

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

Ms. Maureen Drummy
1608 20th Street, N.W.
Washington, D.C. 20009

Dear Ms. Drummy:

This is in response to your letter of June 25 which complains of an apparent violation of Sec. 608(e)(1) of Title 18, United States Code.

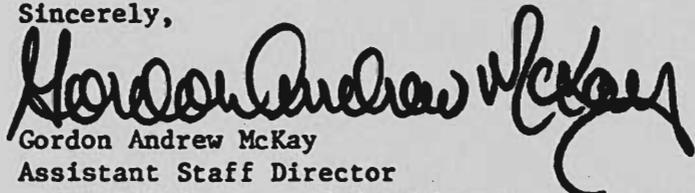
Please be advised that, in keeping with our interim complaint procedure guideline (Notice 1975-9, copy enclosed), your letter cannot be considered as being a duly filed complaint under the provisions of Section 437 of the Federal Election Campaign Act of 1974 as it has not been properly notarized.

Should you wish to refile a notarized copy of your letter, please be so kind as to address the correspondence to:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Please also be advised that the Commission has taken note of the matter to which you make reference, prior to receipt of your letter. The Commission accordingly has notified Mr. Lemon of the requirements of the law and has provided him an opportunity to file an appropriate disclosure or submit explanatory material.

Sincerely,


Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

Enclosure as stated

GAM:vlf

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010423

Ransom

FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

June 30, 1975

Mr. James A. Lemon
7823 Holmes Run Drive
Falls Church, Virginia 22042

Dear Mr. Lemon:

It has been brought to my attention that you recently placed an advertisement in The Washington Post which appears to oppose the candidacy of Gerald R. Ford for the Presidency of the United States. For purposes of the disclosure and compliance provisions of the Federal Election Campaign Act of 1974, Mr. Ford is in fact a candidate for nomination for election, or election, to the Presidency.

At the Commission's direction, I call your attention to the provisions of the Act relating to the disclosure responsibilities of persons seeking to influence Federal Elections, under 2 U.S.C. Section 434(e), and the limitations on expenditures by a person under 18 U.S.C. Section 608(e), which is a provision of the Criminal Code.

Enclosed is a copy of the Federal Election Campaign Act and registration and reporting forms for use by persons and organizations subject to the provisions of the Act. Please address any comment you may care to make concerning the aforementioned matters to the Federal Election Commission at 1325 K Street, N. W., Washington, D. C. 20463.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Enclosures as stated

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010424

Stuff cost
made initial call

June 23, 1975

MEMORANDUM TO: Compliance Section
VIA: Orlando Potter
FROM: Neil Staebler *NS*
SUBJECT: Washington Post Ad of June 23, 1975
from James A. Lemon

77040010425

Attached for all appropriate action, please find a copy of the above ad, which appeared on Page A-12 of the Post.

A phone call by Dave Vaughn to Mr. Cummins, General Advertising Department of the Post (223-7757), determined that the cost of the ad was \$2,368.80, and was ordered by Mr. Lemon as an individual, not on behalf of any committee.

Note that the ad is in opposition to President Ford, by a self-declared Republican, not in favor of any other candidate, and at least in part would appear to solicit activity on behalf of a committee ("RIDOF") not identified other than by name.

FEDERAL ELECTION COMMISSION
COMMUNICATIONS COPY
OFFICE OF GENERAL COUNSEL

WOULD YOU ELECT Ex-Congressman Ford PRESIDENT?

Gerald Ford is a "nice guy" and there are those in the Republican party who said he would NOT run for election in 1976, and that his declaration to do so was to keep him from being a "lame duck" during the remainder of his appointive term. However, he HAS announced such an intention, and on Friday, June 20th, officially filed an appointed Army Secretary Howard (Bo) Calloway to head the campaign committee thus making it mandatory to look at his performance as a NON-ELECTED Chief Executive, and seriously ask ourselves the above question. And I, as a life-long Republican reply with a definite "No"!

Consider, for instance, that as a NON-ELECTED Chief of State, Ford:

(1) Ignored the public opinion polls and PARDONED the most despicable liar of the Watergate scandal, and even favored heaping taxpayers' money on him for his "transition" to private life in his luxurious San Clemente estate, over and above the \$60,000 annual pension and more than \$100,000 a year office and staff expenses which resignation SAVED for Richard Nixon the impeachment would have DENIED! And instead of treating this disgraced man as a modern day Benedict Arnold, Ford keeps him "briefed" on government affairs and continues to treat Nixon as though he had left office under HONORABLE circumstances, which is a direct slap-in-the-face to all of us who felt betrayed by the apparent liar we placed our trust and votes in!

(2) Ignored the will of the people and couldn't (or wouldn't) tell the difference between "recession" and "inflation" and very belatedly ADMITTED that we, indeed, had "recession" as well as "inflation" ONLY after many thousands of Americans were out of work, then proposing that food stamps cost more and social security benefits be cut back, which would hurt the poor and the elderly—apparently an act to save the rest of us by sacrificing the weakest and most helpless of us!

(3) Again ignored the public opinion polls and, again, couldn't (or wouldn't) come to the logical conclusion that the war in Vietnam was over (and lost) and wanted to send billions in MILITARY AID to a corrupt leader even the Vietnamese people were asking to resign. Ford further jeopardized American lives by not getting ALL Americans out of Vietnam AS SOON AS POSSIBLE on the pretext that a calamity would result from a quick pull-out and retaliation from the once-friendly population.

(4) Again ignored the will of many Americans by placing a MULTI-MILLIONAIRE a heart-beat away from the position which Nelson Rockefeller has OPENLY COVETED for many, many years, although a great number of Americans deplore the coupling of great financial wealth and immense political weight to such an important and influential office.

Ford (a Republican) aspires to emulate Truman (a Democrat) but hasn't even come as close as Whitmore (an actor) in his imitation.

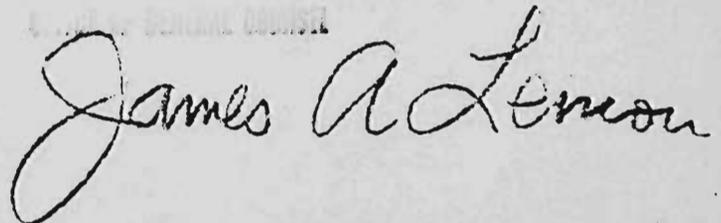
If the year were 1775, we would not seek a cross between Casper Milquetoast and Walter Mitty to be our leader—nor do we so desire such a hybrid man two hundred years later.

It's clearly time for Gerald Ford to pay attention to the opinions of the rest of us, so I ask you to join me in "RIDOF" (Republicans, Independents, Democrats Opposing Ford) to convince an unqualified candidate to withdraw from the coming Presidential election race in order to clear the way for TRUE leadership to emerge!

If you agree, clip out this piece, then take out your pen and add your own comments, and mail it to the temporary occupant of the White House urging him to go back to the obscurity of Grand Rapids (from whence he came) because his record to date as Chief Executive (in the minds of many he hasn't made it to President) clearly shows his lack of ability to continue to occupy our highest office, and that for the election during our Bi-Centennial celebration year we NEED an outstanding LEADER—not just a "nice guy"!

And so he won't be lonely in Grand Rapids, (and in the best interests of us all) request him to take Nelson and Henry with him!

Sincerely,



JAMES A. LEMON

7823 HOLMES RUN DRIVE
FAU'S CHURCH, VA. 22031

FEDERAL ELECTION
June 25, 1975

Federal Election Commission
1325 K St., N.W.
WASHINGTON, D.C. 20463

'75 JUN 26 AM 10:54

Chairman Curtis, Ms. Aikens + Gentleman:

I enclose a political advertisement published in
The Washington Post, Monday, June 23. The Post's
general advertising director informs me this advertisement
cost its sponsor --

MR. JAMES A. LEMON
7923 Holmes Run Drive
Falls Church, VA. 22042

-- roughly \$2,368.

Since Gerald R. Ford, the object of this ad, registered
his campaign committee with the Federal Election Commission
prior to the date of MR. LEMON's advertisement, I call
the ad to your attention, in the belief it violates
the Federal Election Campaign Act.

Sec. 602 (e)(1) of Title 18, U.S. Code: "No person
may make any expenditure... relative to a clearly identified
candidate during a calendar year which, when added to all
other expenditures made by such person during the year
advocating the election or defeat of such candidate, exceeds
\$1,000.

"(2) For purposes of paragraph (1) --

"(A) 'clearly identified' means --

"(i) the candidate's name appears; "

It is clear that MR. Lemon has spent more than \$1,000
advocating the defeat of a named candidate.

