronic Late Filing Notice was sent to the Committee for failing to file the 1984 12 Day Pre-Primary and October Quarterly Reports in a timely manner (Attachment 21). The notice advised the Committee that any additional late filing of reports may result in legal enforcement action. Subsequent to the receipt of the Chronic Late Filing Notice, the Committee failed to file the 1984 30 Day Post-General Report in a timely manner.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

86040564432

Chart B

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1984 12 Day Pre-Primary (7/1/84-7/18/84)	7/2/84 (Attachment 15)	7/26/84	7/27/84 (Attachment 16)	8/6/84 (Attachment 17)
1984 October Quarterly (7/19/84-9/30/84)	9/21/84 (Attachment 18)	10/15/84	N/A	10/22/84 (Attachment 19)
1984 30 Day Post-General (10/18/84-11/26/84)	10/1/84 (Attachment 20)	12/6/84	12/21/84 (Attachment 22)	12/21/84 (Attachment 23)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

RQ-3

January 24, 1985

Perry B. Hewitt, Treasurer
 Tom Stewart for Congress, Inc.
 P.O. Box 852
 Petoskey, MI 49770-0852

Identification Number: C00166405

Reference: October Quarterly (7/1/84-9/30/84), 12 Day Pre-
 General Report (10/1/84-10/17/84) and 30 Day Post-
 General (10/18/84-11/26/84) Reports

Dear Mr. Hewitt:

This letter is to inform you that as of January 23, 1985, the Commission has not received your response to our requests for additional information dated January 2, 1985. Those notices requested information essential to full public disclosure of your Federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). Copies of our original requests are enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Gregory Swanson on our toll-free number (800) 424-9530 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
 John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

Enclosures

B 690540356443A3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 2, 1984

MICHIGAN PRIMARY ELECTION FILING REQUIREMENTS

WHO MUST FILE

All political committees authorized by candidates* in the Michigan Primary Election scheduled to be held August 7, 1984, must file a pre-election report by July 26, 1984.

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through July 18, 1984. Political committees that have not previously filed a financial report should report all financial activity from the date of candidacy** through July 18, 1984.

WHEN TO FILE

Reports sent registered or certified mail must be postmarked no later than July 23, 1984. Reports hand delivered or mailed first class must be received no later than close of business July 26, 1984. (SEE ADDITIONAL REPORTING INFORMATION ON REVERSE SIDE).

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed forms for details.

LAST MINUTE CONTRIBUTIONS

Last minute contributions of \$1,000 or more received, by authorized committees, between two and 20 days before the election must be reported within 48 hours of their receipt.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*Individuals should refer to the enclosed brochure for the definition of the term "candidate," and registration requirements. If you determine that you meet the definition of candidate, your principal campaign committee should comply with the above reporting requirements. Appropriate forms are enclosed.

**The first report filed by a committee shall include all amounts received or disbursed prior to authorization by the candidate, even if such amounts were not received during the current reporting period. See 11 CFR 101.3; 104.3(a) and (b). Activity which occurred prior to 1984 should be reported separately.

96040564435

CALENDAR OF REPORTS FOR THE MICHIGAN PRIMARY ELECTION

NAME OF REPORT	PERIOD COVERED	REG./CERT. MAILING DATE	FILING DATE
July 15 Quarterly	4/1* - 6/30	7/15/84	7/15/84
Pre-Primary	7/1 - 7/18	7/23/84	7/26/84
Oct. 15 Quarterly	7/19 - 9/30	10/15/84	10/15/84

*Disclose all financial activity of the committee from the last report filed or the date of candidacy, whichever is later.

FOR INFORMATION CALL: Office of Public Communications
202/523-4068
800/424-9530

36040564436



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

EQ-7

(This is a copy of the text of a mailgram sent to the committee listed below on July 27, 1984.)

Ferry B. Hewitt, Treasurer
Tom Stewart for Congress, Inc.
329 W. Washington Street
P.O. Box 476
Marquette, MI 49855

Identification Number: C00166405

Reference: 12 Day Pre-Primary Report (7/1/84-7/18/84)

It has come to the attention of the Federal Election Commission that you may have failed to file the 12 Day Pre-Primary Report of receipts and expenditures as required by the Federal Election Campaign Act, as amended. Unless you recently registered, prior notification was sent to you approximately 24 days ago advising you of your filing dates. You will be allowed four (4) business days from the date of this notice to file the 12 Day Pre-Primary Report. The report should be filed with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 119 D Street, NE, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the appropriate Secretary of State or equivalent state officer.

