

386 Boyer Court  
Marshall, MI 49068  
August 21, 1998

MUR 480C

Office of General Counsel  
Federal Election Commission  
999 E Street Northwest  
Washington, DC 20463

RE: Complaint About the "Nick Smith for Congress Committee"

I am writing to file a formal complaint with the FEC about irregularities in the campaign-finance reports filed by the Nick Smith for Congress Committee (FEC campaign ID #C00265157), the campaign committee for Rep. Nick Smith, R-MI/07 (FEC candidate ID #H2MI04021). The details of the complaint are presented in the attached document.

The apparent violations include (among others) excessive contributions by individuals, failure to report contributions from political action committees, and contributions by foreign nationals. Every specific item mentioned is documented with the 11-digit microfilm image numbers of the reports filed by the Smith committee and/or others with the FEC; other evidence is also described where available.

I hope that this action leads to justice being done, and I look forward to hearing from you.

Signed and sworn to before me this day.

Sincerely yours,

JEFFREY J. HODGES  
Notary Public, Eaton County, MI  
My Comm. Expires June 20, 2001

*John Anthony La Pietra*  
8/24/98  
John Anthony La Pietra  
386 Boyer Court  
Marshall, MI 49068

*Jeffrey J. Hodges*  
*Notary in Eaton County*

\* \* \* \* \*

Complainant:

John Anthony La Pietra

Current Address & Other Contact Information:

address: 386 Boyer Court • Marshall, Michigan [MI] 49068  
phone:

e-mail: jalp@internet1.net

(Note: I am preparing to move, and some of this information will need to be updated. As soon as I can establish more lasting contact information, I will inform you. In the meantime, please use the above contact points.)

Respondents:

- Rep. Nick Smith 1278[0] Addison Road • Addison, MI 49220 (for 1-62, G1-6)
- Nick Smith for Congress Committee P. O. Box 20142 • Lansing, MI 48901 (for 1-62, G1-6)
- David J. Lambert [treasurer, 4/2/92~2/19/95] 1522 Hudson Road • Hillsdale, MI 49242 (for 1-2, 6, 14, 16-17, 19, 22-23, 25-29, 32-35, 37-42, 44, 46, 48, 50-52, 55, 58, 61-62)
- F. Robert Lally [treasurer, 2/19/95~present] 1515 Greenwood Ave. • Jackson, MI 49203 (for 3-5, 7-13, 15, 18, 20-21, 24, 30-31, 35-38, 43, 45, 47, 49, 53-54, 56-57, 59-60, G1-6)

(Note: Mr. Lambert was responsible, as Smith campaign treasurer, for reports filed in the 1991-92 and 1993-94 cycles; Mr. Lally prepared the 1995-96 and 1997-98 reports. Items 35 and 37-38 involve reports filed by both.)



On the other hand, Mr. Fujihira's own address is listed in Novi, near Detroit and 1½ to 2 hours away from Parma – so he may in fact have been working for one of the other Japanese companies listed in the section on Japanese-related contributions.)

• Harvey Gainey	1624 Beard Drive SE	Grand Rapids, MI 49546	(for 15)
• Ted Gatzaros *	400 Monroe	Detroit, MI 48226	(for 16)
• Al[vin] Glick *	P. O. Box 927	Jackson, MI 49204	(for 17)

(Note: Other contributions from Mr. Glick were listed with a street address of 3104 Broad in Jackson, with and without the post-office box. Both have also been reported as addresses for his company, Alro Steel.)

• Joyce Grace	3403 Stonewall Road	Jackson, MI 49203	(for 18)
• Atsuhiko Ha[y]akawa *	P. O. Box 69	Parma, MI 49269	(for 19)

(Note: The report lists the contributor's last name as "Hajakawa", but the complainant has reason to believe that his actual last name may be Hayakawa. This person, too, is believed to be a Japanese national who was assigned to work at MACI at the time, but is not so now; this time, the only available contact address is the company.)

• Erich P. Henkel	23456 Struwin Road	Battle Creek, MI 49017	(for 20)
• Tom & Laurel Henkel	151 Honey Lane	Battle Creek, MI 49015	(for 21)

(Note: This item involves the allocation of a contribution from Tom & Laurel Henkel to an unspecified "other" election. As with the Farhats, if the Henkels did not make that designation, they might not be involved in the violation, and would thus no longer be respondents.)

• Jiro Iida	43200 Lochrisen Way, #3003	Novi, MI 48375	(for 22)
• Larry Jennings	1926 Q Drive	Clarklake, MI 49233	(for 24)

(Note: This item involves contributions from several years ago; the address reported for them was – and is – Mr. Jennings' business address. The above address was taken from more recent contributions.)

• Masafumi Kamei *	795 Fritz Keiper Blvd.	Battle Creek, MI 49015	(for 25)
--------------------	------------------------	------------------------	----------

(Note: The report lists the employer as MACI, but the contributor's address reported above is in fact for another Japanese-related firm in the area – Toyota Tsushō. Thus, that is probably the best contact address.)

• Takashi Katoh	1850 Lexington	Jackson, MI 49201	(for 26)
• Tsuneko Katoh	1850 Lexington	Jackson, MI 49201	(for 27)

(Note: The 1992 report indicates "Kotah" as the last name, but Mr. Katoh's 1993 donation was listed under this much more common and likely last name. Again, MACI is the employer, and probably the best contact point.)

• Mineo Kawai *	One Denso Road	Battle Creek, MI 49015	(for 28)
-----------------	----------------	------------------------	----------

(Note: The address listed is for the donor's employer at the time, then called Nippondenso but now just Denso.)

• Asa [E.] Kelley	6690 N. Rollin Highway	Addison, MI 49220	(for 29)
• Congresswoman Sue W. Kelly *	1222 LHOB	Washington, DC 20515	(for 30)
• V. C. Knight	216 N. Talbot	Addison, MI 49220	(for 31)
• Beverly Lambkin	1340 Austscot	Jackson, MI 49203[?]	(for 32)
• William S. [Bill] Lambkin	1340 Austscot	Jackson, MI 49203[?]	(for 33)
• Edward T. Leutheuser	21151 Mesarica	Covina, CA 91724	(for 34)
• Eugene [H.] McKay Jr. *	5451 Dickman Road	Battle Creek, MI 49015	(for 35)

• Eugene H., Jr. & Janice McKay 5451 Dickman Road Battle Creek, MI 49015 (for 36)

(Note: The address listed is Mr. McKay's work address; he is identified as an executive of Archway Cookies.)

• Orville [D.] Merillat	3500 Birnwick Drive	Adrian, MI 49221	(for 37)
• Ruth Merillat	3500 Birnwick Drive	Adrian, MI 49221	(for 38)
• David C. Miller	2127 Spring Arbor Drive	Jackson, MI 49203	(for 39)
• Masakazu Moritani Sr.	7825 Montero Drive	Prospect, KY 40059	(for 40)

(Note: No employer information was reported for Mr. Moritani, and so there is no better contact information.)

• Shigenori Nakayama • P. O. Box 69 Parma, MI 49269 (for 41)

(Note: Again, MACI is the listed employer of the contributor, and probably the best contact point.)

• Sietsema Orchards 3271 Knapp NE Grand Rapids, MI 49505 (for 43)

(Note: This may be a family business. However, there is no known individual to contact.)

• U. E. Patrick •	P. O. Box 747	Jackson, MI 49204	(for 44)
• George Petredean	P. O. Box 235	Homer, MI 49245	(for 45)
• Harish Rawal	1004 Brownslake Road	Jackson, MI 49203	(for 46)
• Peter Rosewig Jr. *	11655 Venture Drive	Whitmore Lake, MI 48189	(for 47)
• Shonojo Satake	4301 W. Fox Ridge Lane	Greenwood, IN 46143	(for 48)

(Note: This possible Japanese national is apparently still at the address listed in the report on this contribution.)