Maureen Stummy
1608 20th SE., NW
WASHINGTON, DC

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

77047010127

77040010428
FEDERAL ELECTION
COMMISSION



FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

Federal Election Commission
1325 K St., N.W.
WASHINGTON, D.C. 20463

003



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

22 MAR 1976

Ms. Maureen Drummy
1608 20th Street, N. W.
Washington, D. C. 20009

Dear Ms. Drummy:

On March 18, 1976, the Commission voted 6 - 0,
to terminate its investigation in the matter of James A.
Lemon. Accordingly, the Commission intends to close its
files in this matter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

77017010429

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

22 MAR 1976

David Carliner, Esq.
c/o Carliner & Gordon
931 Investment Bldg.
1511 K Street, N. W.
Washington, D. C. 20005

7701010430

Dear Mr. Carliner:

On March 18, 1976, the Commission voted to terminate its review into the allegations raised against Mr. Lemon by Ms. Maureen Drummy of Washington, D. C. Enclosed is a copy of the Commission Action and the Staff Report which explains the basis of the Commission decision. Accordingly, the Commission intends to close its files in this matter.

Please note that pursuant to 2 U.S.C. §434(e) a report on the expenditure for the September 8, 1975 advertisement should have been filed. That report being overdue, the Commission has brought the matter to the attention of its Reports Processing Division to obtain compliance.

Sincerely yours,

Signed: John G. Murphy, Jr.
John G. Murphy, Jr.
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

February 19, 1976

MEMORANDUM TO THE FILE

FROM: Andrew Athy, Jr.

As of February 19, 1976, at at 4:00 p.m., there was
no report on file at the FEC on the Sept. 8, 1975, advertisement
placed by in the Washington Star.

77040010431

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of
James A. Lemon

)
)
)

MUR 003 (75)

COMMISSION ACTION

The Federal Election Commission has reviewed the complaint filed against James A. Lemon and has concluded that it does not establish any violation of the Federal Election Campaign Act of 1971, as amended. The Federal Election Commission has accordingly voted, 6 - 0 , to close the file in this action.

Thomas B. Curtis

Thomas B. Curtis
Chairman

Thomas E. Harris

Thomas Harris
Commissioner

Neil Staebler

Neil Staebler
Vice Chairman

Vernon W. Thomson

Vernon Thomson
Commissioner

Joan D. Aikens

Joan D. Aikens
Commissioner

Robert B. Tiernan

Robert Tiernan
Commissioner

DATE: March 22, 1976

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010432

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
) MUR 003 (75)
James A. Lemon)

21-Day Staff Report

A. Allegation

In a complaint filed with the Commission on July 10, 1975, one Maureen Drummy alleged that James Lemon, a private citizen, violated the provisions of 18 U.S.C. §608(e)(1) by purchasing an advertisement costing in excess of \$1,000 relative to a clearly identified candidate.

B. Evidence

On June 13, 1975, James Lemon paid for an advertisement that appeared in the Washington Post on June 23, 1975. This advertisement concerned the candidacy of Gerald R. Ford and cost \$2,229.14. On July 10, 1975, Mr. Lemon reported the costs of the advertisement as he was required pursuant to 2 U.S.C. §434(e). The §608(e)(1) issue was held in abeyance pending the outcome of Buckley v. Valeo.

On September 8, 1975, Lemon placed a comparable advertisement in the Washington Star. The costs of this advertisement have not yet been reported.

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OFFICE OF GENERAL COUNSEL

77040010433

C. Analysis

The 18 U.S.C. §608(e)(1) independent expenditure limitations were found unconstitutional by the Court in Buckley v. Valeo. In so finding, the Court said that in order for an expenditure to be independent it must not be controlled by or coordinated with a candidate and his campaign. Since there is no evidence connecting Lemon with any candidate, the issue as to the excessive amount of Lemon's expenditure for the June 23, 1975, advertisement is now moot.

With respect to §434(e), Lemon properly reported the June 23, 1975, advertisement; but a report on the September 8, 1975, advertisement in the Star is overdue.

D. Conclusion

The file on this matter should be closed since the statute underlying complainant's allegations has been found unconstitutional. The reporting issue involving the September 8, 1975, advertisement should be turned over to the Reports Processing Division of AID for the purpose of obtaining voluntary compliance (see accompanying letter).

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FEDERAL ELECTION COMMISSION

In the matter of
James A. Lemon

CA 903-73

STAFF REPORT

A. Allegation

It is alleged that James Lemon violated the provisions of 18 U.S.C. §608(a)(1) by purchasing an advertisement costing in excess of \$1,000 relative to a clearly identified candidate.

B. Report

On June 13, 1975, James Lemon paid for an advertisement that appeared in the Washington Post on June 23, 1975. This advertisement was relative to the candidacy of Gerald R. Ford. On July 10, 1975, a proper complaint was filed by Maureen Droney. The complaint alleged that by placing this advertisement costing in excess of \$1,000 relative to the candidacy of President Ford, Lemon violated 18 U.S.C. §608(a)(1). Lemon was duly notified on July 1, 1975, and on July 16, 1975 wrote to the Commission claiming that §608(e) was not intended to apply to him, that he had no intention to influence the nomination for election or election of any individual, and that President Ford was not a candidate when the advertisement was purchased. On June 30, 1975, Orlando Fetter wrote Mr. Lemon advising him of his responsibility under §608(e) to

7704001075

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

report his activity and on July 10, 1973, Mr. Lemon so reported. Subsequently, a similar advertisement appeared in the Washington Star on September 8, 1975. Communication between the Commission staff and Mr. Lemon continued until November 5, 1975, when the Commission through Stephan Schachman notified Mr. Lemon's counsel that the matter was being suspended pending a decision in Buckley v. Valeo. In Buckley the Court found that the limitations of §608(e)(1) were unconstitutional, the reporting requirements of §434(e) were upheld.

C. Recommendation

On the basis that the Supreme Court found §608(e)(1) unconstitutional, this matter should be terminated. Mr. Lemon should be so notified, yet advised that the reporting requirements of §434(e) remain.

77040010136

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OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

November 5, 1975

David Carliner, Esq.
Carliner and Gordon
931 Investment Bldg.
1511 K Street, N. W.
Washington, D. C. 20005

Re: CA 003-75

Dear Mr. Carliner:

This is in response to your letter of October 31, 1975. The Commission has authorized me to inform you that it will defer action in the above-captioned matter until the Supreme Court reaches a decision in the case of Buckley v. Valeo.

Sincerely yours,

Stephen Schachman
Assistant General Counsel

77040010437

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
STEPHEN SCHACHMAN, ASSISTANT GENERAL COUNSEL



CA-003-75

LAW OFFICES
CARLINER AND GORDON

921 INVESTMENT BUILDING
1511 K STREET, N.W.
WASHINGTON, D. C. 20005

DAVID CARLINER
CHARLES GORDON

CABLE ADDRESS
"CARGO"

(202) 363-7341

October 31, 1975

Mr. Stephen Schachman
Assistant General Counsel
Federal Election Commission
1325 K Street N. W.
Washington D. C. 20463

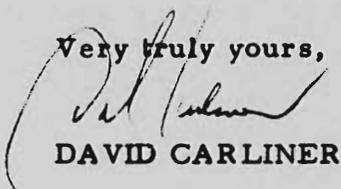
Re: James A. Lemon

Dear Mr. Schachman :

This will confirm my request during our recent telephone conversation that all further action by the Federal Election Commission in a matter involving Mr. James Lemon be deferred pending the decision by the United States Supreme Court in Buckley v. Valeo. Inasmuch as the Court has scheduled oral argument in that case for November 10, 1975, there may be a disposition of the issues which Mr. Lemon has raised in connection with the proceeding against him by the Federal Election Commission.

It is my understanding that your office will agree to deferring further action pending a decision by the Supreme Court. If this is not correct, kindly advise me.

Very truly yours,



DAVID CARLINER

DC/eab

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OFFICE OF GENERAL COUNSEL

77040010438



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

October 23, 1975

file

MEMORANDUM TO THE FILE

FROM: MICHAEL HERSHMAN

SUBJECT: CA-003-75

On the above date Ralph B. Eddy, trial attorney, U.S. Civil Service Commission, examined the subject file at the offices of the FEC. Mr. Eddy was not allowed to review any internal memoranda.

Mr. Eddy reviewed and received a copy of the original complaint, and various correspondence between the FEC, the complainant and Mr. Lemon.

