

BEFORE THE FEDERAL ELECTION COMMISSION

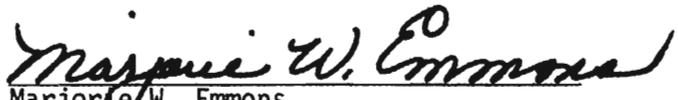
In the Matter of)
Mr. Philip Dalton)

MUR 313 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 29, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.


Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

7704001550

DATE AND TIME OF TRANSMITTAL: 12-22-76
2:30 pm

NO. MUR 313 (76)
REC'D: 10/18/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Internally generated by Disclosure and Compliance on
basis of newspaper advertisement and article in Montreal Gazette.

Respondent's Name: Mr. Philip Dalton

Relevant Statute: §§441b, 441e(a), §§433, 434(a)

Internal Reports Checked: _____

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Philip Dalton, Chariman of the Montreal Committee for the Re-election of President Ford, solicited contributions in an October 6, 1976, newspaper advertisement in the Montreal Gazette; and received contributions and pledges totalling \$4,000 including \$1,000 of his own. A follow-up article by Ken Ernhofer of the Montreal Gazette states that all contributions are being returned.

PRELIMINARY LEGAL ANALYSIS

In failing to register and report as a political committee, Dalton has violated §433 and §434(a). Dalton has also violated §441e(a) by soliciting and receiving contributions from foreign nationals. However, in view of the fact that all activities took place in Canada, and that Dalton is a Canadian citizen residing in Montreal, our jurisdiction over him appears questionable. Additionally, because Dalton returned all monies to their original donors,

RECOMMENDATION

Close file.

FEDERAL ELECTION COMMISSION
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Office of Public Affairs

PRELIMINARY LEGAL ANALYSIS CON'T

substantial compliance with the law has been achieved.

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FEDERAL ELECTION COMMISSION
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MONTREAL GAZETTE 10/6/76

CANADA FOR FORD

Philip N. Dalton II — Chairman of the Montreal Committee for the re-election of president Ford asks for your financial and/or moral support in the upcoming U.S. elections. All Canadians will be affected by the outcome of this presidential election. Let's support the calm, straight shooter, Gerry Ford.

phone commitments to 735-5191 — 365-4495 —
1-226-6151 or mail cheques, payable to the Republican
National Committee, c/o Phil Dalton Enterprises Ltd.,
5250 Ferrier St. Suite 602, Montreal, Quebec, Canada.

THANK YOU!

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

7704071330

Ford fund founders on rules



GERALD FORD
'...calm straight-shooter'

By KEN ERNHOFER
of The Gazette

A fund-raising drive among Canadians for the election of U.S. president Gerald Ford has ground to a halt, but its organizer yesterday denied it was a "publicity stunt."

Philip Dalton said his Montreal Committee for the Election of President Ford attracted about \$4,300 in cheques and pledges before he discovered that: Only Americans can contribute to a U.S. election fund, only individuals can make contributions, and only cheques drawn on American banks are acceptable.

"If I had wanted publicity, I would have driven my Alfa-Romeo up the steps at Place Ville Marie, or something like that," said Dalton.

"I don't need the hassles," said the 31-year-old real estate dealer, who also owns a sales agency.

The Montreal fund-raising campaign

started after the first Ford-Carter debate, which convinced Dalton that the U.S. president should be elected. He published an ad in the Gazette's business section asking for "financial and/or moral support . . . (for) the calm, straight shooter Gerry Ford."

Cheques and pledges by Canadians to the campaign rolled in, but are now being returned including Dalton's personal contribution of \$1,000.

The focus of the Montreal campaign will now be to encourage Americans residing in Canada to register and vote in the Nov. 2 presidential election, he said.

"I'm sure there are at least 100,000 Americans living in Canada," Dalton explained citing the numerous American branch companies here with American employees.

The illegality of the scheme under U.S. law was discovered earlier this week when Dalton doublechecked.

