



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 001

Date Filmed 7/16/79 Camera No. --- 2

Cameraman SPC

FEDERAL ELECTION COMMISSION

1. Memo to file, 6-7-76
2. Memo from Commissioner Curtis to McKay/Fiske, 2-11-76
3. Memo from D. Spiegel to Schachman, 12-18-75
4. Memo from D. Spiegel to Schachman, 12-17-75
5. Memo from Schachman to File, 12-2-75
6. Memo from Hamm to Schachman, 11-25-75
7. Memo from Hamm to Schachman, 11-20-75
8. Memo from Schachman to Hamm, 11-19-75
9. Draft Memo from Hamm to Schachman, 11-19-75
10. Memo from Hamm to Dave, 10-30-75
11. Memo to Schachman, 10-13-75
12. Memo from Schachman to Spiegel, 10-30-75
13. Memo from P. Roman to File, 8-28-75

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

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

Signed

Kurt Buldwin

date

Oct 3, 1977

FEC 9-21-77

14. Memo from Schachman to File, 8-25-75
15. Memo from Janey to Schachman, 8-19-75
16. Memo from Costa to McKay, 7-17-75
17. Memo from Schachman to File, 7-15-75
18. Memo from McKay to File, 7-11-75
19. Memo from Schachman/McKay to Potter, 7-10-75
20. Memo from Potter to Roman, 6-27-75
21. Memo from Stoltz to Roman, 6-18-75
22. Memo from Roman to McKay/Murphy/Schachman, 6-17-75
23. Memo from Murphy to Schachman/Roman, 6-16-75
24. Memo dated 1-22-76 - re chronology
25. Draft of Final Invest Report to Commission
26. Draft of Audit and Invest Div to Commission



20 APR 53
CONSUMER ADVOCATE

Washington, DC 20260
March 29, 1976

Dear Mr. McKay:

I have your letter of March 1 referred to me from the Chief Postal Inspector, regarding delay to a certified letter mailed to the Federal Election Commission by a member of the House of Representatives. I can certainly understand the need for timeliness in delivery of this mail, and the serious consequences of delays.

Upon receipt of your letter, we made an immediate inquiry to the Washington, D.C. post office in attempt to determine the cause of delay. We were unable to find what caused the delay, although delivery records do substantiate delivery on February 25. There clearly is no excuse for such a lengthy delay and it simply should not have happened.

Certified mail, unlike registered mail, is processed along with about 300 million other pieces of mail each day, and is not subject to the individual accountability of registered mail. As a consequence, certified mail is susceptible to misrouting, falling under mail processing equipment, and similar incidents of oversight that can cause delay. While we make routine examinations of mailing equipment and misroute errors to reduce these problems, we recognize with such volume of mail delays will occur occasionally.

Because of the number of separate handlings required, and the fact that certified mail is processed with other regular mail, it is often impossible to determine the exact cause of delay to an individual piece of certified mail.

We appreciate your letter and well understand your concern. However, I hope that we have explained adequately the difficulty in determining the cause of isolated delays. Should you notice any particular pattern of late delivery, I would like you to call me directly. We can correct problems that show consistent late delivery, and are anxious to do so.

Sincerely yours,

Thomas W. Chadwick
Thomas W. Chadwick

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

UNITED STATES POSTAL SERVICE

Washington, DC 20260

OFFICIAL BUSINESS

D-192

FEDERAL ELECTION COMMISSION
WASHINGTON

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



1976 JUN 24:49
Mr. Gordon Andrew McKay
Assistant Staff Director for
Disclosure and Compliance
Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL





CHIEF POSTAL INSPECTOR
Washington, D.C. 20260

76 MAR 12 AM 1:16

March 10, 1976

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

Dear Mr. McKay:

This is in response to your correspondence of March 1, 1976, addressed to the Postal Inspector in Charge, Washington, DC, concerning undue delay by the Postal Service in delivery of a certified letter to the Federal Election Commission from a member of the House of Representatives. You advised that the letter was mailed from the Longworth Office Building on February 4, and not received at the Commission until February 25.

Since the issue raised in your letter is appropriately of concern to the Consumer Advocate of the U. S. Postal Service, I am forwarding your correspondence to him for necessary attention. You may be assured he will be in contact with you at an early date.

Sincerely,

C. Neil Benson
Chief Inspector

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010010003

U.S. POSTAL SERVICE
CHIEF POSTAL INSPECTOR
Washington, D.C. 20260

OFFICIAL BUSINESS

CI-203

76 MAR 12 11:09

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

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

March 1, 1976

Postal Inspector in Charge
P. O. Box 1820
Washington, D. C. 20013

Dear Sir:

I am enclosing a copy of an envelope received at the Federal Election Commission on February 25, 1976. This matter causes us great concern as the postmark on the envelope is dated February 4 from Washington, D. C.. It appears that it took 21 days for this letter to travel from the Longworth Office Building to the Federal Election Commission.