77040010440

**FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL**





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

October 21, 1975

MEMORANDUM TO THE FILE

FROM: MICHAEL HERSHMAN

SUBJECT: CA 003-75

Spoke this date with Lyn Collins, Deputy Assistant Chief Counsel for Hatch Act violations, Civil Service Commission (CSC). I informed Mr. Collins that CSC access to the file on subject has been approved.

Collins indicated that in the near future he or Ralph Eddy would visit the FEC to look at the contents.

77040010441



October 17, 1975

MEMORANDUM TO: The File

FROM: Stephen Schachman

SUBJECT: CA 003-75

77049010442

On October 16, 1975 I received a telephone call from David Carliner, the attorney who is now representing Mr. Lemon. He requested a stay in the proceedings until after the decision in the Supreme Court has been handed down. The Commission has agreed to this. Mr. Carliner can be reached at 393-7341.

cc: Lan Potter
Jack Murphy
Drew McKay
Peter Roman
Bob Costa

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

RECEIVED
FEDERAL ELECTION
COMMISSION

CA-003-75

JAMES A. LEMON
388 HOLLIES RUN DRIVE
HALLS CHURCH, VA. 22041
October 8, 1975

75 OCT 10 AM 10:59

Mr. Stephen Schachman
Assistant General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Schachman:

77040010143

Regarding your letter to me of September 30, 1975, which I received on October 2, 1975, as I have stated to the Commission previously, I do not feel that the Federal Election Campaign Act was ever meant to apply to a person in my situation, i.e., someone who is merely expressing his views in line with free speech guarantees of the First Amendment, and that if it were so applied, it would be in violation of these constitutionally guaranteed rights, I, nevertheless, take this opportunity to inform you in writing within the prescribed ten days from receipt of your letter that I certainly do desire to have a hearing before the Commission to so state my views on this matter.

I would appreciate the Commission's indulgence on two matters concerning such hearing:

(1) A temporary postponement at this time since I am currently without legal representation until such time as I have made suitable contact for such legal representation, and

(2) Eventually scheduling such hearing on a Thursday, which is my regular week-day off from my employment with the United States Postal Service, thus enabling me to attend such hearing without being forced to use annual leave in order to do so.

It would be greatly appreciated if these two requests can be granted by the Commission regarding said hearing.

Sincerely,

James A. Lemon

James A. Lemon

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

JAMES A. LEMON
7823 HOLMES RUN DRIVE
FALLS CHURCH, VA. 22042



RECEIPT
L13333
JED

Mr. Stephen Schachman
Assistant General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

CERTIFIED
No. 642055
MAIL

Bob C.



FEDERAL ELECTION COMMISSION

1325 E STREET N.W.
WASHINGTON, D.C. 20463

September 30, 1975

Mr. James A. Lemon
7823 Holmes Run Drive
Falls Church, Virginia 22042

Dear Mr. Lemon;

I have been informed by Mr. Mark Joelson that he no longer represents you in the matter pending before the Federal Election Commission. Therefore, in accordance with Section 437g of Title 2, U.S.C., I am informing you that prior to the Commission taking any action you have a right to a hearing before the Commission. If you desire to have such a hearing, please inform me or Mr. McKay in writing within 10 days from the receipt of this letter. If we are not in receipt of notification from you within the previously-mentioned 10-day period, the Commission will consider such lack of notification as a waiver of your right to request a hearing.

Also, let me bring to your attention that the Commission has taken note of the advertisement of September 8, 1975 in the Washington Star concerning President Ford, signed by James A. Lemon of 7823 Holmes Run Drive, Falls Church, VA 22042.

If you are represented by counsel, please have him contact me as soon as practicable; I may be reached at 382-5657. If I can be of any assistance in this matter or if you have any questions, please contact me.

Sincerely,

Stephen Schachman
Assistant General Counsel

SS:vlf

- bcc: S. Schachman
- P. Roman
- O. Potter
- J. Murphy
- D. McKay

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010145



77040010146

1. The following service is requested (check one)

Delivery to where and date delivered.

Delivery to where, date, & address of delivery.

DELIVER ONLY TO ADDRESSEE and date to where and date delivered.

DELIVER ONLY TO ADDRESSEE and date to where, date, and address of delivery.

2. ARTICLE REFERRED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

439037

(Stamp with signature of addressee or agent)

I have received the article described above.

James A. Lewis

DATE OF DELIVERY

10/27/75

4. SIGNATURE (Complete only if required)

5. UNABLE TO DELIVER REASON:

FEDERAL ELECTRONIC DELIVERY
 OFFICIAL
 STATE OF MICHIGAN

September 17, 1975

MEMORANDUM TO: File

FROM: Stephen Schachman

RE: CA 003-75

77040010447

I called Mr. Joelson concerning his client's request for a hearing. Mr. Joelson informed me that he and his firm no longer represent Mr. Lemon and that I should contact Mr. Lemon directly. I will set up a telephone contact, in conjunction with Drew McKay, to speak with Mr. Lemon.

cc: Lan Potter
Jack Murphy
Peter Roman
Stephen Schachman
(Original to Drew McKay)

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

MONDAY, SEPTEMBER 8, 1975

The Washington Star

Would You ELECT Ex-Congressman Ford PRESIDENT?

Gerald Ford is a "nice guy" and there are those in the Republican party who said he would NOT run for election in 1976, and that his declaration to do so was to keep him from being a "lame duck" during the remainder of his appointive term. However, he HAS announced such an intention, and on Friday, June 20, officially filed and appointed Army Secretary Howard (Bo) Callaway to head the campaign committee thus making it mandatory to look at his performance as a NON-ELECTED Chief Executive, and seriously ask ourselves the above question. And I, as a life-long Republican reply with a definite "No!"

Consider, for instance, that as a NON-ELECTED Chief of State, Ford:

(1) Ignored the public opinion polls and PARDONED the most despicable liar of the Watergate scandal, and even favored heaping taxpayers' money on him for his "transition" to private life in his luxurious San Clemente estate, over and above the \$60,000 annual pension and

more than \$100,000 a year office and staff expenses which resignation SAVED for Richard Nixon that impeachment would have DENIED! And instead of treating this disgraced man as a modern day Benedict Arnold, Ford keeps him "briefed" on government affairs and continues to treat Nixon as though he had left office under HONORABLE circumstances, which is a direct slap-in-the-face to all of us who felt betrayed by the apparent liar we placed our trust and votes in!

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(3) Again ignored

the public opinion polls and, again, couldn't (or wouldn't) come to the logical conclusion that the war in Vietnam was over (and lost) and wanted to send billions in MILITARY AID to a corrupt leader even the Vietnamese people were asking to resign! Ford further jeopardized American lives by not getting ALL Americans out of Vietnam AS SOON AS POSSIBLE on the pretext that a calamity would result from a quick pull-out and retaliation from the once-friendly population.

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If you agree, clip out this piece, then take out your pen and add your own comments, and mail it to the temporary occupant of the White House urging him to go back to the obscurity of Grand Rapids (from whence he came) because his record to date as Chief Executive (in the minds of many he hasn't made it to President) clearly shows his lack of ability to continue to occupy our highest office, and that for the election during our Bicentennial celebration year we NEED an outstanding LEADER—not just a "nice guy"!

And so he won't be lonely in Grand Rapids, (and in the best interests of us all) request him to take Nelson and Henry with him!

Sincerely,

James A. Lemon

JAMES A. LEMON
7823 HOLMES RUN DRIVE
FALLS CHURCH, VA. 22042

1608 - 20th St., N.W.
 Washington, D.C. 20009
 Telephone: (202) 462-4289

July 31, 1975

Mr. Gordon A. McKay
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

Dear Mr. McKay:

Thank you for providing me with a copy of Mr. Lemon's letter of July 16, and for inviting my written comments.

The text of Mr. Lemon's June 23 ad offers about the best written comment I can give you.

On July 16, Mr. Lemon wrote you: "I had no intention of '...influencing the nomination for election, or election, of any person to Federal office....' 2 U.S.C. 591(f)(1)."

But his ad said in very big letters: Would you ELECT Ex-Congressman Ford President?

On July 16, Mr. Lemon wrote you: "I made the payment... a full week before the Ford Committee filed with the Commission."

Having bought the ad on June 13, Mr. Lemon implies there was no way of withdrawing it before publication June 23. Still, the newspapers of June 18 carried the White House announcement (see enclosed) that the President had chosen his campaign chairman and the Committee would be established by Friday, June 20.

If the Commission checks with the Washington Post's advertising office, I think you will find there was ample time for a withdrawal of the ad, and for return of payment.