• Gary [L.] Seevers	60 Center Street	Westport, CT 06880	(for 49)
• John [J. / T. ?] Smith	1839 S. Walmont	Jackson, MI 49203	(for 50)
• Ethon [L.] Stone *	721 17th Street	Jackson, MI 49203	(for 51)
• Kenji Takagi	< no street address >	Battle Creek, 490??	(for 52)

(Note: The best way to contact this respondent may be through the greater Battle Creek area "Japan Club" of Japanese-related joint ventures, subsidiaries, etc. and the Japanese employees assigned to work at them. MACI, Denso, Toyota Tsusho, and Hi-Lex Corporation - the complainant's former company - are all members.)

• Al[bert] Thorrez	715 S. Thompson Street	Jackson, MI 49203	(for 53)
• Elizabeth Thorrez	715 S. Thompson Street	Jackson, MI 49203	(for 54)
• Stan Tooley	119 Sunnyside	Battle Creek, MI 49015	(for 55)
• Marinus VanOoyen	3416 Birnwick	Adrian, MI 49221	(for 56)
• Maple Villa	Route 1	Quincy, MI 49082	(for 57)

(Note: This is the best contact information available.)

• Lee Walton	1990 W. High St.	Jackson, MI 49203	(for 58)
• Ronald Weiser	855 Colliston Road	Ann Arbor, MI 48105	(for 59)
• Patricia Werderitsch	6371 Saline-Ann Arbor Road	Saline, MI 48176	(for 60)
• Isao Yoshida	27 Glen Cove Drive	Arden, NC 28704	(for 61)

(Note: Like Mr. Satake, Mr. Yoshida is apparently still at the address listed in the report on this contribution.)

• Toshiharu Yoshii 43298 Boulder Ct., #2704 Novi, MI 48375 (for 62)

## Complaint to FEC About "Nick Smith for Congress Committee"

### Complaint to FEC About Individual Contributions Reported by the "Nick Smith for Congress Committee"

These complaint items are numbered in alphabetical order of the names reported as contributors. Related contributions in the committee's reports to the FEC are listed for each, referenced with the FEC's 11-digit microfilm image numbers. (Note that some report pages have more than one relevant item.) Wherever the reports show allocations of contributions to elections, those allocations have been followed here. Otherwise, allocations are made to the next election upcoming, as per the general FEC rule. Also, contributions are divided evenly when allocated to two people, two elections, or both.

#### 1. Ansett, John F. (excessive contributions for 1992 primary)

92014453691	92Q2 report	92P election	donations, page 1	\$1000.00	given	6/ 9/92
94015121591	93YE report	92P/92G elections	donations, page 1	\$ 100.00 [1/2]	given	7/ 3/93
94015121591	93YE report	92P/92G elections	<u>donations, page 1</u>	<u>\$ 500.00 [1/2]</u>	given	9/14/93
			total given for 92P	\$1300.00		

#### 2. Baker, Joyce E. (excessive contributions for 1992 general)

92014734202	92Q3 report	92G election	donations, page 1	\$1000.00	given	9/30/92
93015001859	93H1 report	92G/94P elections	<u>donations, page 1</u>	<u>\$ 100.00 [1/2]</u>	given	4/17/93
			total given for 92G	\$1050.00		

#### 3. Boichot, Steven (excessive contributions for 1998 primary) <?>

98032752398	97YE report	98P election	donations, page 4	\$ 100.00	given	12/10/97
98032943078	98Q1 report	98P election	donations, page 2	\$ 500.00	given	2/13/98
98033400097	98preP rept+1*	98P election(?)	<u>48-hr. notice, page 2</u>	<u>\$1000.00</u>	given	7/23/98
			total given for 98P	\$1600.00		

The final contribution above was listed in the first of two 48-hour notice reports filed by the Smith campaign after the 1998 pre-primary report. The money was not allocated by that report to any election. The same thing happened with the other donation listed in this notice, and with the two mentioned in the second notice. Since all four contributions were given and received (and reported) before the primary itself, the complainant has made the rebuttable presumption that they would be allocated to that election.

#### 4. Capra, James (excessive contributions for 1998 primary) <?>

97032151635	97H1 rept •	98P election (w/ Ellen)	donations, page 3	\$2000.00 [1/2]	given	5/19/97
98033420179	98preP rept+2*	98P election(?)	<u>48-hr. notice, page 2</u>	<u>\$1000.00</u>	given	7/31/98
			total given for 98P	\$2000.00		

The second contribution here was listed in the second 48-hour notice report filed by the Smith campaign after the 1998 pre-primary report. As noted above, that money was not allocated by that report to any election – so again the complainant has made the rebuttable presumption that it would be allocated to the 1998 primary election.

#### 5. Clark, Lawrence (excessive contributions for 1998 primary)

98032943080	98Q1 report	98P election	donations, page 4	\$1000.00	given	2/17/98
98032943080	98Q1 report	98P election	<u>donations, page 4</u>	<u>\$ 100.00</u>	given	2/18/98
			total given for 98P	\$1100.00		

#### 6. Creal, Lillian J. (excessive contributions for 1992 primary)

92014623079	92preP report	92P election	donations, page 2	\$1000.00	given	7/ 8/92
94015175042	94Q1 rept •	92P/94G elecs. (w/ F. Hal)	<u>donations, page 6</u>	<u>\$ 70.00 [1/4]</u>	given	1/ 4/94
			total given for 92P	\$1017.50		

#### 7. Demmer, John (excessive contributions for 1998 primary) <?>

98032943077	98Q1 report	98P election	donations, page 1	\$1000.00	given	2/10/98
98033280530	98Q2 report	98P election	<u>donations, page 28</u>	<u>\$ 50.00</u>	given	5/ 8/98
			total given for 98P	\$1050.00		

8. Dobson, William (excessive contributions for 1998 primary)

98032752404	97YE report	98P election	donations, page 10	\$ 250.00	given	7/11/97
98032943082	98Q1 report	98P election	donations, page 6	\$ 250.00	given	2/17/98
98033280532	98Q2 report	98P election	donations, page 30	\$ 750.00	given	2/18/98
			total given for 98P	\$1250.00		

9. Farhat, Gary & Shelly (invalid reporting/allocation of contribution to unspecified "other" election)

97031752241	96YE report	"other" election	donations, page 1	\$ 200.00	given	12/20/96
-------------	-------------	------------------	-------------------	-----------	-------	----------

10. Farver, Constance (excessive contributions for 1998 primary)

97032151637	97H1 report	98P election (w/ Herb)	donations, page 5	\$1000.00 [1/2]	given	5/13/97
97032151637	97H1 report	98P election (w/ Herb)	donations, page 5	\$1000.00 [1/2]	given	5/13/97
98032752405	97YE report	98P election	48-hr. notice, page 2	\$1000.00	given	11/18/97
			total given for 98P	\$2000.00		

11. Farver, Herb (excessive contributions for 1998 primary)

97032151637	97H1 rept • 98P election (w/ Constance)	donations, page 5	\$1000.00 [1/2]	given	5/13/97	
97032151637	97H1 rept • 98P election (w/ Constance)	donations, page 5	\$1000.00 [1/2]	given	5/13/97	
98032752405	97YE report	98P election	48-hr. notice, page 2	\$1000.00	given	10/22/97
			total given for 98P	\$2000.00		

12. Fletcher, Peter (excessive contributions for 1998 primary) <?>

98032752406	97YE report	98P election	donations, page 12	\$1000.00	given	7/31/97
98033420179	98preP rept+2* 98P election(?)	48-hr. notice, page 2	\$1000.00	given	7/30/98	
			total given for 98P	\$2000.00		

This complaint item involves another contribution listed in the second 48-hour notice report filed by the Smith campaign after the 1998 pre-primary report. Again, that money was not allocated by that report to any election – so the complainant has made the rebuttable presumption that it would be allocated to the 1998 primary election.