As you may know, the Federal Election Commission is empowered to conduct audits and investigations to determine whether any violations of the Federal Election Campaign Act have occurred. During these audits and investigations, communications are of the utmost importance. Such delays as illustrated by the enclosed envelope could have serious consequences.

The Commission hereby requests that the Postal Inspector provide us with any information which would clarify or explain this matter. If further guidance or assistance is required, please do not hesitate to contact Mr. Michael Hershman (202/382-6023).

Sincerely,

Gordon Andrew McKay
Assistant Staff Director for
Disclosure and Compliance

Enclosure



BILL GRADISON
1ST DISTRICT, OHIO

RON ROBERTS
ADMINISTRATIVE ASSISTANT

FEDERAL ELECTION COMMISSION
Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
1331 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-3164

DISTRICT OFFICE:
FEDERAL OFFICE BUILDING
550 MAIN STREET
CINCINNATI, OHIO 45202
TELEPHONE: (513) 684-2456

February 4, 1976

Mr. Thomas Curtis
Chairman
Federal Election Commission
1325 'K' Street, NW
Washington, D.C. 20463

Dear Mr. Curtis:

I have been informed this day that the Federal Election Commission has completed its final investigative report on allegations against the Gradison for Congress Committee.

In accordance with S437f, the Federal Election Commission is hereby authorized to release, for public information, that final investigative report pertaining to CA 001-75.

Sincerely,

Bill Gradison

Bill Gradison
Representative in Congress

BG/rrk

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Congress of the United States
House of Representatives
Washington, D.C. 20515

OFFICIAL BUSINESS

76 FEB 25 P 2:43



EISENHOWER USA



LUCY STONE

ALWAYS

CODE

CERTIFIED

No. 231968

MAIL

Mr. Thomas Curtis
Chairman
Federal Election Commission
1325 'K' Street, NW
Washington, D.C. 20463

RETURN RECEIPT REQUESTED

FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE OF GENERAL COUNSEL

١٠٠

٧٤٧

7.

7.

Robert Tiernan
Commissioner

7.

77-0169

77-0169

01067-022

77-0169

77-0169

77-0169

77-0169

77-0169

77-0169

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

B. ALLEGED FAILURE TO REPORT EXPENDITURES CORRECTLY

1. The complainants alleged that the reporting of approximately \$30,000 in media and production expenditures was deliberately delayed until after the elections.

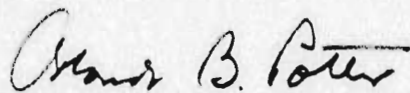
The Commission's investigation indicated that there appeared to be no written contract between the Committee and advertising agency, even though written contracts were made between the advertising agency and media vendors. Timely payments were made by the Committee upon receipt of invoices from the agency and all such expenditures were reported on the actual date of payment. Since the agency provided the Gradison Committee with the same services made available to commercial customers and the expenditures were reported on the next report, voluntary compliance was achieved.

2. The complainants alleged that the reporting of \$3,000 in expenditures was deliberately delayed by the Gradison Committee until after the election.

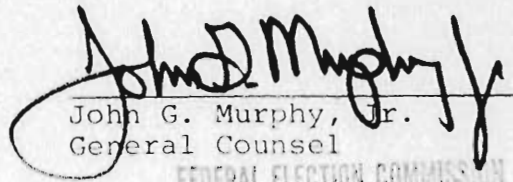
The Gradison poll was part of a state-wide poll conducted by the State Republican Committee. Apparently, no firm commitment was made by the State Committee for the poll, because of a shortage of funds. The Gradison Committee did receive the poll and one week later an invoice for \$3,000 from the polling firm. The Gradison Committee believed the poll would be an in-kind contribution, if received at all. Due to the uncertainty of the situation, the Gradison Committee was not able to report any debt or obligation until the year end report.

3. The complainants alleged that the Gradison Committee failed to report properly expenditures for postage contracted for, prior to the deadline for the five day pre-election report.

The Commission's investigation did not uncover any evidence that a written contract existed between the Gradison Committee and the company. Payment was made prior to or soon after receipt of the invoices and was reported in the year end report.



Orlando B. Potter
Staff Director



John G. Murphy, Jr.
General Counsel

DATE: January 29, 1976

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

BILL FRENZEL
THIRD DISTRICT, MINNESOTA

WASHINGTON OFFICE:
1026 LONGWORTH BUILDING
202-225-2871

STAFF DIRECTOR
RICHARD D. WILLOW

DISTRICT OFFICES:
MRS. MAYBETH CHRISTENSEN, MANAGER
120 FEDERAL BUILDING
MINNEAPOLIS, MINNESOTA 55401
612-725-2173

MISS SANDRA KLUG, MANAGER
3601 PARK CENTER BOULEVARD
ST. LOUIS PARK, MINNESOTA 55416
612-925-4540

76 JAN 26 P 1:40
Congress of the United States

House of Representatives

Washington, D.C. 20515

January 23, 1976

The Honorable Thomas B. Curtis
Chairman, Federal Elections Commission
1325 K St., NW
Washington, DC 20463

Dear Tom:

Thanks for your letter of January 22 received today on the Gradison investigation.