I can sympathize with Mr. Lemon's view that the law should be read narrowly, but if the law prohibits only the expensive ads that are purchased after a candidate has filed, then the law contains a loophole. And if the law covers only the ads that mention election or defeat, and permits the word "withdrawal," then the loophole contains another loophole.

As fellow Republicans, for example, Mr. Lemon and I might decide to purchase today any number of full page ads urging that Edward M. Kennedy withdraw. Then if Kennedy is running next July through November, we can run them once a month, for five months, or we can withdraw them at any time.

FEDERAL ELECTION COMMISSION
 OFFICIAL FILE COPY
 OFFICE OF GENERAL COUNSEL

77040010449

Mr. Gordon A. McKay

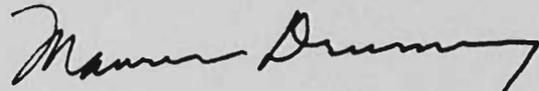
July 31, 1975

Mr. Lemon's final point shows that his research is accurate enough. He correctly identified my source of employment. I only wish he exercised more care in drawing conclusions.

In response to his concluding observation, I can and do solemnly swear that I am the sole source of this complaint and no one else has played any role in it whatever.

I appreciate this opportunity to comment.

Sincerely,



Maureen Drummy

*District of Columbia ss
Mar. Curtis Bowman
Notary Public
My commission expires April 30, 79*

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Encl

77040010450

ate Still Struggles a Disputed Election

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Hampshire's GOP-dominated Ballot Law Commission, which examined some 400 contested ballots and awarded him a two-vote victory.

Durkin appealed the decision to the Senate, which under the U.S. Constitution "shall be the judge of the elections, returns and qualifications" of its own members.

Majority Whip Robert C. Byrd, D-W.Va., who serves on the Rules Committee, insisted the language of the

CALLAWAY TO HEAD FORD'S CAMPAIGN

President Ford today named Howard (Bo) Callaway, now the secretary of the Army, to run his presidential campaign for election in 1976.

The White House said that Callaway would step down as secretary within a matter of days and then take charge of the official Ford campaign committee, which will be established by Friday

Constitution allows no leeway for a rerun of the Nov. 5 balloting.

"IT IS NOT the duty of this Senate to sanction a new election, but to determine who won the election last Nov. 5," Byrd said.

"Someone won that original election, but to this day no one on God's footstool can say who it was," Byrd said.

"There will be plenty of time to send it back if the Senate cannot in the final analysis make a judgment," the majority whip added.

Asst. GOP Leader Robert P. Griffin, R-Mich., said the Senate had no right to substitute its own judgment for that of New Hampshire officials in determining how contested ballots should be awarded.

And Sen. Bill Brock, R-Tenn., charged that the Rules Committee — in reviewing the ballots and disposing of procedural challenges lodged by both contenders — had applied "one set of standards for Mr. Durkin and another for Mr. Wyman."

"If we're going to judge this election, at least give us one standard for everyone," Brock said.

77040010452



12

FIRST CLASS MAIL

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

75 AUG 4 AM 9:30

Federal Election Commission
1325 K Street, N.W.
WASHINGTON, D.C. 20463
Att: Gordon A. McKay

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 23, 1975

Ms. Maureen Drummy
1608 20th Street, N.W.
Washington, D.C. 20009

Dear Ms. Drummy:

In accordance with my letter to you of July 11, please find enclosed a copy of a response received from Mr. James A. Lemon to your complaint against him. If you have any comments to make regarding Mr. Lemon's letter, please feel free to submit them to me in writing.

Sincerely,


Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

GAM:vlf

Enclosure as stated

FEDERAL ELECTION COMMISSION
OFFICIAL FILE CL. 1
OFFICE OF GENERAL COUNSEL

77040010453

7823 Holmes Run Drive
Falls Church, Virginia 22042

July 16, 1975

Mr. Gordon A. McKay
Assistant Staff Director
for Disclosure and Compliance
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

75 JUL 21 AM 11:05

FEDERAL ELECTION
COMMISSION

Dear Mr. McKay:

Pursuant to your letter of July 11, informing me of the complaint filed by Ms. Drummy, I take this opportunity to respond by making the following observations.

First, I do not feel that the Federal Election Campaign Act, specifically 2 U.S.C. 608(e), was ever meant to apply to a person in my situation, i.e., someone who is merely expressing his views in line with the free speech guarantees of the First Amendment, and that if it was so applied, it would be in violation of these constitutionally guaranteed rights.

Second, I would point out that when I placed the statement, I had no intention of ". . . influencing the nomination for election, or election, of any person to Federal office" 2 U.S.C. 591(f)(1). Therefore, I made no expenditure as defined in the statute and used in 608(e).

Third, even if I were deemed to have made an expenditure, as defined by the statute, Sec. 608(e) still would not apply, as I made the payment complained of on June 13, a full week before the Ford Committee filed with the Commission. As Ms. Drummy points out, a person doesn't become a candidate until he has either announced or ". . . given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office" Sec. 591(b). Therefore, Mr. Ford was not a candidate as the statute defines it, or as the term applies in Sec. 608(e).

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

7701101054

Mr. Gordon A. McKay
July 16, 1975
Page Two

Fourth, the language of Sec. 608(e) specifically mentions the advocacy of the election or defeat of any candidate as a statutory prerequisite for a violation of this section. No mention is made at all of withdrawal, seeming to indicate that advocacy of such is permissible. Indeed, it seems fairly obvious that someone spending his savings in an effort to influence any election would not be spending them at a time so far in advance of even the New Hampshire primary, as to have little or no impact at all. My message was to Mr. Ford, merely urging him not to run; it said nothing about people not voting for him or voting for someone else. Thus, all it was saying was that Mr. Ford should reiterate his pledge, made when he originally became President, not to run for office in 1976. In short, I was not advocating his defeat, rather that he do what Lyndon Johnson did in 1968, and announce that he would not seek nomination or election. This is so far removed from what seems to be the apparent intent of the statute, i.e. to eliminate the buying of influence and elections, that I fail to comprehend how my action can be deemed to fall within its confines.

Finally, I would like to point out for the benefit of the Commission, that Ms. Drummy is currently employed as an Administrative Assistant to Rep. William A. Steiger (R., Wis.), who is listed as one of the plaintiffs in the suit contesting the constitutionality of the Federal Election Campaign Act. It seems highly incongruous to me that they would be claiming that the statute is unconstitutional on the one hand, while complaining of violations of the very same statute, on the other.

I would like to reiterate what I said in my letter of July 10, that I am responding in a spirit of cooperation with the Commission and that nothing contained herein should be deemed to waive my right to challenge the applicability or validity of any of the laws or reporting forms involved if this becomes necessary.

Sincerely,

James A. Lemon
James A. Lemon

Oath and verification:

The above James A. Lemon
appeared before me this 16th day
of July and swore that the above
facts are true.

Barbara A. Foltz
Notary Public

My commission expires 10/10/76

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010010453

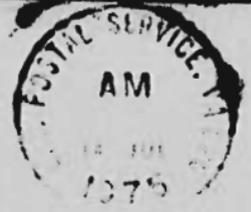
JAMES A. LEMON
7823 HOLMES RUN DRIVE
FALLS CHURCH, VA. 22042

RECEIVED
FEDERAL ELECTION COMMISSION
01015

15 JUL 21 AM 3:29

RECEIVED
FEDERAL ELECTION COMMISSION
JUL 21 1979

Mr. Gordon A. McKay
Assistant Staff Director
for Disclosure and Compliance
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

July 14, 1975

re: phone conversation with Mr. Joelson
of today's date:

In addition to the matters discussed
in the letter hereto, we discussed the
problem with requesting an AOR by Mr.
Lemon. Mr. Joelson stated that as his
client was maintaining he was not a
candidate or committee it may be difficult
to request an AOR. We decided this matter
should be held in abeyance until such time
as the outstanding complaint is resolved.

770400105

FEDERAL ELECTION COMMISSION
OFFICE FILE COPY
GENERAL COUNSEL

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 14, 1975

Mark R. Joelson, Esquire
Arent, Fox, Kintner, Plotkin & Kahn
1100 Federal Bar Building
1815 H Street, N. W.
Washington, D. C. 20006

Dear Mr. Joelson:

Pursuant to our conversation of this date, enclosed please find copies of the letter and formal complaint sent to your client on July 11, 1975, and a copy of the interim guidelines on complaint procedure.

Additionally, this letter confirms the fact that any decision by you as to whether or not your client desires a hearing may be held in abeyance until further notification by the Commission. Until such time as the Commission requests a decision concerning your client's desire to have a hearing, your lack of action in this regard will in no way be deemed a waiver of the right to request a hearing.