If you have filed the report timely by certified or registered mail, please notify us immediately, in writing, of the certified or registered number and the date that the report was sent. The failure to file this report may result in publication, audit or legal enforcement action.

If you have any questions regarding this matter, please contact the Reports Analysis Division on our toll free number (800) 424-9530 or on our local number (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

3 6 0 4 0 5 6 4 4 3 7
8 4 0 3 3 4 3 9 0

AUG 2 1984

REGULAR MAIL

Attachment 17

(Summary Page)

1. Name of Candidate (in Full) Tom Stewart for Congress	2. FEC Identification Number 105082
Address (Number and Street) P. O. Box 476	3. Check if address is different than previously reported. ☐ YES ☒ NO
City, State and ZIP Code Marquette, Michigan 49855-0476	

4. TYPE OF REPORT

☐ April 15 Quarterly Report ☒ Twelfth day report preceding election on Aug. 7th in the State of Michigan.

☐ July 15 Quarterly Report ☐ Thirtieth day report following the General Election on _____ in the State of _____.

☐ October 15 Quarterly Report ☐ Termination Report

☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-election Year Only)

This report contains activity for - ☒ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	<u>7-1-84</u> Through <u>7-18-84</u>		
6. Net Contributions (other than loans):			
(a) Total Contributions (other than loans) (from Line 11c)		\$ 9,127.65	\$ 63,405.47
(b) Total Contribution Refunds (from Line 28d)		\$ 25.00	\$ 25.00
(c) Net Contributions (other than loans) (Subtract Line 6b from 6a)		\$ 9,102.65	\$ 63,380.47
7. Net Operating Expenditures:			
(a) Total Operating Expenditures (from Line 17)		\$ 21,131.36	\$ 50,167.23
(b) Total Offsets to Operating Expenditures (from Line 14)		\$.00	\$.00
(c) Net Operating Expenditures (Subtract Line 7b from 7a)		\$ 21,131.36	\$ 50,167.23
8. Cash on Hand at Close of Reporting Period (from Line 27)		\$ 1,339.67	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ 898.75	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-426-6930
Local 202-693-4800

Forrest E. Hewitt
Type or Print Name of Treasurer
Forrest E. Hewitt
Signature of Treasurer

AUGUST 1, 1984.
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--

FEC FORM 3 (12/83)

33404102564338



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 18
Page 1 of 2

September 21, 1984

**OCTOBER 15 QUARTERLY NOTICE
FOR CONGRESSIONAL POLITICAL COMMITTEES**

WHO MUST FILE

The principal campaign committee of each Congressional candidate seeking election in 1984 must file a quarterly report by October 15, 1984. (See below for Semiannual Filing Requirements.)

WHAT MUST BE REPORTED

All financial activity must be disclosed from the last report filed through September 30, 1984. Political committees which have not filed a financial disclosure report should report all financial activity from the date of candidate status* through September 30, 1984.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than October 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 15, 1984.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3, for details.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

SEMIANNUAL FILERS

Committees authorized by candidates for a Federal election held prior to 1984 or for a future election (i.e., a year other than 1984) need only file a year-end report by January 31, 1985, covering the later of the last report filed or the date of candidate status,* through December 31, 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to authorization by the candidate, even if such amounts were not received during the current reporting period. See 11 CFR 101.3; 104.3(a) and (b).

-over-

36040564439

REMINDER FOR QUARTERLY FILERS

REPORTS DUE FOR THE REMAINDER OF 1984

The next report required by the principal campaign committee of a candidate who sought election in 1984, but who is not participating in the upcoming general election, is the year-end report. This report must be filed by January 31, 1985.

Committees participating in the general election will receive a notice informing them of their pre and post-general election filing requirements.