I understand that this was your first case and therefore was handled with greater care and with more concern for precedent than subsequent cases will be. Nevertheless, I can't conceive of any combination of circumstances that would require 7 months for the Commission to come to a determination.

Further, I think the idea of giving the complainant 30 days to take another shot at the defendant is an outrage. That is like giving a bidder a second chance to bid after he knows what everybody else did. Perhaps it is like making a duck fly over the blind twice because the hunter missed the first time.

Further, I am also informed that you folks tried to investigate the special election in that district, even though the complaint dealt only with the November General Election. I am advised that it took some time to settle this matter, which is another outrage. I don't know if you folks like to make investigations just for drill or for fun and games, but I can assure you it is no fun for any candidate's committee, composed wholly of volunteers, to entertain your staff. Any time you want to make gratuitous investigations, you better darn well be prepared to absorb the cost for all parties.

Finally, with respect to USC 437(3), I don't like it any better than you do, but nobody ever told defendant Gradison that his authorization would be required under that statute. I would think that you would have some obligation to do that. Also, I don't know, and you probably don't either, what exactly you have to make public. I think this ought to be a matter of your compliance regulation. Like other independent commissions, I think you should publish your rulings, and perhaps the vote by which the ruling was determined, but that you should not have to publish any more than that. Since that particular section was an amendment offered by Chairman Hays, perhaps you ought to discuss with him exactly what he had in mind with respect to publication.

Chairman Tom Curtis - page 2

Tom, I appreciate the problems that were encountered in this first case. My criticisms are intended to be constructive, but I must tell you that I wouldn't have entered that statement into the record unless I was extremely upset. The Commission just has to develop a system that works without unnecessary burdens, or the Commission will fail.

I will look forward to discussing this with you at your convenience.

Best regards,

Bie

Bill Frenzel
Member of Congress

cc. Hon. Bill Gradison
Hon. Wayne Hays
Hon. Bill Dickinson

77017010013

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7 7 0 4 0 1 1 2 2 1 4
Congress of the United States

House of Representatives

Washington, D.C. 20515

OFFICIAL BUSINESS

28 A12:31

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



Hon. Thomas B-. Curtis
Chairman, Federal Elections Commission
1325 K St., NW
Washington, DC 20463



FEDERAL ELECTION COMMISSION

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

January 22, 1976

The Honorable Bill Frenzel
1026 Longworth House Office Building
Washington, D. C. 20515

Dear Congressman Frenzel:

This letter is prompted by your remarks of January 20, 1976 concerning the Commission's investigation of the allegations against Congressman Gradison. While we agree that the investigation seemed inordinately delayed, there are circumstances of which you should be made aware.

The allegations against Congressman Gradison constituted the first complaint received by the Commission. It was received prior to any guidelines having been established for the conduct of investigations. Further, at that time, the Audit and Investigation Division consisted of two individuals, one a trainee. Nonetheless, within two weeks following receipt of the complaint, procedures were initiated to review the matter.

After notifying Congressman Gradison of the complaint, and inviting him to respond, we granted his request for a delay in that response. In addition to the request for an extension of time in order to respond to the complaint, representatives of Congressman Gradison raised a jurisdictional issue and indicated that their response should be delayed until the question of Commission jurisdiction was resolved. Approximately two months after notification, Congressman Gradison responded to the charges.

An additional one month delay was experienced when the complainant requested time to review Congressman Gradison's response, comment and supply additional facts that would bear on our findings.



The Honorable Bill Frenzel
Page 2

January 22, 1976

With regard to your remarks suggesting that no special notice of the investigation or the findings were given, we can only refer you to 2 U.S.C. 437(3) which prohibits the Commission from making public any investigation without the written consent of the respondent. To date, we have not received authorization from Congressman Gradison.

I do hope the above facts serve to clarify the delay. We are continually striving to better our procedures, and can assure you that future matters will be resolved in a more timely fashion.

Sincerely,

Thomas B. Curtis
Chairman

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
DATE RECORDED 1/23/76

77040010016
77040010016

Gradison Says Panel Cleared Him

CINCINNATI, Jan. 6 (AP)—Rep. Willis D. Gradison Jr. (R-Ohio), accused of violations of the Federal Elections Act of 1971, said today he had been cleared by the Federal Election Commission.

Gradison and his campaign committee were accused in June of filing improper reports on expenditures in the November, 1974, election in Ohio's 1st District.

Gradison expressed concern that the commission did not present a detailed report on its findings. A commission spokesman in Washington said the unit will meet Thursday to discuss a policy that required the permission of the person being investigated before a report can be made public.

Gradison, whose aides reported spending some \$20,000 for his defense, said he had been a "guinea pig" for the law and the commission.

The FEC spokesman said the commission "determined that no action is warranted. Accordingly, the commission has closed this compliance action."