13. Forsberg, Terry[T.A.] (excessive contributions for 1998 primary)

98032943083	98Q1 report	98P election	donations, page 7	\$ 500.00	given	2/ 5/98
98032943083	98Q1 report	98P election	donations, page 7	\$ 500.00	given	2/18/98
98033280540	98Q2 rept • 98P election (w/ Beulah)	donations, page 38	\$ 200.00 [1/2]	given	5/14/98	
			total given for 98P	\$1100.00		

14. Fujihira, [M]asato (illegal contribution for 1992 general – foreign national) <?>

92014792895	92preG report	92G election	donations, page 1	\$ 250.00	given	10/ 9/92
-------------	---------------	--------------	-------------------	-----------	-------	----------

The report gives the first name "Nasato". However, the complainant is aware (from his own experience living in Japan and working for Hi-Lex Corporation in Battle Creek, MI as a translator of Japanese to English, and also from checking with Japanese co-workers at Hi-Lex) that "Masato" is a greatly more probable name, and so assumes that a typographical error was made.

15. Gainey, Harvey (excessive contributions for 1998 primary)

98032752407	97YE report	98P election	donations, page 13	\$1000.00	given	12/19/97
98032943083	98Q1 report	98P election	donations, page 7	\$ 200.00	given	2/ 6/98
			total given for 98P	\$1200.00		

16. Gatzaros, Ted (excessive contributions for 1992 primary)

92014553698	92Q2 report	92P election	donations, page 8	\$1000.00	given	4/22/92
94015121608	93YE report	92P/92G elections	donations, page 18	\$1000.00 [1/2]	given	9/26/93
			total given for 92P	\$1500.00		

**17. Glick, Al (excessive contributions for 1992 primary and 1994 general)**

excessive contributions for 1992 primary

92014553693	92Q2 report	92P election	donations, page 3	\$ 200.00	given	4/28/92
92014623080	92preP report	92P election	donations, page 3	\$ 800.00	given	7/15/92
94015175048	94Q1 report	92P/94G elections	<u>donations, page 12</u>	<u>\$ 200.00</u> [1/2]	given	1/ 3/94
			total given for 92P	\$1100.00		

excessive contributions for 1994 general

94015175048	94Q1 report	92P/94G elections	donations, page 12	\$ 200.00 [1/2]	given	1/ 3/94
97032423972	97H1 rept/amdt. •	94G election	<u>amendment, page 5</u>	<u>\$1000.00</u>	given	<u>5/15/95</u>
			total given for 94G	\$1100.00		

**18. Grace, Joyce (excessive contributions for 1998 primary)**

97032151638	97H1 report	98P election (w/ Jim)	donations, page 6	\$1000.00 [1/2]	given	6/ 3/97
98032752409	97YE report	98P election	<u>donations, page 15</u>	<u>\$1000.00</u>	given	12/11/97
			total given for 98P	\$1500.00		

**19. Ha[y]akawa, Atsuhiko (illegal contribution for 1992 general – foreign national) <?>**

92014831072	92postG report	92G election	donations, page 1	\$ 500.00	given	10/21/92
-------------	----------------	--------------	-------------------	-----------	-------	----------

The report gives the last name “Hajakawa”. However, as noted above, the complainant is aware (from his own experience working with Japanese people and Japanese language) that “Hayakawa” is a greatly more probable name, and so assumes that a typographical error was made.

**20. Henkel, Erich P. (excessive contributions for 1996 primary)**

95015760492	95Q2/H1 report	94G election*	donations, page 10	\$1000.00	given	*4/ 1/95
96015860090	95Q2/H1 rpt. amdt. – to	96P election*	amendment, page 3	[no new \$]	shift	*12/ 1/95
96030992836	96Q3 rept. •	96P election (w/ Dee)	donations, page 20	\$ 100.00 [1/2]	given	7/25/96
96030992836	96Q3 rept. •	96P election (w/ Dee)	<u>donations, page 20</u>	<u>\$ 250.00</u> [1/2]	given	7/25/96
			total given for 96P	\$1175.00		

As indicated above, the contribution originally made on 4/1/95 was re-allocated from 94G to 96P by affidavit dated 12/1/95. (The image number of the affidavit is #96015860091.)

**21. Henkel, Tom & Laurel (invalid reporting/allocation of contribution to unspecified “other” election)**

97032151639	97H1 report	“other” election	donations, page 7	\$ 250.00	given	3/27/97
-------------	-------------	------------------	-------------------	-----------	-------	---------

**22. Jida, Jiro (illegal contribution for 1992 general – foreign national) <?>**

92014831073	92postG report	92G election	donations, page 2	\$ 150.00	given	10/23/92
-------------	----------------	--------------	-------------------	-----------	-------	----------

**23. Jackson County Republican Committee (group contribution for 92P/92G – reported as individual contribution)**

94015121614	93YE report	92P/92G elections	donations, page 24	\$ 90.00	given	9/28/93
-------------	-------------	-------------------	--------------------	----------	-------	---------

The **group**’s contribution in and of itself is fine. However, reporting it as an **individual** contribution is improper.

**24. Jennings, Larry (excessive contributions for 1996 primary)**

96015985354	96Q1 report	96P election	donations, page 23	\$1000.00	given	3/15/96
96030992827	96Q3 rept •	96P election (w/ Caroline)	donations, page 11	\$ 35.00 [1/2]	given	7/23/96
96030992827	96Q3 rept •	96P election (w/ Caroline)	<u>donations, page 11</u>	<u>\$ 85.00</u> [1/2]	given	7/23/96
			total given for 96P	\$1060.00		

**25. Kamei, Masafumi (illegal contribution for 1992 general – foreign national) <?>**

92014831075	92postG report	92G election	donations, page 4	\$ 500.00	given	10/28/92
-------------	----------------	--------------	-------------------	-----------	-------	----------

**26. K[al]fo[h, Takashi (illegal contributions for 1992 primary & 1992 general - foreign national) <?>**

92014623082	92preP report	92P election	donations, page 5	\$ 400.00	given 7/10/92
94015121615	93YE report	92P/92G elections	donations, page 25	\$ 100.00	given 8/ 4/93
			total given	\$ 500.00	

The 1992 pre-primary report gives the last name as "Kotah". In this case, however, the complainant can use both his knowledge of Japanese names and the 1993 year-end report to say that the true last name should be "Katoh".

**27. K[al]fo[h, Tsuneko (illegal contribution for 1992 primary - foreign national) <?>**

92014623082	92preP report	92P election	donations, page 5	\$ 100.00	given 7/10/92
-------------	---------------	--------------	-------------------	-----------	---------------

The 1992 pre-primary report again gives the last name as "Kotah", but it is assumed that this should be "Katoh".