Sincerely yours,

151

Stephen Schachman
Deputy Assistant General Counsel

Enclosures

blc: Lan Potter
Drew McKay
Jack Murphy
Peter Roman

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 11, 1975

438008

Ms. Maureen Drummy
 1608 20th Street, N.W.
 Washington, D.C. 20009

Dear Ms. Drummy:

This will acknowledge receipt today of your complaint filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 608(e)(1) of Title 18, United States Code by Mr. James A. Lemon.

While your complaint is considered duly filed under the provisions of 2 U.S.C. 437(g) and our interim complaint procedure guideline, Mr. Lemon has filed a letter and a report with the Commission concerning the matter raised in your complaint. Since both the letter and the report are matters of public record, you may wish to review these documents. However, a copy of your complaint has been forwarded to Mr. Lemon and he has been requested to respond to the matter raised in your complaint within ten days after his receipt of the complaint. You will be supplied with copies of any responses he may make, and allowed the opportunity to comment.

In keeping with the provisions of 2 U.S.C. 437(g)(a)(3) of the Act and our interim complaint procedure guideline (Notice 1975-9, which was sent to you in our previous correspondence), the complaint will not be made available for public inspection and no announcements will be made by this Office concerning the status of any inquiry or investigation which might ensue, without the written consent of the person with respect to whom such inquiry or investigation is made.

Sincerely,



Gordon Andrew McKay
 Assistant Staff Director
 for Disclosure and Compliance

GAM:vlf

cc: James A. Lemon

FEDERAL ELECTION COMMISSION
 OFFICIAL FILE COPY
 OFFICE OF GENERAL COUNSEL

77040010159

77040010460

ATT: GINNY

78 Form 3811, Jan. 1975

1. The following service is requested (check one).
 Show to whom and date delivered..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
 Florence Plum
 1608 20

3. ARTICLE DESCRIPTION:
 REGISTERED NO. 438008 INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Address Authorized agent

4. DATE OF DELIVERY 7-14-75 POSTMARK

5. ADDRESS (Complete only if requested)
 1608 20

6. UNABLE TO DELIVER BECAUSE:

CLIENT'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

ATT: GINNY

78 Form 3811, Jan. 1975

1. The following service is requested (check one).
 Show to whom and date delivered..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. 438009 INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Address Authorized agent

4. DATE OF DELIVERY 7-12-75 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLIENT'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

FEDERAL RESERVE COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Drew McKay

June 25, 1975

MEMORANDUM TO: The Commissioners
THRU: Lan Potter
FROM: Jack Murphy *J.M.P.*

Attached find a copy of a memorandum which I had young Mr. Skover do on a hurry up basis after yesterday's Commission meeting. You may find it useful in connection with the proposed discussion at the June 26 meeting of the Lemmon matter.

77040010161

Attachment

JM:jl

REGIONAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010462

TO: Jack Murphy

FROM: David Skover

RE: Constitutionality of 18 U.S.C. 608(e)
as applied to publication of political
speech.

DS

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 11, 1975

438009

Mr. James A. Lemon
7823 Holmes Run Drive
Falls Church, Virginia 22042

Dear Mr. Lemon:

The Federal Election Commission has received a formal complaint from Ms. Maureen Drummy, 1608 20th Street, N.W., Washington, D.C., duly filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 608(e)(1) of Title 18, United States Code. A copy of that complaint is enclosed together with a copy of our letter of acknowledgement to the complainant.

Any response to this complaint which you might choose to make, including corrections or amendments to your filings on the public records, should be received in this Office within 10 days after receipt of this letter.

In keeping with 2 U.S.C. 437(g)(a)(3) and our interim complaint procedure guideline (Notice 1975-9, copy enclosed), the complaint will not be made available for public inspection and no announcements will be made by the Commission concerning the status of any inquiry or investigation which might ensue, without the written consent of the person with respect to whom such inquiry or investigation is made.

Sincerely,



Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

GAM:vlf

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77043010463

CAC03-75

FEDERAL ELECTION COMMISSION

'75 JUL 10 PM 4:05

7823 Holmes Run Drive
Falls Church, Virginia 22042
July 10, 1975

HAND DELIVERED

Mr. Orlando Potter
Staff Director
Federal Election Commission
1325 "K" Street, N. W.
Washington, D. C. 20463

Dear Mr. Potter:

I have received your letter of June 30, 1975 concerning the expression of views that I placed in The Washington Post last month.

Prior to receiving your letter I was not aware of the provisions of the Federal Election Campaign Act to which you refer. Since hearing from you I have looked at these provisions, and I have also consulted an attorney on this subject, although we have had little time to study this extensive law and the problems which it raises.

I consider that what I did was lawful and within my rights as an American citizen. I don't believe that the requirements of this campaign expenditure law apply to the statement of opinion that I put in the newspaper. Moreover, I understand that, if the law were interpreted to so apply, substantial questions would be raised about its constitutionality.

On the other hand, I am willing to make disclosure to the Commission about my actions and do not want to risk possible criminal liability by failing to make disclosures. Therefore I have done my best to fill out the reporting forms that you sent me, although they do not fit my situation and I have thus had to alter their language.

77040010464

FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL

Mr. Orlando Potter
July 10, 1975
Page Two

I do want to stress that I am filing these forms because of the risk of criminal penalties as well as in a spirit of cooperation with the Commission, and that I do not waive my rights to challenge the applicability or validity of any of the laws or reporting forms involved if this becomes necessary.

Sincerely,

James A. Lemon
James A. Lemon

77040010465

FEDERAL ELECTION COMMISSION
STANDARD FORM NO. 70
MAY 1962 EDITION

COMPTROLLER GENERAL OF THE UNITED STATES

U.S. GENERAL ACCOUNTING OFFICE FEDERAL ELECTION COMMISSION
Washington, D.C.

REPORT OF RECEIPTS AND EXPENDITURES

FOR A COMMITTEE

SUPPORTING ANY CANDIDATE(S) FOR NOMINATION OR ELECTION TO THE OFFICE OF PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES

James Anthony Lemon
(Full Name of Committee)
7823 Holmes Run Dr
Falls Church, Virginia
(Street)
22042
(City, State, ZIP code)

Identification Number

State (If Primary, Convention, or Caucus)

TYPE OF REPORT

(Check Appropriate Box and Complete, if Applicable)

- March 10 report.
- June 10 report. July 10, 1975
- September 10 report.
- January 31 report.
- Fifteenth day report preceding _____ election on _____
(Primary, general, caucus, or convention) (Date)
- Fifth day report preceding _____ election on _____
(Primary, general, caucus, or convention) (Date)
- Termination report.

VERIFICATION BY OATH OR AFFIRMATION

State of Washington

County of District of Columbia ss.

I, James A. Lemon, being duly sworn, depose (affirm) and say

that this Report of Receipts and Expenditures is complete, true, and correct.

James A. Lemon
(Signature of Committee Member)

Subscribed and sworn to (affirmed) before me this 10th day of July, A.D. 1975

Pauline Rainey
(Notary Public)

My commission expires August 31, 1975

[SEAL]

RETURN COMPLETED REPORT AND ATTACHMENTS TO:
Office of Federal Elections
U.S. General Accounting Office
441 G Street, N.W.
Washington, D.C. 20548

Name of Committee

Jan A. Lemon

SUMMARY REPORT COVERING PERIOD FROM April 1, 1975 THRU June 30, 1975

Column A—
This period

Column B—
Calendar year
to date

SECTION A—RECEIPTS:

Part 1. Individual contributions:		
a. Itemized (use schedule A*).....	\$ 2,229.14	
b. Unitemized.....	\$ 141.00	
Total individual contributions	\$ 2,370.14	\$ 2,370.14
Part 2. Sales and collections:		
Itemize (use schedule B*).....	\$ NONE	\$ NONE
Part 3. Loans received:		
a. Itemized (use schedule A*).....	\$	
b. Unitemized.....	\$	
Total loans received	\$ NONE	\$ NONE
Part 4. Other receipts (refunds, rebates, interest, etc.):		
a. Itemized (use schedule A*).....	\$	
b. Unitemized.....	\$	
Total other receipts	\$ NONE	\$ NONE
Part 5. Transfers in:		
Itemize all (use schedule A*).....	\$ NONE	\$ NONE
TOTAL RECEIPTS	\$ 2,370.14	\$ 2,370.14

SECTION B—EXPENDITURES:

Part 6. Communications media expenditures:		
Itemize all (use schedule C*).....	\$ 2,370.14	\$ 2,370.14
Part 7. Expenditures for personal services, salaries, and reimbursed expenses:		
a. Itemized (use schedule D*).....	\$	
b. Unitemized.....	\$	
Total expenditures for personal services, salaries, and reimbursed expenses	\$ NONE	\$ NONE
Part 8. Loans made:		
a. Itemized (use schedule D*).....	\$	
b. Unitemized.....	\$	
Total loans made	\$ NONE	\$ NONE
Part 9. Other expenditures:		
a. Itemized (use schedule C*).....	\$	
b. Unitemized.....	\$	
Total other expenditures	\$ NONE	\$ NONE
Part 10. Transfers out:		
Itemize all (use schedule D*).....	\$ NONE	\$ NONE
TOTAL EXPENDITURES	\$ 2,370.14	\$ 2,370.14

SECTION C—CASH BALANCES:

Cash on hand at beginning of reporting period.....	\$ NONE
Add total receipts (section A above).....	\$
Subtotal.....	\$
Subtract total expenditures (section B above).....	\$
Cash on hand at close of reporting period.....	\$ NONE

SECTION D—DEBTS AND OBLIGATIONS:

Part 11. Debts and obligations owed to the committee (use schedule E*).....	\$ NONE
Part 12. Debts and obligations owed by the committee (use schedule F*).....	\$ NONE

Schedules are to be used only when itemization is required. (See each Schedule for instructions.) When itemization is unnecessary for a given Part, the total of any amounts for that Part is to be entered as a lump sum on the "Unitemized" line of the appropriate Part of the Summary Report. The word "None" should be entered on any line of the Summary Report when no amount is being reported.

SCHEDULE A

ITEMIZED RECEIPTS—CONTRIBUTIONS, TICKET PURCHASES, LOANS, AND TRANSFERS

James Anthony Lemon
 (Full Name of Candidate or Committee)

Part No. ONE
 (Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS
 (Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Aggregate Year-to-date (complete if applicable)	Amount of Receipt This Period
My Own Money	James A. Lemon 7823 Holmes Run Dr. Falls Church, VA 22042 Letter carrier USPS McLean VA 22101	Aggregate Year-to-date \$ 2,229.14	\$2,229.14
7 7 0 4 3 0		Aggregate Year-to-date \$	
0 1 6 8		Aggregate Year-to-date \$	
1 0 1 6 8		Aggregate Year-to-date \$	
7 7 0 4 3 0		Aggregate Year-to-date \$	
7 7 0 4 3 0		Aggregate Year-to-date \$	
7 7 0 4 3 0		Aggregate Year-to-date \$	
7 7 0 4 3 0	FEDERAL ELECTION COMMISSION OFFICIAL FILE COPY OFFICE OF GENERAL COUNSEL	Aggregate Year-to-date \$	
		Aggregate Year-to-date \$	

TOTAL THIS PERIOD \$2,229.14
 (Last page of this Part only)

ITEMIZED EXPENDITURES—COMMUNICATIONS AND NON-COMMUNICATIONS MEDIA

James Anthony Leamon

(Full Name of Candidate or Committee)

77040010469
SEE REVERSE SIDE FOR INSTRUCTIONS

(Use separate page (s) for each numbered Part)

Part No. Six

(Use for itemizing Part 6 or 9)

DATE OF PAYMENT (month, day, year)	PAYEE (Recipient of Payment) Full Name, Mailing Address, (occupation and principal place of business, if any)	PURPOSE OF EXPENDITURE (For communications media expenditures, also specify date(s) of use)	CHECK (✓) EXPENDITURE BY ELECTION					AMOUNT OF EXPENDITURE THIS PERIOD	ALLOCATE EXPENDITURES BY CANDIDATE (To be completed only by Committees supporting more than one candidate)	
			Primary	General	Special	Benefit	Caucus or Convention		Full Name, Congressional District (if applicable), State, and Party	Amount of Expenditure This Period
6-13-75	The Washington Post 1150 15th St. N.W. Washington, D.C.	Expression of Views in Newspaper on June 23, 1975						\$2,321.42		
May 1975	Kopy Kat Instant Printing 1398 Chain Bridge Rd McLean Va 22101	Printing of Mailing Concerning Expression of Views						Approx. \$110 ⁰⁰		
May 1975	U.S. Postal Service and a Drug Store McLean Va	Postage and Envelopes for mailing.						Approx \$38.72		

FEDERAL ELECTION COMMISSION
ORIGINAL COPY

TOTAL THIS PERIOD 2,370.14
(Last page of this Part only)

FEDERAL ELECTION
COMMISSION

175 JUL 10 PM 4:03

77010010170

7823 Holmes Run Drive
Falls Church, Virginia 22042

Mr. Orlando Potter
Staff Director
Federal Election Commission
1325 "K" Street, N. W.
Washington, D. C. 20463

MAUREEN DRUMMY

TO: Gordon Andrew McKay

DATE: July 10

RE: Your letter of July 3

Thank you for sending me a copy of the Commission's interim complaint procedure guideline, issued July 1.

I have redrafted my June 25 complaint to conform with this guideline. I'm enclosing two notarized copies, and five photocopies of the original notarized complaint of this date.

I found your prompt response to my earlier letter most heartening.

Maureen Drummy

JUL 11 AM 11:34

RECEIVED
FEDERAL ELECTION
COMMISSION

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF LEGAL COUNSEL

77040010471

1608 - 20th St., N.W.
Washington, D.C. 20009
Telephone: (202) 462-4289

July 10, 1975

Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION

75 JUL 11 AM 11:30

Chairman Curtis, Commissioner Aikens & Gentlemen:

In accordance with the Commission's interim complaint procedure guideline, dated July 1, I am resubmitting the enclosed political advertisement which appeared in the Washington Post on June 23. As noted in my letter of June 25, the Post's general advertising director informed me this advertisement cost its sponsor --

Mr. James A. Lemon
7823 Holmes Run Drive
Falls Church, Va. 22042

-- roughly \$2,368.

The object of this ad, Gerald R. Ford, registered his campaign committee with the Federal Election Commission prior to the date of Mr. Lemon's advertisement. I call the ad to your attention in the belief it violates Sec. 608(e)(1) of Title 18, United States Code:

"No person may make any expenditure...relative to a clearly identified candidate during a calendar year which, when added to all other expenditures made by such person during the year advocating the election or defeat of such candidate, exceeds \$1,000.

- "(2) For purposes of paragraph (1) -
- "(A) "clearly identified" means -
 - "(i) the candidate's name appears;"

For purposes of this section of Title 18, a "candidate" means -

"an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal office, if he has -

"....(2) ...given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office...."

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

77040010472

Federal Election Commission

July 10, 1975

Under Title 18, President Ford was a full-fledged "candidate" at the time Mr. Lemon composed his ad.

The ad "clearly identified" Mr. Ford -- criticizing him by name.

In publishing an ad that requested a candidate's "withdrawal" from a Federal election contest, Mr. Lemon was advocating the defeat of the named candidate.

Were the Commission to make a distinction between "advocating withdrawal" and "advocating defeat," it would risk the creation of a loophole whereby any individual could spend as much as \$25,000 -- and perhaps spend an unlimited sum -- in subjecting a candidate to advertisements urging "withdrawal" right up to election night.

I believe Mr. Lemon is a person who spent in excess of \$1,000 advocating the defeat of a clearly identified candidate, in violation of Section 608(e) (1) of Title 18, of the United States Code.

Respectfully,

Maureen Drummy

Maureen Drummy
1608 20th St., N.W.
Washington, D.C. 20009

Telephone: (202) 462-4289

*District of Columbia ss
Mary Gustafson Boman
Nancy Puller
My Commission expires April 30, 79*

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010473

1608 - 20th St., N.W.
Washington, D.C. 20009
Telephone: (202) 462-4289

July 10, 1975

Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

Chairman Curtis, Commissioner Aikens & Gentlemen:

In accordance with the Commission's interim complaint procedure guideline, dated July 1, I am resubmitting the enclosed political advertisement which appeared in the Washington Post on June 23. As noted in my letter of June 25, the Post's general advertising director informed me this advertisement cost its sponsor --

Mr. James A. Lemon
7823 Holmes Run Drive
Falls Church, Va. 22042

-- roughly \$2,368.

The object of this ad, Gerald R. Ford, registered his campaign committee with the Federal Election Commission prior to the date of Mr. Lemon's advertisement. I call the ad to your attention in the belief it violates Sec. 608(e) (1) of Title 18, United States Code:

"No person may make any expenditure...relative to a clearly identified candidate during a calendar year which, when added to all other expenditures made by such person during the year advocating the election or defeat of such candidate, exceeds \$1,000.