The complaint, signed by University of Cincinnati political science professor Henry J. Anna and three other persons, charged Gradison with failing to report \$15,250 in the form of a free political sign on a downtown building, accepting free office space in a shopping center and delaying until after the election television expenditures of \$20,655, \$6,709 in production costs, \$3,202 in newspaper advertising, \$3,000 for polling

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL





FEDERAL ELECTION COMMISSION

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

December 23, 1975

Honorable Willis D. Gradison, Jr.
U. S. House of Representatives
1331 Longworth Office Building
Washington, D. C. 20515

Dear Congressman Gradison:

This is in reference to the complaint filed by Mr. George M. Brinkman, Ms. Gail C. Engerholm, Ms. Constance laGrange, and Mr. Henry J. Anna against Congressman Willis D. Gradison, the Bill Gradison for Congress Committee, and the Gradison for Congress Committee (CA 001-75). The Commission has reviewed this matter thoroughly and has determined that no action is warranted. Accordingly, the Commission has closed this compliance action.

Sincerely,


Gordon Andrew McKay
Assistant Staff Director for
Disclosure and Compliance

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEDERAL ELECTION COMMISSION
RECEIVED
DEC 23 1975
WASHINGTON, D.C.



CA-001-75



FEDERAL ELECTION COMMISSION

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

December 23, 1975

Mr. Peter Linzer
College of Law
University of Cincinnati
Cincinnati, Ohio 45220

Dear Mr. Linzer:

This is in reference to the complaint filed by Mr. George M. Brinkman, Ms. Gail C. Engerholm, Ms. Constance LaGrange, and Mr. Henry J. Anna against Congressman Willis D. Gradison, the Bill Gradison for Congress Committee, and the Gradison for Congress Committee (CA 001-75). The Commission has reviewed this matter thoroughly and has determined that no action is warranted. Accordingly, the Commission has closed this compliance action.

Sincerely,

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL





CA 8001

FEDERAL ELECTION COMMISSION

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

December 23, 1975

72940112215

This is in reference to the complaint filed by Mr. George M. Brinkman, Ms. Gail C. Engerholm, Ms. Constance LaGrange, and Mr. Henry J. Anna against Congressman Willis D. Gradison, the Bill Gradison for Congress Committee, and the Gradison for Congress Committee (CA 001-75). The Commission has reviewed this matter thoroughly and has determined that no action is warranted. Accordingly, the Commission has closed this complaine action.



BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
Congressman Willis D. Gradison, Jr.) CA 001-75

REPORT OF THE OFFICE OF DISCLOSURE AND COMPLIANCE
AND THE
OFFICE OF GENERAL COUNSEL

7701101020

INDEX

	<u>Page</u>
I. Background -----	1
II. Caveat -----	2
III. Findings and Conclusions -----	2
A. Alleged Corporate Contributions -----	2
B. Alleged Failure to Report Expenditures Correctly -----	7
IV. Summary -----	14

77010010021

RECEIVED
OFFICIAL FILE
JAN 10 1964

In the matter of)
) CA 001-75
Congressman Willis D. Gradison, Jr.)

I. Background

The Gradison for Congress Committee was formed to support and promote the candidacy of Congressman Willis D. Gradison, Jr., for nomination and election to the Office of Representative in the First District of Ohio, and was his only general election campaign committee. The officers of the Committee, which had its headquarters in Cincinnati, Ohio, were: Mr. John S. Dowlin, Chairman, and Mr. Hugh McDonald.

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

The audit covered the period from April 12, 1974 through June 30, 1975. The Committee reported receipts of \$151,138.21 and expenditures of \$150,065.05.

II. Caveat

This complaint refers to activities which occurred in 1974. Accordingly, the audit was conducted under the provisions of the Federal Election Campaign Act of 1971 and the Manual of Regulations and Accounting Instructions issued by the Clerk of the House, who was then the Supervisory Officer for House Elections under the provisions of Section 301(g) of the 1971 Act.

The auditing procedures employed and recommendations made in this report parallel the methods used by the former Supervisory Officers. Although the audit was conducted by staff auditors of the Federal Election Commission, under its direction, the information presented here, including the auditors' statements of law and recommendation, has no bearing on how the Commission may choose to view equivalent provisions contained in the 1974 Act.

III. Findings and Conclusions

A. Alleged Corporate Contributions

Section 610 of Title 18 of the United States Code prohibits corporations from making contributions to a candidate for Federal office. Section 304(b)(2) of the Act

7-6-01

7-6-01

7-6-01

have the facilities normally associated with commercial office space, i.e., carpeted floors, a minimum amount of decoration, private bathroom facilities and the like. Since the area is an integral part of the building, heat and air conditioning services would have had to have been provided by the management in any case.

770010025
The building's rental agent advised a representative of the FEC staff that the \$700 rental charged the Committee was his estimate of what the space might have been rented for, had it generally been available for commercial rental. He stated that the space had not been rented before or since the committee's occupancy.