FOR INFORMATION CALL: Office of Public Communications
800/424-9530 or 202/523-4068

36040564410

REGULAR MAIL

For Authorized Committee

Attachment 19

(Summary Page)

1. Name of Committee (in Full)
Tom Stewart for Congress, Inc.

2. Identification Number
105988

3. Is this Report an Amendment?
☐ YES ☒ NO

4. Check if address is different than previously reported.
☐ YES ☒ NO

5. City, State and Zip Code
Marquette, Michigan 49855

TYPE OF REPORT

- ☐ April 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☒ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid Year Report (Non election Year Only)
- ☐ Twelfth day report preceding election on _____ in the State of _____
- ☐ Twelfth day report following the General Election on _____ in the State of _____
- ☐ Termination Report

This report contains activity for: ☐ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year to Date
5	Covering Period 7-19-84 through 9-30-84		
6	Net Contributions (other than loans)		
	(a) Total Contributions (other than loans) (From Line 11 (a))	75,008.22	138,413.69
	(b) Total Contribution Refunds (from Line 20 (d))	.00	25.00
	(c) Net Contributions (other than loans) (subtract Line 6 (b) from 6 (a))	75,008.22	138,388.69
7	Net Operating Expenditures		
	(a) Total Operating Expenditures (from Line 17)	58,212.43	108,379.66
	(b) Total Offsets to Operating Expenditures (from Line 14)	.00	.00
	(c) Net Operating Expenditures (subtract Line 7 (b) from 7 (a))	58,212.43	108,379.66
8	Cash on Hand at Close of Reporting Period (from Line 27)	21,635.46	
9	Debts and Obligations Owed TO The Committee (itemize all on Schedule C or Schedule D)	.00	
10	Debts and Obligations Owed BY The Committee (itemize all on Schedule C or Schedule D)	19,039.13	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:
 Federal Election Commission
 Toll Free 800 426 6930
 Local 202 673 4000

Perry E. Hewitt

Type or Print Name of Treasurer

Perry E. Hewitt
 SIGNATURE OF TREASURER

October 15, 1984.
 Date

NOTE: Submission of false erroneous or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3 (3/80)

34012741098



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1984

**GENERAL ELECTION FILING NOTICE
FOR AUTHORIZED COMMITTEES**

WHO MUST FILE

The principal campaign committee of candidates* who are seeking election in the 1984 general elections must file the pre-election report due October 25, 1984, and the post-election report due December 6, 1984.

WHAT MUST BE REPORTED

The pre-election report must disclose all financial activity of the campaign from the later of, the last report filed or the date of candidate status** through October 17, 1984. The post-election report must cover all financial activity of the campaign from October 18 through November 26, 1984. (See the chart below.)

WHEN TO FILE

Pre-election reports sent by registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

Post-election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

NOTE: Last Minute Contributions

Last minute contributions of \$1,000 or more received, by authorized committees, between two and 20 days before the general election must be reported within 48 hours of their receipt.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3, for details.

*Individuals should refer to the enclosed brochure for the definition of the term "candidate," and the registration requirements. If you determine that you meet the definition of candidate, your principal campaign committee should comply with the above reporting requirements. Appropriate forms are enclosed.

**The first report filed by a committee shall include all amounts received or disbursed prior to authorization by the candidate, even if such amounts were not received during the current reporting period. See 11 CFR 101.3; 104.3(a) and (b)

3 6 0 4 0 5 6 4 4 2

REPORTS DUE DURING OCTOBER, DECEMBER AND JANUARY

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg/Cert. Mailing Date</u>	<u>Filing Date</u>
3rd Quarterly*	7/01** - 9/30/84	10/15/84	10/15/84
Pre-General	10/01 - 10/17/84	10/22/84	10/25/84
Post-General	10/18 - 11/26/84	12/06/84	12/06/84
Year-end	11/27 - 12/31/84	1/31/85	1/31/85

*Presidential committees that file monthly need not file this report.

Presidential committees of candidates who are not participating in the general election may continue to file monthly reports, or file pre-general and post-general election reports as indicated above. Monthly reports are due the twentieth of each month and should cover all financial activity of the previous month. The next two monthly reports are due November 20 and December 20, 1984.