FEDERAL ELECTION COMMISSION
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Ford supporter stresses Canadian stake in vote

MONTREAL GAZETTE - 10/7/76

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QUEBEC — (CP) — A Montreal businessman who has launched a fund-raising campaign for U.S. President Gerald Ford says "any Canadian who doesn't want to get involved in the U.S. election campaign is cutting his own throat."

Philip Dalton, 31, said that after one week in operation, the Montreal Committee for the Re-election of President Ford has received contributions and pledges totalling \$4,000, including \$1,000 from his own pocket.

Dalton, who deals in real estate and runs a sales agency, said he simply acts as a "conduit" for funds to the Republican national committee in Washington, D.C.

A newspaper advertisement, yesterday for the Montreal committee asks contributors to make cheques payable to the committee, care of Phil Dalton Enterprises Ltd. Dalton said no further advertisements will be placed.

Bob Carter, vice-chairman of the national committee, said in a telephone interview from Washington that campaign organizations in the

U.S. are forbidden to accept donations drawn on foreign banks.

But Dalton said this was not a problem. Cheques written on Canadian banks would be deposited with the Mercantile Bank of Canada and then transferred to the U.S., he said.

He said this process would be followed if it complies with campaign regulations.

Another volunteer committee, similar to Dalton's, is in operation in Toronto. Carter said the two Canadian committees are more informal than those established in various European and Asian countries.

Asked if Americans might not view these foreign committees as attempts by other nations to meddle in U.S. affairs, Carter replied that both parties have such foreign-based committees "and, after all, we're in this business to win an election."

Both Dalton and John Overacre, head of the Toronto committee, volunteered their services. They were told that the help they could provide was in raising contributions and getting Ameri-

can citizens in their area to register at the nearest American consulate for the November vote.

Carter said the importance of the absentee vote can be gauged by the fact that 87,000 absentee votes were cast in Illinois in the 1972 presidential election, while the late president John Kennedy won that state by only 13,000 votes in the 1960 election.

"This whole world has got a stake in who leads this country," Carter said, echoing Dalton's remark.

Dalton said he had sent telegrams to Premier Robert Bourassa and Prime Minister Pierre Trudeau, soliciting their support, but received no reply.

The Montreal committee also contacted about 70 firms last Thursday and Friday, and some of them pledged a contribution, Dalton said. He said about half of the contributions promised so far are from companies, most of which are Canadian subsidiaries of U.S. firms.

FEDERAL CLEANING CORPORATION
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OFFICE OF GENERAL COUNSEL

CC 745
MUR 313



FEDERAL ELECTION COMMISSION

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

October 18, 1976

MEMORANDUM

TO: Bill Oldaker
FROM: Michael Hershman *MH*
SUBJECT: Canadian Newspaper Advertisement

Attached please find a newspaper advertisement and an article which appeared respectively on October 6 and 7, 1976, in the Montreal Gazette, Montreal's only morning English language daily newspaper.

The advertisement and article suggest possible violations of 2 U.S.C. 441e and 441b.

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FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

Ford supporter stresses Canadian stake in vote

MONTREAL GAZETTE -10/7/76

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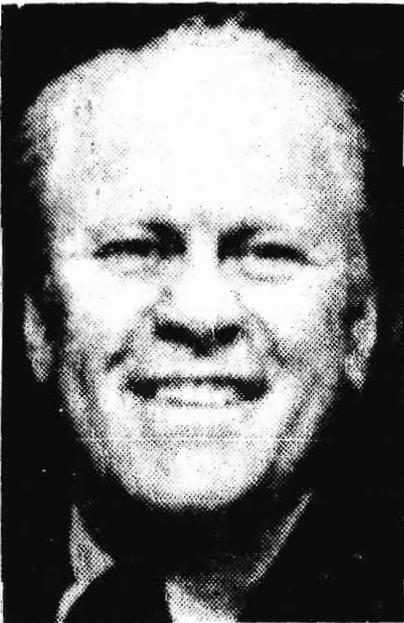
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7704003511

FEDERAL ELECTION COMMISSION

1. Memo from Emons to Oldaker - 12/29/76

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):

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

Signed

Vint Burkhardt

date

9-23-77

7704003515