Analysis and Recommendation

770010025
Since, in our opinion, the short term lease of a corridor is not equivalent to a standard commercial lease of office space, we do not believe complainant's use of Chamber of Commerce average rental figures to be an appropriate criterion to apply against the space used by the Gradison Committee. While we cannot state with any assurance what the actual fair market value of such space might be, the \$700 paid by the Gradison Committee does not appear to be an inappropriately low figure, given the location and nature of the space.

RECEIVED
JAN 15 1975
COUNCIL

Accordingly, we do not view the \$700 paid by the Committee to the rental agent for the American Financial Corporation as being so low as to constitute a de facto corporate contribution to the Gradison campaign. We recommend to the Commission that no further action be taken on this matter.

(ii) Complaint was also made that the Gradison Committee made use of an illuminated billboard on the side of the Dixie Terminal Building; that no charge was made for use of this facility; and that the transaction thus constituted an illegal corporate contribution.

Committee officials, as well as the rental agent for the building, stated that the alleged illuminated billboard was actually a cloth banner. A review of the Committee's records showed expenditures incurred by the Committee for the preparation of such a banner. Furthermore, the rental agent and the Committee officials stated that the use of the space for the banner was a provision of the agreement for the office space occupied by the Committee.

Analysis and Recommendations

We recommend that no further action be taken on this portion of the complaint.

(iii) The complainants alleged the Gradison Committee accepted and failed to report an illegal corporate contribution of approximately \$3,000 from the Antonio J. Pallazolo Company, an Ohio corporation. This alleged contribution was in the

77001002
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

The FEC staff review showed that the Gradison Committee

Analysis and Recommendations

Given the nature of the space occupied by the Committee in the Hyde Park Plaza, the fair market value of the space is rather difficult to determine. However, in our view, it would not be proper to equate such unfinished facilities with a fully completed, air conditioned, decorated and carpeted area. Since the present occupant of the now-completed and decorated store pays only \$787 per month for the space, we are at a loss to understand how complainant determined a fair

market value for the space which is considerably more than what is paid by the current occupant.

In addition, the Plaza's rental agent confirmed that the space was available on short notice because of the unexpected cancellation of a previous contract. Under these circumstances, it seems reasonable that a minimal rental would be the best the Plaza's agent could hope to recover from the situation.

While the rental fee of \$100 paid by the Committee may indeed be considered the most modest fee which could reasonably be charged for the space, we do not believe that an egregious undercharge was made, or that any corporate contribution was tendered to the Gradison Committee as a result of this transaction.

Accordingly, we recommend that no further action be taken in this matter.

B. Alleged Failure to Report Expenditures Correctly

Title 3, Section 304(b)(9) of the Federal Election Campaign Act of 1971, required disclosure of the full name and mailing address (occupation and principal place of business, if any) of each person to whom expenditures have been made by or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in

excess of \$100, together with the amount, date, and purpose of each such expenditure.

Section 304(b)(12) of the Act required a continuous disclosure of the amount and nature of debts and obligations owed by or to a committee until such debts and obligations are extinguished. However, the Manual of Regulations and Accounting Instructions promulgated by the Clerk of the House required disclosure of such a debt or obligation only when it was incurred in writing and exceeded the amount of \$100.

(i) The complainants alleged that the reporting of some \$30,500 in media and production expenditures incurred through an advertising agency was deliberately delayed by the Gradison Committee until after the November 4, 1974 election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 and 5 days prior to that election.

Committee officials stated that there was no written contract between the Committee and the advertising agency. In their opinion, even though written contracts were made between the advertising agency and the media vendors, such contracts did not constitute contracts of the Committee. Thus, in their opinion, since they had no written contract with the advertising agency, in accordance with the provisions

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

of the Clerk's Manual of Regulations, the Committee need only report the expenditures in the reporting period in which it actually paid the agency.

The agreement between the Gradison Committee and the advertising agency was indeed somewhat out of the ordinary. The unusual nature of the agreement, however, was because of the advertising agency's billing procedures.

770010030
An official of the advertising agency stated that the agency permitted the Gradison Committee, as well as other commercial advertisers in good standing with the agency, to purchase media on credit. Thus, the Gradison Committee was permitted to withdraw from the contracts made by the advertising agency with the media at any time until the commercials were actually shown.

A review of the records of the Committee and the advertising agency showed that timely payments were made by the Committee upon receipt of invoices from the agency. Furthermore, the Committee reported all such expenditures on the actual date of payment in accordance with Section 304(b)(9) of the Act and the Clerk's Manual of Regulations.

Analysis and Recommendations

While the Gradison Committee benefitted by the unusual arrangement with the advertising agency, the agency provided

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

nothing more in the way of services or favorable financing than was made available to other commercial customers.

The controlling factor in determining if such expenditures were properly reported is whether the Committee was legally bound by the contracts made by the advertising agency on behalf of the candidate. The FEC staff is of the opinion that even if the contracts were legally binding, the violations involved are of a technical rather than a substantive nature. Accordingly, we recommend that no further action be taken on this matter.

(ii) The complainant alleged that the reporting of \$3,000 in expenditures for polling was deliberately delayed by the Gradison Committee until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior to the election.