**28. Kawai, Mineo (illegal contribution for 1992 primary & 1992 general - foreign national) <?>**

94015121615	93YE report	92P/92G elections	donations, page 25	\$ 100.00	given 11/ 3/92
-------------	-------------	-------------------	--------------------	-----------	----------------

**29. Kelley, Asa [E.] (excessive contributions for 1992 primary)**

92014553694	92Q2 report	92P election	donations, page 4	\$1000.00	given 4/22/92
94015121615	93YE report	92P/92G elections	donations, page 25	\$ 500.00 [1/2]	given 9/14/93
			total given for 92P	\$1250.00	

**30. Kelly, Sue [W.], Congresswoman] (excessive contributions for 1998 primary)**

98032752416	97YE report	98P election	donations, page 22	\$ 500.00	given 10/23/97
98033280562	98Q2 report	98P election	donations, page 60	\$ 500.00	given 6/29/98
98033400267	98preP report	98P election	donations, page 2	\$ 500.00	given 7/ 1/98
			total given for 98P	\$1500.00	

**31. Knight, V. C. (invalid reporting/allocation of contribution to unspecified "other" election)**

98033280563	98Q2 report	"other" election	donations, page 61	\$ 500.00	given 4/16/98
-------------	-------------	------------------	--------------------	-----------	---------------

**32. Lambkin, Beverly (excessive contributions for 1994 general)**

94015472559	94Q3 report	94G election	donations, page 26	\$1000.00	given 8/20/94
95015760496	95Q2/H1 rept	94G election	donations, page 14	\$ 50.00	given 4/21/95
			total given for 94G	\$1050.00	

Beverly is the wife of MACI executive William Lambkin, so her donations are also listed for reference under item A of the section below on contributions possibly linked to Japanese individuals and companies.

**33. Lambkin, Bill/[William S.] (excessive contributions for 1992 general, 1994 primary, and 1996 primary)**

excessive contributions for 1992 general

92014792897	92preG report	92G election	donations, page 3	\$1000.00	given 10/ 9/92
93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 300.00 [1/2]	given 3/19/93
93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 140.00 [1/2]	given 3/22/93
93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 200.00 [1/2]	given 4/ 4/93
94015121618	93YE report	92P/92G elections	donations, page 28	\$ 500.00 [1/2]	given 9/10/93
			total given for 92G	\$1570.00	

excessive contributions for 1994 primary

93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 300.00 [1/2]	given 3/19/93
93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 140.00 [1/2]	given 3/22/93
93015001845	93H1 report	92G/94P elections	donations, page 7	\$ 200.00 [1/2]	given 4/ 4/93
94015304638	94Q2 report	94P election	donations, page 18	\$1000.00	[no date rept'd]
			total given for 94P	\$1320.00	



excessive contributions for 1992 primary

95015734362	95Q1 report	94G election*	donations, page 2	\$1000.00	given	1/23/95
96015860090	95H1 rpt. amdt. #2	to 96P election*	amendment, page 3	[date changed]	given	3/23/95
96016161376	96Q2 report	96P election	donations, page 5	<u>\$1000.00</u>	given	6/19/96
			total given for 96P	\$2000.00		

MACI executive William Lambkin has donations listed for reference under item A of the Japanese section. As stated there, the Smith committee credited the 6/19/96 donation to **Bill** Lambkin, whose reported address differs from William's (1320 rather than 1340 Austscot[t] in Jackson) – but '96-'97 phone books and on-line directories list no Lambkins in Jackson except William S. and Beverly.

The reporting history is confusing. Apparently, the contribution was originally listed in a report for the first quarter of 1995, allocated to the 1994 general election, and dated 1/23/95. It was later shifted to the 1996 primary election (and a 3/23/95 date) in a second amendment to what was now a combined 1995 first-half report. (This election shift too was made via an affidavit dated 12/1/95, with an FEC image number of #96015860092.)

34. Leutheuser, Edward T. (excessive contributions for 1992 primary)

92014623083	92preP report	92P election	donations, page 6	\$1000.00	given	7/14/92
94015121620	93YE report	92P/92G elections	donations, page 30	<u>\$ 500.00</u> [1/2]	given	11/ 3/93
			total given for 92P	\$1250.00		

35. McKay, Eugene [Jr.] (excessive contributions for 1994 general)

94015175055	94Q1 report	92P/94G elections	donations, page 19	\$ 200.00 [1/2]	given	1/ 4/94
94015572777	94postG rept	94G election	donations, page 9	\$ 700.00	given	10/21/94
97032423973	97H1 rpt amdt.	94G elec. (w/ Janice)	amendment, page 6	<u>\$2000.00</u> [1/2]	given	5/15/97
			total given for 94G	\$1800.00		

36. McKay, Eugene H. [Jr.] & Janice (invalid reporting/allocation of contribution to unspecified "other" election)

96031492450	96postG rept	"other" election	donations, page 2	\$ 200.00	given	11/15/96
-------------	--------------	------------------	-------------------	-----------	-------	----------

37. Merillat, Orville [D.] (excessive contributions for 1992 primary and 1994 general)

excessive contributions for 1992 primary

92014553695	92Q2 report	92P election	donations, page 5	\$1000.00	given	5/29/92
94015121625	93YE report	92P/92G elections	donations, page 35	\$ 500.00 [1/2]	given	9/10/93
94015121625	93YE report	92P/92G elections	donations, page 35	\$ 100.00 [1/2]	given	10/28/93
94015175055	94Q1 report	92P/94G elections	donations, page 19	<u>\$ 500.00</u> [1/2]	given	1/ 4/94
			total given for 92P	\$1550.00		

excessive contributions for 1994 general

94015175055	94Q1 report	92P/94G elections	donations, page 19	\$ 500.00 [1/2]	given	1/ 4/94
94015551127	94preG report	94G election	donations, page 7	\$1000.00	given	10/ 1/94
95015760498	95Q2/H1 rept	94G election	donations, page 16	<u>\$ 200.00</u>	given	5/11/95
			total given for 94G	\$1450.00		

38. Merillat, Ruth (excessive contributions for 1994 general)

94015551127	94preG report	94G election	donations, page 7	\$1000.00	given	10/ 1/94
98032943090	98Q1 report	94P/94G elections	donations, page 14	<u>\$2000.00</u> [1/2]	given	1/ 1/98
			total given for 94G	\$2000.00		

39. Miller, David C. (excessive contributions for 1992 primary)

92014553714	92Q2 report	92P election	donations, page 24	\$ 200.00	given	4/22/92
92014661098	92postP rept.	92P election	donations, page 20	\$ 800.00	given	7/23/92
94015121625	93YE report	92P/92G elections	donations, page 35	<u>\$ 200.00</u> [1/2]	given	7/21/93
			total given for 92P	\$1100.00		

40. Moritani, Masakazu Sr. (illegal contribution for 1992 general – foreign national) <?>

92014831074	92postG rept	92G election	donations, page 3	\$ 150.00	given 10/23/92
-------------	--------------	--------------	-------------------	-----------	----------------

41. Nakayama, Shigenori (illegal contribution for 1992 general – foreign national) <?>

92014831072	92postG rept	92G election	donations, page 1	\$ 500.00	given 10/21/92
-------------	--------------	--------------	-------------------	-----------	----------------

42. National Republican Congressional Committee (group contributions for 92P/92G/94P – reported as individual contributions)

93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 16.67	given 2/17/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 45.56	given 3/ 9/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 82.00	given 3/12/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 15.60	given 5/27/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 32.67	given 6/16/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 19.42	given 6/18/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 24.62	given 6/23/93
93015125397	93H1 rept. amdt.	92G/94P elections	amendment, page 3	\$ 21.63	given 6/30/93
94015121648	93YE report	92P/92G elections	donations, page 58	\$ 57.25	given 8/ 3/93
94015121648	93YE report	92P/92G elections	donations, page 58	\$ 33.80	given 9/13/93
94015121648	93YE report	92P/92G elections	donations, page 58	\$ 10.46	given 9/22/93
94015121648	93YE report	92P/92G elections	donations, page 58	\$ 16.67	given 10/20/93
total given				\$ 376.35	

3. Orchards, Sietsema (illegal contribution for 1998 primary – company [reported as individual contribution])

98033280586	98Q2 report	98P election	donations, page 84	\$ 20.00	given 6/ 4/98
-------------	-------------	--------------	--------------------	----------	---------------

Internet Yellow-Pages directories confirm “Sietsema Orchards” at the address listed in the report (3271 Knapp St. NE, Grand Rapids). Judging by the White Pages listing for “Jerry Sietsema” at the same address, it would appear to be a family business. Still, any contribution should be made by an individual rather than the company.