**Committees that file quarterly reports should use this date, the date of the last report filed, or the date of candidate status, whichever is the latest.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

FOR INFORMATION CALL: Office of Public Communications
800/424-9530 or 202/523-4068

3604056443



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

NOV 13 1984

MS-2

Perry E. Hewitt, Treasurer
Tom Stewart for Congress
329 West Washington Street
Marquette, MI 49855

Identification Number: C00166405

Reference: 1984 Election Cycle Reports

Dear Mr. Hewitt:

This letter is prompted by the Commission's review of the reports required to be filed by your committee. The following is a list of reports your committee apparently has failed to file in a timely manner.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
12 Day Pre-Primary (7/1/84-7/18/84)	7/26/84	8/6/84
October Quarterly (7/19/84-9/30/84)	10/15/84	10/22/84

Timely filing is a specific requirement of the Federal Election Campaign Act and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views failure to timely file reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending with the Commission, any additional failure to timely file a required report by your committee may result in the Commission initiating legal enforcement or audit action.

If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Peter Kelli Jr.
Chief
Authorized Branch

8604056444
31733103805



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

EQ-7

December 21, 1984

Perry E. Hewitt, Treasurer
Tom Stewart for Congress, Inc.
329 W. Washington Street
P.O. Box 476
Marquette, MI 49855

Identification Number: C00166403

Reference: 30 Day Post-General Report (10/18/84-11/26/84)

Dear Mr. Hewitt:

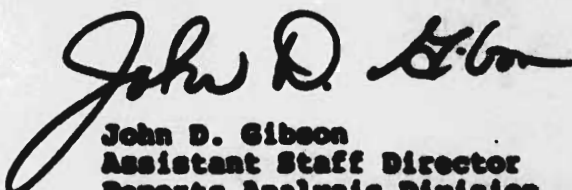
It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Clerk of the House, Office of Records and Registration, 1036 Longworth House Office Building, Washington, DC 20515, or the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, as appropriate. A copy of the report should also be filed with the Secretary of State or equivalent state officer of your state.

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Gregory Swanson on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,


John D. Gibson
Assistant Staff Director
Reports Analysis Division

3964004303564445

1. Name of Committee (in Full)

Tom Stewart for Congress, Inc.

Address (Number and Street)

P. O. Box 932

City, State and ZIP Code

Peteckey, Michigan 49770-0932

If check is added to different form previously reported.

TYPE OF REPORT

☐ April 15 Quarterly Report☐ Twelfth day report preceding☐ July 15 Quarterly Report

election on _____ in the State of _____

☐ October 15 Quarterly Report☒ Twelfth day report following the☐ January 31 Year End Reporton Nov. 6, '84 in the State of Michigan☐ July 31 Mid Year Report (Non-election Year Only)☐ Termination ReportThis report contains activity for - ☐ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

2. Covering Period 10-18-84 Through 11-26-84

3. Net Contributions (other than loans):

(a) Total Contributions (other than loans) (From Line 11a)

\$ 43,935.35

\$ 217,473.04

(b) Total Contribution Refunds (From Line 20a)

\$.00

\$ 85.00

(c) Net Contributions (other than loans) (Subtract Line 3b from 3a)

\$ 43,935.35

\$ 217,448.04

7. Net Operating Expenditures:

(a) Total Operating Expenditures (From Line 17)

\$ 59,342.02

\$ 207,818.32

(b) Total Offsets to Operating Expenditures (From Line 14)

\$.00

\$.00

(c) Net Operating Expenditures (Subtract Line 7b from 7a)

\$ 59,342.02

\$ 207,818.32

8. Cash on Hand at Close of Reporting Period (From Line 27)

\$ 1,256.15

9. Debts and Obligations Owed TO the Committee
(Provide all on Schedule C or Schedule D)

\$.00

10. Debts and Obligations Owed BY the Committee
(Provide all on Schedule C or Schedule D)

\$ 18,821.62

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-426-6900
Local 202-693-6000

Perry E. Howitt

Type or Print Name of Treasurer

Perry E. Howitt

12/15/84

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 4373.

All previous versions of FEC FORM 2 and FEC FORM 2a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--

FEC FORM 2 (8/83)

360405644346

96040564447



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE BEGINNING OF MUR # 2068

Date Filmed 2/8/86 Camera No. --- 2

Cameraman AS