An official of the Committee stated that he learned that the State Republican Committee was planning to conduct a state-wide poll of Ohio for the gubernatorial race in 1974. As a result, the Committee requested the State Committee to include an over-sampling of the First District of Ohio in its poll. However, it was unclear whether the State Committee

77040010031

would have the necessary funds to conduct this poll. Thus, there was no firm commitment from the state headquarters.

The official stated that eventually, the Gradison Committee received the over-sampling poll, and one week later, received an invoice for \$3,000 from the polling firm. The Gradison Committee was surprised at this action since they believed the poll would be an in-kind contribution, if received at all. He stated that they relayed this information to the polling firm, and were told to ignore the billing until officials of the firm talked with the State Republican Committee. Due to the uncertainty of the situation, the Gradison Committee did not report any debt or obligation.

According to the official, the State Republican Committee refused to pay the bill for the poll as they were short of funds. Thus, the Gradison Committee paid and properly reported the payment of such expenditures upon settlement of the matter with the polling firm and the State Committee.

Analysis and Recommendations

There is no apparent reporting violation by the Gradison for Congress Committee in failing to properly disclose the polling expenditure in question as an outstanding obligation.

(iii) The complainants alleged that the Gradison Committee failed to report properly expenditures for postage totalling \$5,079.18 by Gradison and Company, a corporation involved in investments and stock brokerage. Complainants alleged that such expenditures were made or contracted for prior to the deadline for the five day pre-election report, and accordingly should have been disclosed in such report rather than the January 31, 1975 report filed by the Committee.

An examination of the records of the Committee showed no evidence that a written contract existed between Gradison and Company and the Committee. Furthermore, a campaign official stated that the contract was not in writing and that Gradison and Company was used for the project mailing strictly for the sake of convenience since it was located in the same building as the Committee. The Committee's records showed that an amount in excess of the actual cost of materials used in the project mailing was paid to Gradison and Company for staff services rendered. The review also showed that payment was made prior to or soon after receipt of the invoices from Gradison and Company.

Analysis and Recommendations

Under the provisions of the Clerk's Manual of Regulations, since such contracts were not in writing, they need not be disclosed as outstanding debts or obligations. Accordingly, we recommend no further action on this matter.

(iv) Complainants also noted that all of the allegations described above involved improper conduct by the candidate, Mr. Willis D. Gradison, Jr., as well as by responsible officials of the Committee.

Analysis and Recommendations

In our opinion, no apparent violation of the Act or Regulations has occurred other than the possible technical violations with respect to the disclosure of media contracts. Therefore, Mr. Gradison's knowledge of the Committee's financial activities is irrelevant with respect to any alleged violations other than those noted in regard to the media contracts. However, should such contracts be legally binding on the candidate, again the violations involved are of a technical rather than a substantive nature. Accordingly, we recommend no further action be taken on this matter.

770010031
COUNCIL

IV. Summary

On the basis of the foregoing discussion, the staff believes that there is no basis for Commission action against Congressman Gradison or his Committee.

77040003
The only charge made by complainant which appears to have any substance is the one asserting that Congressman Gradison improperly delayed the reporting of \$20,655 in media expenditures contracted for by an advertising agency which was acting in Congressman Gradison's behalf. Complainant argues that the expenditures should have been reported as of the date the agency made contracts for Congressman Gradison with radio and television stations. On that date, he asserts, Congressman Gradison became legally obligated to pay the station. In point of fact, Congressman Gradison reported the expenditure as of the date he paid the agency.

Since there was no written contract between Congressman Gradison and the advertising agency, it is not clear whether he could reject contracts made by the agency. However, even assuming that Congressman Gradison was bound by the agency's contracts and that complainant's allegation is therefore true, it is clear that what is involved here is a technical violation of 2 U.S.C. §434(b). The point is that Congressman

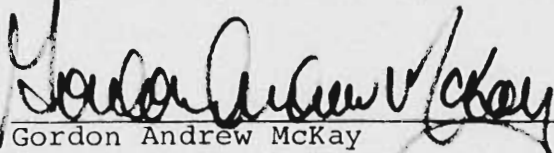
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Gradison paid the advertising agency for all station contracts within two weeks of receiving the agency's bills; indeed, in many cases, Congressman Gradison's payments to the agency preceded the sending of bills by the stations involved. Thus, any reporting violations were in essence obviated by Congressman Gradison's subsequent activities.

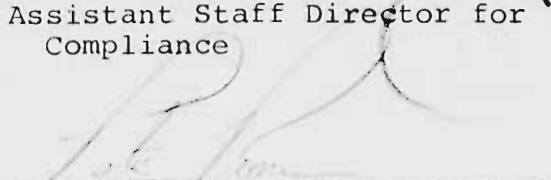
In the staff's opinion, all other charges against Congressman Gradison are, for reasons already noted, lacking in substance; therefore, the investigation should be terminated and both respondent and complainant should be so notified.