44. Patrick, U. E. (excessive contributions for 1992 primary)

92014553696	92Q2 report	92P election	donations, page 6	\$ 200.00	given 5/16/92
92014553696	92Q2 report	92P election	donations, page 6	\$ 800.00	given 6/29/92
94015121628	93YE report	92P/92G elections	donations, page 38	\$1000.00 [1/2]	given 7/26/93
94015121628	93YE report	92P/92G elections	donations, page 38	\$ 500.00 [1/2]	given 9/ 9/93
94015121628	93YE report	92P/92G elections	donations, page 38	\$ 200.00 [1/2]	given 10/27/93
total given for 92P				\$1850.00	

45. Petredean, George (excessive contributions for 1996 general)

96015985365	96Q1 report	96G election	donations, page 34	\$1000.00	given 1/20/96
96030992835	96Q3 report	96G election (w/ Betty)	donations, page 19	\$ 100.00 [1/2]	given 7/ 3/96
96030992835	96Q3 report	96G election (w/ Betty)	donations, page 19	\$ 550.00 [1/2]	given 7/25/96
96030992835	96Q3 report	96G election (w/ Betty)	donations, page 19	\$ 100.00 [1/2]	given 9/ 9/96
96031223734	96preG report	96G election (w/ Betty)	donations, page 2	\$ 50.00 [1/2]	given 10/15/96
total given for 96G				\$1400.00	

The 1996 pre-primary report attributed the 7/3/96 contribution to George only, but that report was later generally subsumed into the 1996 3rd-quarter report, which listed both George and Betty. Thus, the money is here split between husband and wife. (This prominent example raises the question of how many of the split donations later reported were actually properly attributable to two persons. As with most of them, there is only one set of employer/occupation information for this contribution record.)

The Smith campaign also received donations from a George L. Petredean (the address reported being a different post-office box number in Homer than George without a J.), as well as from other Petredeans. It seems that George and George J. are different people, so George J.'s contributions are not listed or documented here.

**46. Rawal, Harish (excessive contributions for 1992 primary)**

92014553696	92Q2 report	92P election	donations, page 6	\$1000.00	given 6/ 9/92
94015121631	93YE report	92P/92G elections	donations, page 41	\$ 150.00 [1/2]	given 9/19/93
94015121631	93YE report	92P/92G elections	donations, page 41	\$ 350.00 [1/2]	given 9/29/93
total given for 92P				\$1250.00	

**47. Rosewig, Peter Jr. (excessive contributions for 1996 primary) <?>**

96030992832	96Q3 report	96P election	donations, page 16	\$1000.00	given 7/16/96
96030992833	96Q3 report	96P election	donations, page 17	\$1000.00	given 7/16/96
total given for 96P				\$2000.00	

As noted above, the 1996 pre-primary report was later absorbed by the 3rd-quarter report. The earlier report listed only one donation from Mr. Rosewig, so this could be a transcription error. However, the contribution subtotals for both page 16 and page 17 of the 96Q3 report check; so does the overall total of itemized donations.

**48. Satake, Shonojo (illegal contribution for 1992 general – foreign national) <?>**

92014792896	92preG report	92G election	donations, page 2	\$ 150.00	given 10/14/92
-------------	---------------	--------------	-------------------	-----------	----------------

**49. Seevers, Gary [L.] (excessive contributions for 1998 primary)**

97032151644	97H1 report	98P election	donations, page 12	\$1000.00	given 5/23/97
98032752427	97YE report	98P election	donations, page 33	\$ 500.00	given 11/18/97
total given for 98P				\$1500.00	

**50. Smith, John [J. / T. ?] (excessive contributions for 1992 primary) <?>**

92014553697	92Q2 report · 92P election [John J.]	donations, page 7	\$1000.00	given 5/13/92	
94015121637	93YE rpt · 92P/92G elections [John T.]	donations, page 47	\$ 150.00 [1/2]	given 9/13/93	
94015175062	94Q1 rept · 92P/94G elections [John]	donations, page 26	\$ 100.00 [1/2]	given 1/ 4/94	
total given for 92P				\$1125.00<?>	

The report listings for the three contributions show different middle initials – J, T, and none – but the same address (1839 S. Walmont in Jackson). Other details included in or omitted from the reports (and checks in telephone listings) suggest the possibility that the “T” was a misprint or misreading, and that all three of these contributions were in fact made by the same person. Regardless, if the 5/13/92 donor is the same person who gave either of the other two contributions, that person has exceeded the \$1,000 limit for the 1992 primary.

**51. Stone, Ethon [L.] (excessive contributions for 1992 primary)**

92014553719	92Q2 report	92P election	donations, page 29	\$ 100.00	given 6/19/92
92014623088	92preP report	92P election	donations, page 11	\$ 900.00	given 7/ 8/92
94015121639	93YE report	92P/92G elections	donations, page 49	\$ 100.00 [1/2]	given 8/31/93
94015175063	94Q1 report	92P/94G elections	donations, page 27	\$ 70.00 [1/2]	given 1/ 4/94
total given for 92P				\$1085.00	

**52. Takagi, Kenji (illegal contribution for 1992 general – foreign national) <?>**

92014792895	92preG report	92G election	donations, page 1	\$ 100.00	given 10/ 6/92
-------------	---------------	--------------	-------------------	-----------	----------------

**53. Thorrez, Al[bert] (excessive contributions for 1998 primary)**

**54. Thorrez, Elizabeth (excessive contributions for 1998 primary)**

98032752430	97YE report	98P election <both>	donations, page 36	\$ 500.00	given 7/17/97
98032943096	98Q1 report	98P election <both>	donations, page 20	\$ 200.00	given 1/17/98
98033280620	98Q2 report	98P election <both>	donations, page 118	\$ 800.00	given 4/ 1/98
98033280620	98Q2 report	98P election <both>	donations, page 118	\$ 750.00	given 6/11/98
total given for 98P				\$2250.00 [1/2 = \$1125.00 each]	

**55. Tooley, Stan (excessive contributions for 1992 general)**

92014792896	92preG report	92G election	donations, page 2	\$ 500.00	given 10/14/92
92014792896	92preG report	92G election	donations, page 2	\$ 200.00	given 10/14/92
93015001850	93H1 report	92G/94P elections	donations, page 12	\$ 300.00 [1/2]	given 1/ 2/93
94015121642	93YE report	92P/92G elections	donations, page 52	\$ 100.00 [1/2]	given 7/28/93
94015121642	93YE report	92P/92G elections	<del>donations, page 52</del>	<del>\$ 500.00 [1/2]</del>	given 9/29/93
total given for 92G				\$1150.00	

Nippondensô/Battle Creek's Stan Tooley has donations listed for reference under item B of the Japanese section.

**56. VanOoyen, Marinus (excessive contributions for 1998 primary)**

97032151645	97H1 report	98P election	donations, page 13	\$ 500.00	given 6/ 3/97
98032943097	98Q1 report	98P election	donations, page 21	\$ 500.00	given 3/13/98
98033280624	98Q2 report	98P election	<del>donations, page 122</del>	<del>\$ 600.00</del>	given 5/16/98
total given for 98P				\$1600.00	

**57. Villa, Maple (illegal contribution for 1998 primary – company [reported as individual contribution]) <?>**

98033280625	98Q2 report	98P election	donations, page 123	\$ 50.00	given 4/13/98
-------------	-------------	--------------	---------------------	----------	---------------

On-line directories show no individual or business listing for "Maple Villa" in Quincy. There is a "Maple Villa Condominiums" listed in Grand Rapids; possibly one of the firm's condominiums is in Quincy.