- "(2) For purposes of paragraph (1) -
- "(A) "clearly identified" means -
 - "(i) the candidate's name appears;"

For purposes of this section of Title 18, a "candidate" means -

"an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal office, if he has -

"....(2) ...given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office...."

RECEIVED
FEDERAL ELECTION
COMMISSION

975 JUL 11 AM 11:34

RECEIVED
FEDERAL ELECTION
COMMISSION

975 JUL 11 AM 11:34

7704001047A

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Would You ELECT Ex-Congressman Ford PRESIDENT?

Gerald Ford is a "nice guy" and there are those in the Republican party who said he would NOT run for election in 1976, and that his declaration to do so was to keep him from being a "lame duck" during the remainder of his appointive term. However, he HAS announced such an intention, and on Friday, June 20th, officially filed an appointed Army Secretary Howard (Bo) Calloway to head the campaign committee thus making it mandatory to look at his performance as a NON-ELECTED Chief Executive, and seriously ask ourselves the above question. And I, as a life-long Republican reply with a definite "No"!

Consider, for instance, that as a NON-ELECTED Chief of State, Ford:

(1) Ignored the public opinion polls and PARDONED the most despicable liar of the Watergate scandal, and even favored heaping taxpayers' money on him for his "transition" to private life in his luxurious San Clemente estate, over and above the \$60,000 annual pension and more than \$100,000 a year office and staff expenses which resignation SAVED for Richard Nixon that impeachment would have DENIED! And instead of treating this disgraced man as a modern-day Benedict Arnold, Ford keeps him "briefed" on government affairs and continues to treat Nixon as though he had left office under HONORABLE circumstances, which is a direct slap-in-the-face to all of us who felt betrayed by the apparent liar we placed our trust and votes in!

(2) Ignored the will of the people and couldn't (or wouldn't) tell the difference between "recession" and "inflation" and very belatedly ADMITTED that we, indeed, had "recession" as well as "inflation" ONLY after many thousands of Americans were out of work, then proposing that food stamps cost more and social security benefits be cut back, which would hurt the poor and the elderly—apparently an act to save the rest of us by sacrificing the weakest and most helpless of us!

(3) Again ignored the public opinion polls and, again, couldn't (or wouldn't) come to the logical conclusion that the war in Vietnam was over (and lost) and wanted to send billions in MILITARY AID to a corrupt leader even the Vietnamese people were asking to resign. Ford further jeopardized American lives by not

(4) Again ignored the will of many Americans by placing a MULTI-MILLIONAIRE a heart-beat away from the position which Nelson Rockefeller has OPENLY COVETED for many, many years, although a great number of Americans deplore the coupling of great financial wealth and immense political weight to such an important and influential office.

Ford (a Republican) aspires to emulate Truman (a Democrat) but hasn't even come as close as Whitmore (an actor) in his imitation.

If the year were 1775, we would not seek a cross between Casper Milquetoast and Walter Mitty to be our leader—nor do we so desire such a hybrid man two hundred years later.

It's clearly time for Gerald Ford to pay attention to the opinions of the rest of us, so I ask you to join me in "RIDOF" (Republicans, Independents, Democrats Opposing Ford) to convince an unqualified candidate to withdraw from the coming Presidential election race in order to clear the way for TRUE leadership to emerge!

If you agree, clip out this piece, then take out your pen and add your own comments, and mail it to the temporary occupant of the White House urging him to go back to the obscurity of Grand Rapids (from whence he came) because his record to date as Chief Executive (in the minds of many he hasn't made it to President) clearly shows his lack of ability to continue to occupy our highest office, and that for the election during our Bi-Centennial celebration year we NEED an outstanding LEADER—not just a "nice guy"!

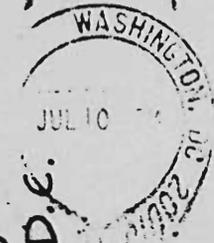
And so he won't be lonely in Grand Rapids (and in the best interests of us all) request him to take Nelson and Henry with him!

Sincerely,

James A. Lemon

10th St., N.W.
WASHINGTON, D.C.

77040010476



WASHINGTON, D.C.

FIRST CLASS MAIL

Federal Election Commission

1325 K St., N.W.

WASHINGTON, D.C. 20543

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

RECEIVED
FEDERAL ELECTION
COMMISSION

75 JUL 11 AM 11:35

July 9, 1975

MEMORANDUM TO: Orlando B. Fetter
Staff Director

FROM: Gordon Andrew McKay
Stephen Schachman

SUBJECT: Contact with Mr. Mark R. Joelson, the
Attorney Representing Mr. James Lemon

77040010477

Late this morning, Mr. Joelson called the Commission. As Mr. McKay was not available at that time, his call was returned at 12:06 p.m. by both Mr. McKay and Mr. Schachman. The result of that conversation was a meeting scheduled for 4:30 p.m. today.

Mr. Joelson, accompanied by a summer law clerk, Mr. G. Mathas, met with Mr. McKay and Mr. Schachman at 4:41. Mr. Joelson raised or made the following points initially:

1. He was retained by Mr. Lemon last week, but only Monday received the initial exchange of information with Mr. Lemon. He had yet to meet Mr. Lemon, but was scheduled to do so tomorrow, July 10th.
2. His purpose, so he stated, in coming to the Commission was two-fold: (a) to determine what has actually happened to date and (b) to begin a dialogue with the Commission.
3. He had begun receiving telephone inquiries concerning this matter yesterday from the Washington Post, including an unnamed national reporter, and "civil liberties people". He was concerned about the release/spread of information to date.
4. Mr. Lemon does not believe he is subject to the Act or violated any provision of law; however, he does not want to become a "cause celebre". Mr. Joelson stated that Mr. Lemon was not "influencing" any election with his advertisement, and thus not subject to the FECA disclosure provisions.

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3. Mr. Joelson requested an extension of time within which to file. We indicated the reporting dates were statutory and non-waivable. If the Commissioners determined there was a way to accommodate this request we would immediately so inform them.

During the discussion, which continued until 5:27 p.m., Mr. McKay and Mr. Schachman stated:

1. The Commission appreciated Mr. Joelson's efforts to proceed informally in this matter, and understood his disadvantage of not being totally familiar with the FECA.

2. It was Commission policy, as stated by the Chairman and other Commissioners to first and foremost encourage voluntary compliance with the law.

3. The July 10th reporting deadline being tomorrow, it was suggested that the required disclosure be made together with any disclaimer statement Mr. Lemon might wish to make. However, if the reporting deadline were missed, there could be no subsequent way Mr. Lemon could correct the record--if his position is not upheld in the final determination.

4. The Commission has not and would not release any correspondence relating to this or any other matter under investigation. The statute precluded the Commission from releasing such information. Any information available to the general public may have resulted from the discussion of this matter initially in open Commission session. However, no letter was discussed, reviewed or released in public session.

5. Since Mr. Lemon feels that he is not subject to the Act and to avoid any future problems in this area, Mr. Joelson should consider the possibility of requesting an advisory opinion relating to the publication of such advertisement/announcements.

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6. To facilitate disclosure, appropriate reporting forms were given and explained in detail to Mr. Joelson. He was clearly advised that the report and any accompanying letter would be public record.

The discussion ended with Mr. Joelson indicating that he would raise our points with Mr. Lemon, that he would make a statement to the Post tomorrow, but that such statement would not in any way speak for the Commission or describe the Commission's position in this matter, and finally we could expect to hear from him again.

77040010479

cc: Jack Murphy
Peter Roman

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

CA 1975-003(c)

July 7, 1975

MEMORANDUM TO: Orlando B. Potter
Staff Director

FROM: Stephen Schachman and Drew McKay

SUBJECT: Conversation with James A. Lemon
concerning Washington Post advertisement
of June 23, 1975

77040010480

Mr. McKay and Mr. Schachman upon being informed that Mr. Lemon had called the Commission, jointly returned Mr. Lemon's telephone call this date. Mr. Lemon was calling in response to your letter of June 30, 1975. Mr. Lemon stated the following:

(1) He was not aware that his placement of the ad in the Washington Post was in violation of the law.

(2) That he had no intention to violate the law and would complete and file the forms enclosed with your letter by July 10, 1975.

(3) That Mr. Lemon had placed a similar ad concerning former President Nixon in February of 1974 and as no one had indicated that said ad was a violation of the law he just assumed that the ad in question was permissible.

(4) He indicated that his father was a retired policeman living in Florida and would be mortified if he knew his son had violated the law.