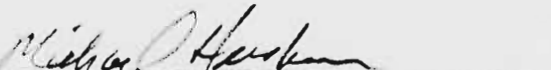
77040010036

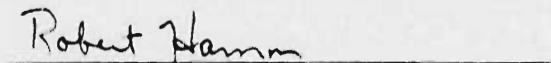
Respectfully submitted,

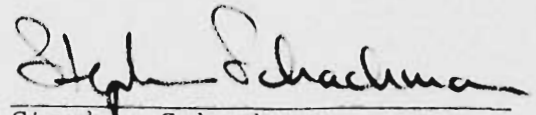


Gordon Andrew McKay
Assistant Staff Director for
Compliance

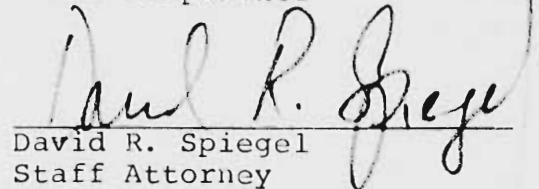

Peter Roman
Chief of Investigation


Michael Herschman
Assistant Chief of Investigation


Robert Hamm
Auditor/Investigator



Stephen Schachman
Assistant General Counsel
for Compliance


David R. Spiegel
Staff Attorney

Dated: December 22, 1975

77000010037

December 8, 1975

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

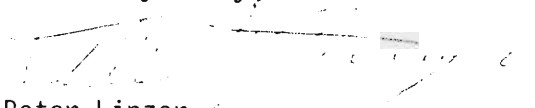
Dear Mr. McKay:

Enclosed please find the response of the complainants to the answer filed by the respondents in this case.

It should be noted that the complainants reaffirm each and every allegation contained in the original complaint. We find the answer filed by the respondent's lacking in substance and, therefore, inadequate.

We repeat our request to be kept abreast of all developments.

Yours very truly,


Peter Linzer
College of Law
University of Cincinnati
Cincinnati, Ohio 45221

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770000100339

I FAILURE TO TIMELY REPORT MEDIA EXPENDITURES

A major aspect of our complaint against Mr. Gradison and his Committee relates to the delayed reporting of substantial expenditures for television advertising.

As related in Count V, the Gradison Committee improperly delayed reports of \$20,655 in expenditures contracted for by the Committee's agent with Cincinnati broadcasters. Television contracts totaling \$33,335 had been signed on behalf of the Gradison Committee by September 27, 1974. However, only \$12,680 of those contracts were reported in the two pre-election reports.

This delay was a clear and willful violation of the Federal Election Campaign Act, in both its 1974 and 1975 forms. (References to particular statutory sections will be to the Act as constituted in November of 1974, unless otherwise noted.)

2 U.S.C. Sec. 431 (f) defines campaign expenditures to include "(2) a contract, promise or agreement, whether or not legally enforceable, to make an expenditure...." Sec. 434 requires the timely reporting, "complete as of such date as the supervisory officer may prescribe" for the two pre-election reports, of such expenditures. The reporting requirement applies to expenditures made by the campaign committee " or on behalf of such committee or candidate...." 2 U.S.C. Sec. 434 (b)(9). Guidelines of the Clerk of the House made this reporting requirement applicable to written contracts in excess of \$100. Such contracts were to be

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010040

reported when made, even though payment might occur at some later date.

The written contract signed by Nolan, Keelor and Stites for television advertising were clearly expenditures "on behalf of" Mr. Gradison and his campaign committee. Contracts entered into on behalf of Mr. Gradison are on file for public inspection with the Cincinnati Television stations involved. Sample contracts from station WLW-T are enclosed. (Exhibit A) The contracts, signed by an employee of Nolan, Keelor, and Stites, states that " I, Nolan, Keelor and Stites, (on behalf of) Willis D. Gradison Jr.... do hereby request station time as follows." The agreement also states that "I represent that the advance payment for the above described broadcast time has been furnished by Bill Gradison for Congress Committee...." The contract form virtually parrots the definition of expenditures in the Act to include those made "on behalf of" the candidate or campaign committee by another. Further, the statement in the contract that the Gradison Committee provided funds for the advance payment of this contract, signed on September 19, seems on its face to refute the Gradison Committee's defense that payment did not occur until after the deadlines for filing the two pre-election reports.

The agreement also includes a statement certifying "that I have given the station a written statement signed by the above named candidate authorizing me to make the foregoing certification in his behalf." Presumably this latter statement, signed by Mr. Gradison, is also on file for public inspection at each local station.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770 0010041

These facts lead only to one conclusion: That the contracts in question should have been reported when agreed to on behalf of Mr. Gradison and his committee. While the "Manual of Regulations and Accounting Instructions" issued by the Clerk, and applicable during the 1974 Campaign, states that such written contracts need not be reported as actual expenditures "until actual payment is made", they must still be reported on a separate schedule provided by the Clerk for such contracts. (page 5 of Manual) While the Clerk's office had the power to draw forms and determine the actual bookkeeping descriptions of such expenditures, it could not alter the definition of expenditure in the Act, nor the timely reporting requirement of Sec. 434. The only effect of the Clerk's Manual upon these written contracts was to determine where on the pre-election reports these contracts should have been reported.