**58. Walton, Lee (excessive contributions for 1992 primary)**

92014553698	92Q2 report	92P election	donations, page 8	\$1000.00	given 6/19/92
94015121644	93YE report	92P/92G elections	donations, page 54	\$ 100.00 [1/2]	given 7/19/93
94015121644	93YE report	92P/92G elections	<del>donations, page 54</del>	<del>\$ 400.00 [1/2]</del>	given 9/ 9/93
total given for 92P				\$1250.00	

**59. Weiser, Ronald (excessive contributions for 1998 primary)**

98032752432	97YE report	98P election	donations, page 38	\$1000.00	given 10/15/97
98033280629	98Q2 report •	98P election (w/ Eileen)	<del>donations, page 127</del>	<del>\$ 500.00 [1/2]</del>	given 7/23/98
total given for 98P				\$1250.00	

**60. Werderitsch, Patricia (excessive contributions for 1998 primary) <?>**

98032151646	97H1 report	98P election	donations, page 14	\$ 500.00 [1/2]	given 3/24/97
98033400097	98preP rept+1*	98P election(?)	<del>48-hr. notice, page 2</del>	<del>\$1000.00 (?)</del>	given 7/23/98
total given for 98P				\$1250.00	

This is the final complaint item involving a contribution listed in a 48-hour notice report (the first) filed by the Smith campaign after the 1998 pre-primary report. Again, the money was not allocated by that report to any election – so the complainant has made the rebuttable presumption that it would be allocated to the 1998 primary election.

**61. Yoshida, Isao (illegal contribution for 1992 general – foreign national) <?>**

92014792895	92preG report	92G election	donations, page 1	\$ 50.00	given 10/ 6/92
-------------	---------------	--------------	-------------------	----------	----------------

**62. Yoshii, Toshiharu (illegal contribution for 1992 general – foreign national) <?>**

92014792898	92preG report	92G election	donations, page 4	\$ 150.00	given 10/14/92
-------------	---------------	--------------	-------------------	-----------	----------------

### Special Focus: Contributions Linked to Probable Japanese Individuals & Japanese-Related Companies

When the complainant started to investigate the campaign-finance record of the Smith committee, his attention was drawn to the number and volume of contributions by individuals with Japanese names. The FEC reports list 14 donations (by 13 individuals); the total cash amount involved is \$3,200.

At the time, the complainant was working as a translator for Hi-Lex Corporation, a U.S. subsidiary of a Japanese auto-parts company and a member of the "Japan Club" of Japanese-related firms in the general vicinity of Battle Creek. Several of the Japanese-named contributions listed another member company – Michigan Automotive Compressor, Inc. of Parma (abbreviated as MACI and sometimes mistyped as "Mackey") – as the employer of the head of household; some even showed the company's post-office box as the contributor's own address. These contributions total \$1,850.

U.S. employees of MACI (including several executives) and their families have also made contributions totaling \$7,690 (not including \$1,000 from the Lambkins on 6/3/97, after Bill had become an employee of Don Foods). Many of the contributions were probably associated with a fundraiser for the Country Club of Jackson (mentioned in a campaign expense item dated 11/18/92) identified as being linked to "Michigan Automotive".

The MACI numbers do not include \$500 from one person, Masafumi Kamei, whose contribution was reported with MACI as the listed employer. This is because the contributor's reported address, 795 Fritz Keiper Road, was not for MACI but for another "Japan Club" member: Toyota Tsusho. As the company's name implies, it is a member of the Toyota *keiretsu* or group of companies. MACI itself is a joint venture between Toyoda Automatic Machinery (Toyoda is the actual name of the family that founded the group) and the U.S. branch of Nippondenso (now called just Denso USA), which was originally a group member and still has close ties to Toyota.

Individuals linked with the Battle Creek and Southfield locations of Nippondenso have contributed \$8,050. Included in this total is a \$100 donation from Mineo Kawai; while the Smith campaign did not list Nippondenso as his employer, the address mentioned for him – One Denso Road – matches the Battle Creek plant's address.

Smith committee reports list \$750 by Japanese-named individuals beyond those Japanese-linked contributions mentioned above. Jiro Iida of Freudenberg-NOK (a German-Japanese joint venture) donated \$150 on 10/23/92. Five other individuals with no listed employers gave a total of \$600, all in October of 1992. In fact, 11 of the 14 apparent Japanese contributions (\$2,600 of the \$3,200) were made in the month before the 1992 general election – and around the time of the "Michigan Automotive" fundraiser. (The exceptions were for Takashi Katoh, vice president of MACI, and his wife Tsuneko. They both gave in July, before a contested primary – there was no Democrat on the ballot opposing Smith that year – and Mr. Katoh also contributed in August 1993.)

MACI seems to be the center of this activity...and the complainant was contacted two months ago by a former senior buyer at MACI, Kim Lunderskov (address: 511 N. Marshall; Marshall, MI 49068; phone: 616-789-2685; e-mail: dvt@ameritech.net). Mr. Lunderskov confirmed that some of the Japanese persons named in the Smith committee reports were Japanese employees of MACI and other area companies (though he did not recognize others). He also said that the company itself paid to send him and other employees to fundraisers, that one of the people listed as an individual contributor to the Smith campaign may have had his name attached to a donation by another person (or by the company itself), and that he and other buyers were encouraged to contact suppliers and get donations from them for the Smith committee (which may explain some of the other possibly-Japanese donations).

The complainant feels these issues are worthy of further investigation by the FEC, but does not have further corroborative details on which to base specific complaints. As a member of the Battle Creek "Japan Club" but not involved in the donations, Hi-Lex Corporation (5200 Wayne Road; Battle Creek, MI 49015; telephone number 616-968-0781 or 616-968-6073; fax number 616-968-0885) might be a good neutral starting point for investigations. The companies indicated as involved could also be contacted, as could the two reported donors with Japanese names still apparently living at the reported addresses: Shonojo Satake and Isao Yoshida. (Japanese employees assigned to overseas branches are typically posted for a period of 3-5 years; thus, it would not be surprising if only 14% – 2 of 14 – of the individuals were at the same addresses as they were roughly six years ago, when their reported contributions were made.)