(5) He had received contributions totaling \$143.00, none of which were in excess of \$100.00 but several were in excess of \$10.00.

(6) There was no committee involved with the ad.

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We suggested to Mr. Lemon that he keep accurate records of the funds that he received in response to his advertisement. We further informed Mr. Lemon he probably could expect an official response from the Commission, after receiving his letter and July 10th Report.

77040010481

cc: Jack Murphy
Peter Roman

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OFFICE OF GENERAL COUNSEL

FA-1975-003(6)

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

438006

Ms. Maureen Drummy
1608 20th Street, N.W.
Washington, D.C. 20009

Dear Ms. Drummy:

This is in response to your letter of June 25 which complains of an apparent violation of Sec. 608(e)(1) of Title 18, United States Code.

Please be advised that, in keeping with our interim complaint procedure guideline (Notice 1975-9, copy enclosed), your letter cannot be considered as being a duly filed complaint under the provisions of Section 437 of the Federal Election Campaign Act of 1974 as it has not been properly notarized.

Should you wish to refile a notarized copy of your letter, please be so kind as to address the correspondence to:

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Please also be advised that the Commission has taken note of the matter to which you make reference, prior to receipt of your letter. The Commission accordingly has notified Mr. Lemon of the requirements of the law and has provided him an opportunity to file an appropriate disclosure or submit explanatory material.

Sincerely,

Gordon Andrew McKay
Gordon Andrew McKay
Assistant Staff Director
for Disclosure and Compliance

Enclosure as stated

GAM:vlf

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010482

439000

June 30, 1975

Mr. James A. Loman
7823 Holmes Run Drive
Falls Church, Virginia 22042

Dear Mr. Loman:

It has been brought to my attention that you recently placed an advertisement in The Washington Post which appears to oppose the candidacy of Gerald R. Ford for the Presidency of the United States. For purposes of the disclosure and compliance provisions of the Federal Election Campaign Act of 1974, Mr. Ford is in fact a candidate for nomination for election, or election, to the Presidency.

At the Commission's direction, I call your attention to the provisions of the Act relating to the disclosure responsibilities of persons seeking to influence Federal Elections, under 2 U.S.C. Section 434(a), and the limitations on expenditures by a person under 18 U.S.C. Section 608(e), which is a provision of the Criminal Code.

Enclosed is a copy of the Federal Election Campaign Act and registration and reporting forms for use by persons and organizations subject to the provisions of the Act. Please address any comment you may care to make concerning the aforementioned matters to the Federal Election Commission at 1325 K Street, N. W., Washington, D. C. 20463.

Sincerely,

Orlando B. Potter
Staff Director

Enclosures as stated

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

77040010483

RECEIVED
FEDERAL ELECTION
Commission

Federal Election Commission
1325 K St., N.W.
WASHINGTON, D.C. 20463

'75 JUN 26 AM 10:54

Chairman Curtis, Ms. Aikens + Gentlemen:

I enclose a political advertisement published in The Washington Post, Monday, June 23. The Post's general advertising director informs me this advertisement cost its sponsor --

MR. JAMES A. LEMON
7923 Holmes Run Drive
Falls Church, VA. 22042

-- roughly \$2,368.

Since Gerald R. Ford, the object of this ad, registered his campaign committee with the Federal Election Commission prior to the date of MR. LEMON's advertisement, I call the ad to your attention, in the belief it violates the Federal Election Campaign Act.

Sec. 608 (e)(1) of Title 18, U.S. Code: "No person may make any expenditure ... relative to a clearly identified candidate during a calendar year which, when added to all other expenditures made by such person during the year advocating the election or defeat of such candidate, exceeds \$1,000.

"(2) For purposes of paragraph (1) --

"(A) 'clearly identified' means --

"(i) the candidate's name appears; "

It is clear that MR. Lemon has spent more than \$1,000 advocating the defeat of a named candidate.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Mareen Drummy
1608 20th SE., NW
WASHINGTON, DC

77010010184

Would You ELECT Ex-Congressman Ford PRESIDENT?

Gerald Ford is a "nice guy" and there are those in the Republican party who said he would NOT run for election in 1976, and that his declaration to do so was to keep him from being a "lame duck" during the remainder of his appointive term. However, he HAS announced such an intention, and on Friday, June 20th, officially filed an appointed Army Secretary Howard (Bo) Calloway to head the campaign committee thus making it mandatory to look at his performance as a NON-ELECTED Chief Executive, and seriously ask ourselves the above question. And I, as a life-long Republican reply with a definite "No"!

Consider, for instance, that as a NON-ELECTED Chief of State, Ford:

(1) Ignored the public opinion polls and PARDONED the most despicable liar of the Watergate scandal, and even favored heaping taxpayers' money on him for his "transition" to private life in his luxurious San Clemente estate, over and above the \$60,000 annual pension and more than \$100,000 a year office and staff expenses which resignation SAVED for Richard Nixon that impeachment would have DENIED! And instead of treating this disgraced man as a modern day Benedict Arnold, Ford keeps him "briefed" on government affairs and continues to treat Nixon as though he had left office under HONORABLE circumstances, which is a direct slap-in-the-face to all of us who felt betrayed by the apparent liar we placed our trust and votes in!

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(4) Again ignored the will of many Americans by placing a MULTI-MILLIONAIRE a heart-beat away from the position which Nelson Rockefeller has OPENLY COVETED for many, many years, although a great number of Americans deplore the coupling of great financial wealth and immense political weight to such an important and influential office.

Ford (a Republican) aspires to emulate Truman (a Democrat) but hasn't even come as close as Whitmore (an actor) in his imitation.

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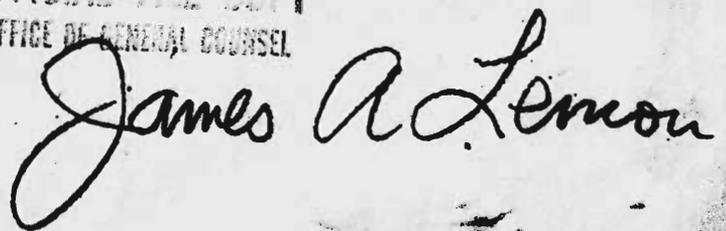
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And so he won't be lonely in Grand Rapids, (and in the best interests of us all) request him to take Nelson and Henry with him!

FEDERAL ELECTION COMMISSION
OFFICIAL COPY
OFFICE OF GENERAL COUNSEL

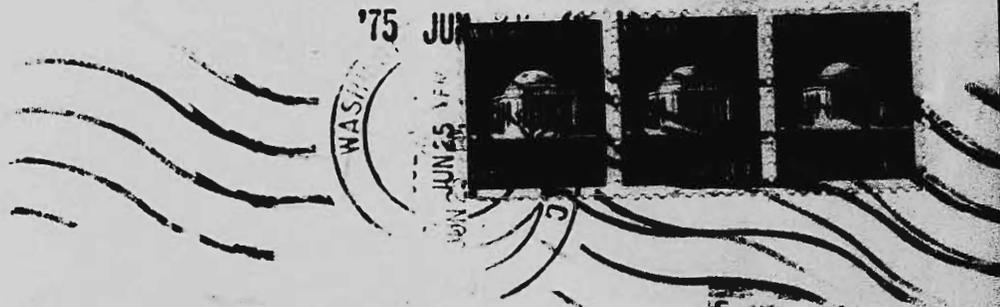
Sincerely,



JAMES A. LEMON
7823 HOLMES RUN DRIVE
FALLS CHURCH, VA. 22042

770-10010486

FEDERAL ELECTION
COMMISSION



FEDERAL ELECTION COMMISSION
OFFICIAL MAIL
OFFICE OF GENERAL COUNSEL

Federal Election Commission

1325 K St., N.W.

WASHINGTON, D.C.

20463

FEDERAL ELECTION COMMISSION

July 9, 1975 memo from McKay to Potts (Internal)

Oct 23 1975 memo to file from Hammer

July 14 1975 memo to Scherwin

Jan 7 1975 Murphy + Scherwin

Sept 12, 1978 Alan G. ...

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):

77040010487

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed

Andrew H. ...

date

Sept 26, 77



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

October 20, 1975

MEMORANDUM TO THE FILE

FROM: MICHAEL HERSHMAN

SUBJECT: CA-003-75

On this date I telephoned Neil Axel, Counsel for Victor Crawford, I inquired concerning the status of Crawford's October 10 candidate report. Axel replied that it has been filed with the Secretary of the Senate and contains the relevant entries regarding the alleged unauthorized expenditures.

Axel agreed to send us a copy of the report.

77040010512

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