# A. Contributions Linked to Battle Creek Japanese Individuals & Japanese-Related Companies: MACI

92014553695	92Q2 · 92P	Lambkin, William S.	donations, page 5	\$ 500.00	given 5/16/92
92014623082	92preP · 92P	K[a]t[o]h, Takashi	donations, page 5	\$ 400.00	given 7/10/92
92014623082	92preP · 92P	K[a]t[o]h, Tsuneko	donations, page 5	\$ 100.00	given 7/10/92
92014792895	92preG · 92G	Fujihira, [M]asato	donations, page 1	\$ 250.00	given 10/ 9/92
92014792897	92preG · 92G	Lambkin, William S.	donations, page 3	\$ 1000.00	given 10/ 9/92
92014831072	92postG · 92G	Macaluso, Damian	donations, page 1	\$ 500.00	given 10/21/92
92014831072	92postG · 92G	Nakayama, Shigenori	donations, page 1	\$ 500.00	given 10/21/92
92014831072	92postG · 92G	Ha[y]akawa, Atsuhiko	donations, page 1	\$ 500.00	given 10/21/92
92014831074	92postG · 92G	Adderley, T. E.	donations, page 3	\$ 500.00	given 10/28/92
93015001845	93H1 · 92G/94P	Lambkin, William S.	donations, page 7	\$ 300.00	given 3/19/93
93015001845	93H1 · 92G/94P	Lambkin, William S.	donations, page 7	\$ 140.00	given 3/22/93
93015001845	93H1 · 92G/94P	Lambkin, William S.	donations, page 7	\$ 200.00	given 4/ 4/93
94015121615	93YE · 92P/92G	Katoh, Takashi	donations, page 25	\$ 100.00	given 8/ 4/93
94015121618	93YE · 92P/92G	Lambkin, William S.	donations, page 28	\$ 500.00	given 9/10/93
94015175054	94Q2 · 94P	Lambkin, William	donations, page 18	\$ 1000.00	[no date rept'd]
94015472559	94Q3 · 94G	Lambkin, Beverly A.	donations, page 26	\$ 1000.00	given 8/20/94
95015734362	95Q1 · 94G*	Lambkin, William S.	donations, page 2	\$ 1000.00	given *1/23/95
95015760496	95Q2/H1 · 94G	Lambkin, Beverly	donations, page 14	\$ 50.00	given 4/21/95
96015860090	95Q2/H1 amdt.#2 · 94G*	Lambkin, William S.	amdt., page 3	[\$ 1000.00]	given *3/23/95
96015860092	[shift to 96P*]	Lambkin, William S.	amdt/pg. 5 (affidavit)	[\$ 1000.00]	shift *12/ 1/95
96016161376	96Q2 · 96P	Lambkin, Bill	donations, page 5	\$ 1000.00	given 6/19/96
			total given under A	\$ 9540.00	
97032151640	97H1 · 98P	Lambkin, Bill & Bev	donations, page 8	\$ 1000.00	given 6/ 3/97

MACI (mistakenly reported as “Maci”, “Mackey”, and even “NACI”) is Michigan Automotive Compressors Inc. of Parma, a joint venture of Nippondensô (which began in the Toyota *keiretsu* and still has capital and board members from Toyota) and Toyoda Automatic Machinery. In FEC reports, William Lambkin is as MACI's manufacturer's rep, “industry management”, or VP/assistant VP. (“Bill” was reported at a different address – 1320, not 1340, Austscot[t] in Jackson – but 1996-97 phone books and on-line directories list no Lambkins in Jackson besides William S. and Beverly.)

Note that several of the names listed appear to be Japanese names. Evidence in the roster of the time for the Battle Creek area's “Japan Club” of Japanese-related companies (and the Japanese employees assigned to those U.S. branch offices and/or subsidiaries), and by telephone interviews, indicated that these people were in fact Japanese citizens who were in this country without permanent resident visas. This, if true, would represent a significant violation of the prohibition on contributions by foreign individuals. The presence of contributions by U.S. executives of this firm (and the end-of-'92-campaign dinner thrown for “Michigan Automotive” in return – as indicated in a report of a \$691.55 expense item paid 11/18/92 to the Country Club of Jackson – FEC image #92014831082), and contribution from the other firms below, suggests the possibility of a problem pattern.

A few other points are worth noting for calculation purposes. Masafumi Kamei was reported as employed by MACI; however, the home address given for him matches the address of another Toyota-linked company in Battle Creek's Fort Custer Industrial Park: Toyota Tsushô. This \$500 amount is not included in the total for A given above, but rather under C below. Also, William S. Lambkin's designation of his \$1,000 in early 1995 for the '96 primary (shifted from the '94 general) is reported three times, but only counted once. His contribution with his wife Beverly on 6/3/97 is not counted at all, since by that time he had left MACI and joined Don Foods.

**B. Contributions Linked to Probable Japanese Individuals & Japanese-Related Companies: [Nippon]densô**

92014553693	92Q2 · 92P	Harah[a]n, W. J.	donations, page 3	\$ 300.00	given 4/22/92
92014661091	92postP · 92P	Harahan, William J.	donations, page 13	\$ 200.00	given 7/21/92
92014734205	92Q3 · 92G	Harahan, William J.	donations, page 4	\$ 500.00	given 9/29/92
92014792896	92preG · 92G	Tooley, Stan	donations, page 2	\$ 500.00	given 10/14/92
92014792896	92preG · 92G	Tooley, Stan	donations, page 2	\$ 200.00	given 10/14/92
92014792898	92preG · 92G	Wood, John	donations, page 4	\$ 500.00	given 10/14/92
92014831080	92postG · 92G	Tooley, Bev	donations, page 9	\$1000.00	given 11/18/92
93015001850	93H1 · 92G/94P	Tooley, Stan	donations, page 12	\$ 300.00	given 1/ 2/93
93015001844	93H1 · 92G/94P	Harahan, W. J.	donations, page 6	\$ 200.00	given 3/11/93
94015121642	93YE · 92P/92G	Tooley, Stan	donations, page 52	\$ 100.00	given 7/28/93
94015121610	93YE · 92P/92G	Harahan, W. J.	donations, page 20	\$ 500.00	given 9/ 9/93
94015121642	93YE · 92P/92G	Tooley, Stan	donations, page 52	\$ 500.00	given 9/29/93
94015121615	93YE · 92P/92G	Kawai, Mineo	donations, page 25	\$ 100.00	given 11/ 3/93
94015175049	94Q1 · 92G/94P	Harahan, W. J.	donations, page 13	\$ 100.00	given 1/ 5/94
94015472576	94Q3 · 94G	Tooley, Stan	donations, page 43	\$ 500.00	given 7/18/94
95015760494	95Q2/H1 · 94G*	Hull, Robert J.	donations, page 12	[\$1050.00]	given *4/ 1/95
95015760504	95Q2/H1 · 94G	Tooley, Stan	donations, page 22	\$ 200.00	given 5/25/95
95015833665	95Q2/H1 amdt#1 · 94G*	Hull, Robert J.	amendment, page 3	\$ 900.00	shift *10/17/95
95015833666	95Q2/H1 amdt#1 · 94G*	Hull, Lois J.	amendment, page 4	\$ 150.00	shift *10/17/95
96015985373	96Q1 · 96G	Tooley, Stan	donations, page 42	\$ 200.00	given 1/20/96
98032752430	97YE · 98P	Tooley, Stan & Bev	donations, page 36	\$1000.00	given 7/11/97
98032752430	97YE · 98G	Tooley, Stan & Bev	donations, page 36	\$ 100.00	given 11/ 5/97
			total given under B	\$8050.00	

As mentioned above, Nippondensô (now called just "Densô") started out as a member of the Toyota *keiretsu*, and some ties still exist (although the company is formally independent). William J. Harahan, sometimes reported as vice president at the company's facility in Southfield near Detroit, contributed to Smith early (within a month of Smith's declaration) and often. Stan Tooley, Nippondensô vice president at the Battle Creek plant, and his wife Beverly also made significant contributions. (Note that the Hull donations were originally reported as coming from Robert only; the pages indicated above are for the amended report which split the donation between husband and wife.)

The only Japanese name listed is that of Mineo Kawai. No employer is recorded for Mr. Kawai, but the address given for him does match the One Denso Road address of the company's Battle Creek factory/branch.

**C. Contributions Linked to Probable Japanese Individuals & Japanese-Related Companies: other Toyota-linked**

92014831075	92postG · 92G	Kamei, Masafumi	donations, page 4	\$ 500.00	given 10/28/92
-------------	---------------	-----------------	-------------------	-----------	----------------

As noted under A above, Masafumi Kamei was reported as employed by MACI; however, the home address given for him matches the address of Toyota Tsûshô, another Toyota-linked company in Battle Creek.

**D. Contributions Linked to Probable Japanese Individuals & Japanese-Related Companies: other companies**

92014831073	92postG · 92G	Iida, Jiro	donations, page 2	\$ 150.00	given 10/23/92
-------------	---------------	------------	-------------------	-----------	----------------

Jiro Iida was reported by the Smith campaign to be a sales manager for Freudenberg-NOK, a German/Japanese joint venture, in Plymouth. The complainant's information (gathered from Japanese co-workers at his former place of employment, the Japanese-related auto-parts firm Hi-Lex Corporation) suggests that NOK is not related to the Toyota *keiretsu*.

<b><u>E. Contributions Linked to [redacted] able Japanese Individuals &amp; Japanese-Related Companies: no company listed</u></b>						
92014792895	92preG · 92G	Takagi, Kenji	donations, page 1	\$ 100.00	given 10/ 6/92	
92014792895	92preG · 92G	Yoshida, Isao	donations, page 1	\$ 50.00	given 10/ 6/92	
92014792896	92preG · 92G	Satake, Shonojo	donations, page 2	\$ 150.00	given 10/14/92	
92014792898	92preG · 92G	Yoshii, Toshiharu	donations, page 4	\$ 150.00	given 10/14/92	
92014831074	92preG · 92G	Moritani Sr, Masakazu	donations, page 3	\$ 150.00	given 10/23/92	
				total given under E	\$ 700.00	

White Pages searches on the Internet did not find matching Japanese names at any of the addresses reported to the FEC, but they do indicate that Shonojo Satake and Isao Yoshida may still be in the U.S. Persons with those names were listed as living at the addresses mentioned in the 1992 pre-general report. The FEC could contact them directly about their contributions.

\* \* \* \* \*

**Complaint to FEC About PAC Contributions to the "Nick Smith for Congress Committee"**

These complaint items are numbered in alphabetical order of the names of political action committees (PACs) reporting contributions to the Smith committee. The contributions are referenced with the FEC's 11-digit microfilm image numbers for the reports made by the PACs. The PACs have both contributed and reported properly; any violations in these cases would lie purely with the Smith committee, for its failure to report the contributions. (It should be noted that the Smith committee has in the past returned some other checks sent by PACs, though this has taken up to a year for the return to show up in PAC reports. Some of the donations below may also be returned, although most are over a year old.)

**G1. Keep Our Majority Political Action Committee [KOMPAC] (committee #C00307405) • 6344 Cavalier Corridor · Falls Church, VA 22044**

98033260690 98Q2 rept., page 10 to Nick Smith for Congress Committee \$1000.00 given 6/29/98

According to the Center for Responsive Politics (CRP), this PAC is a "leadership PAC" associated with Rep. Dennis Hastert (R-IL). This donation has just recently been sent, so it is the most likely to be returned.

**G2. Leadership 2000 (committee #C00325969) • 1316 Lake Victoria Dr. · Lake Worth, FL 33461**

98032811192 97YE rept., page 3 to Nick Smith for Congress Committee \$ 500.00 given 10/17/96

The CRP reports this as a "leadership PAC" associated with Rep. Mark Foley (R-FL). It is also worth noting, perhaps, that this contribution was sent to a post-office box in Jackson rather than the main Smith fundraising address – a different post-office box in Lansing.

**G3. National Pork Producers Council PorkPAC (committee #C00201871) • PO Box 10383 · Des Moines, IA 45678**

96031251371 96preG report, page 5 to Nick Smith for Congress Committee \$ 275.31 [IK] given 10/ 4/96

The report indicates that this expense was a reimbursement of Sam's Club in Lansing for a "Smith fundraiser (MI-7)". The evidence – including the other contributions listed on the same report page, which has "(in kind)" written in at the top left corner, as well as the complainant's own conversation with the candidate's wife at a town hall meeting last summer – is that this contribution was an in-kind gift of meat for that fundraiser.

**G4. National Right to Life PAC (committee #C00111278) • 419 7th Street NW, Suite 500 · Washington, DC 20004**

96031251371 96Q3 report, page 39 to Nick Smith for Congress Committee \$ 16.00 [IK] given 9/30/96

The complainant has corresponded with this PAC, and been informed that the contribution reported was an in-kind donation of a video on the Clinton administration's Medicare policies.



**G5. National Turkey Federation Political Action Committee [TURPAC] (committee #C00076182) • 1225 New York Avenue NW, Suite 400 • Washington, DC 20005**  
96031361162 96postG rept, page 5 to Nick Smith for Congress Committee \$ 500.00 given 10/17/96

**G6. Pioneer Political Action Committee (committee #C00325357) • 499 S. Capitol St. SW, Suite 506 • Washington, DC 20003**

97032161191	6/97 report, page 8	reimbursing [Kasich] for transp. exps.	\$ 83.21 [IK]	given	6/13/97
97032161191	6/97 report, page 8	[reimbursement for] air travel	\$ 396.00 [IK]	given	6/13/97
97032161192	6/97 report, page 9	[reimbursement for] transp. exps.	\$ 198.00 [IK]	given	6/13/97
97032161192	6/97 report, page 9	[reimbursement for] lodging	\$ 146.35 [IK]	given	6/13/97
97032161193	6/97 report, page 10	[reimbursement for] air travel	\$ 212.84 [IK]	given	6/13/97
97032161193	6/97 rpt, pg 10	"National Rent-a-Car...Nick Smith for Cong."	\$ 84.73 [IK]	given	6/13/97
98033280649*	98Q2 rpt*, pg 150	"reimburse Kosick [sic] acct for trip to MI"	\$1121.13	paid*	5/30/98
98033371724	6/98 report, page 14	Pioneer PAC receipt from Nick Smith	\$1121.13	rec'd	6/10/98

The asterisked line is the Smith committee's report of repayment to Pioneer PAC, which CRP calls a leadership PAC linked to Rep. John Kasich (R-OH). However, Smith never reported the original in-kind donation[s].

\*\*\*\*\*

**Other Types of Questionable Reportings of Financial Transactions by "Nick Smith for Congress Committee"**

While investigating the Smith committee's reports to the FEC, the complainant found other irregularities, including:

- About a dozen contributions (including one of William Lambkin's, mentioned in item #33 above) have been reported with no date.
- Two in-kind contributions have been reported without matching in-kind expenses: \$50 donated 9/30/92 by Jane Gray of Concord (FEC image #92014734203) and \$500 from F. Hal Creal of Coldwater (FEC image #94015304627).
- As noted above, the 1996 pre-primary report (covering the period 7/1-17/96) was generally incorporated in a 3rd-quarter report covering 7/1-9/30/96. However, two 7/16/96 contributions in the 96preP report were not included in the 96Q3 report: a \$250 donation by George Nash of Hillsdale (FEC image #96016173413) and a \$20 gift by William Stewart of Union City (FEC image #96016173414).
- Many contributions are listed with home addresses matching information in the employer space. Post-office boxes are frequently found in place of street addresses; occasionally, no address at all is given.

In fact, the Nick Smith for Congress Committee has been recognized for laxity in reporting on several fronts:

- The independent Center for Responsive Politics ranked Smith among the worst members of the House of Representatives for reports missing employer/occupation information, with over 25% of the dollars from individual contributors not identified at all or incompletely identified. (The report is still available on the CRP's Web site; <http://www.crp.org/crpdocs/oct97/top/disclosure.htm> is the Internet address.)
- Smith has chosen to report some contributions of less than \$200. However, despite FEC requests, he has not separated them from \$200+ contributions.
- The FEC has also questioned the Smith committee about excessive advances to the campaign by workers and/or volunteers – as well as improper, inaccurate, or absent categorizations of expenses. A major case of the latter may be the \$6,370.24 paid to the Walker Group consulting firm of Minneapolis between May 10 and September 9 of 1996 for "copies" – after repeated payments over the previous 1½ years.)

The complainant requests that the FEC make a thorough investigation of the full reporting record of the Nick Smith for Congress Committee, and take any action appropriate to the severity of these problems and others found.