Finally, there are solid policy reasons for a determination that Mr. Gradison's method of reporting his media expenditures violated the Act. The Gradison response apparently adopts the theory that Nolan, Keelor and Stites was able to obtain credit from the broadcasters, or extended credit itself to the Gradison Committee, allowing that Committee to defer actual payment for media time until after the deadline for the two pre-election reports. The broadcaster or advertising agency that will extend such substantial credit to a political candidate or campaign is rare indeed. Certainly the candidate without vast personal resources, and access to even more wealth, is at a disadvantage when only some candidates

recieve such favor from the advertising industry.

770 0010042
The real loss is to the public, however, in an area which the Federal Election Campaign Act was intended to offer protection. The requirement of pre-election finance reporting is clearly designed to tell the public who is paying to put a specific candidate into federal office, and how much they are paying. The wisdom of those that designed the Act was that such information is crucial when a voter attempts to decide how well a specific candidate will represent him, as opposed to his special interest financial backers. By knowing how much a candidate is willing to pay for his vote, and who is providing that money, a voter may be able to better vote for his own best interest.

But in 1974, in the First District of Ohio, candidate Gradison deprived the voters of significant informaiton that the Act was intended to provide. The loophole used was a simple one - by contracting for television time through a third party advertising agent, and using his fine credit rating he was able to withhold reports of a large protion of his spending until after the election. All of this occurred in the context of Mr. Gradison's assurances that, like his opponent, his campaign would spend no more than the approximately \$80,000 allowed under state law. (See newspaper clippings, Exhibit B). The election occurred with the voters under the impression that both candidates had stayed within the state limit, spending essentially the same amount of money. Approximately one month later, the voters found that Mr. Gradison had really outspent his opponent by more than \$58,000, and that his gross expenditures had exceeded that state limit

OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

for Congressional candidates by more than \$54,000. A decision by Ohio's Secretary of State found that the Campaign Act amendments of 1974, signed on October of 1974 by the President, preempted the state limit on spending by Congressional candidates, so no state prosecution has occurred.

Had Mr. Gradison's full television expenditures been made public prior to the election, a substantial number of votes may have been effected in what was, at any rate, a close race. By using others to make expenditures "on behalf of" his campaign and then paying those bills after the votes have been cast, Mr. Gradison attempted to mislead the voters in a way that was anticipated by the provisions of Sections 431(f) and 434 of the Act. His failure to list the media contracts in question in either of the pre-election reports, then, violates both the spirit and the express provisions of the Act. A contrary finding by the Federal Election Commission will create a man^outh gap in the comprehensive financial disclosure that the Act was designed to provide.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
U.S. FEDERAL ELECTION COMMISSION

II. RECEIPT AND FAILURE TO REPORT ILLEGAL
CORPORATE CONTRIBUTIONS IN THE FORM
OF OFFICE AND BILLBOARD SPACE.

The second major area of violation by the Gradison committee was its acceptance of valuable office and billboard space at the Dixie Terminal Building and Hyde Park Plaza for less than full consideration. We feel that such acceptance was no less than the receipt of an illegal corporate contribution. That violation was compounded by the Committee's failure to accurately and timely report the nature and extent of those contributions.

Counts I and II of our complaint set forth the use by the Gradison Committee of office space and a billboard location at the Dixie Terminal Building on Fourth Street in downtown Cincinnati. That building is owned by Amcomp Corp., a subsidiary of American Financial Corporation, a Cincinnati based holding company. The office space in question was on a well traveled lower level pedestrian mall, with access through a bus terminal in the rear of the building, and from a broad open stairway connecting the mall with the street level entrance at the front of the building. The lower level mall was also occupied by several retail merchants including the Brothers III restaurant, with seating for approximately 150 patrons. Some restaurant seating was on the mall itself, with full view of the Gradison headquarters. The Gradison campaign apparently thought so highly of this office's public visibility that it painted the front wall of its office with a floor to ceiling campaign sign.

The office itself consisted of approximately three private offices,

RECEIVED
OFFICE OF GENERAL COUNSEL
FEB 5 1964
COMMISSION

and an open area which was also partitioned into smaller areas for campaign workers. We calculated from an inspection of the office, and after consulting with building maintenance personnel, that the full space available to the Committee at the Dixie Terminal Building was approximately 3050 square feet. The enclosed brochure of the Cincinnati Chamber of Commerce lists the current rental rates for the Dixie Terminal Building as ranging from \$5.00 to \$6.25 per square foot per year. (Exhibit C) The Gradison committee was observed to have occupied this space for at least a ten month period in 1974. Computed at the minimum rate of \$6.00 per foot for a ten month period, we arrived at a market rental rate of \$15,250. While this rate may be more or less than what a typical business or candidate might be able to procure the same space for, it clearly shows that the \$700 reported as consideration for this rental property is far less than fair.

The Gradison committee was also allowed the use of a prime billboard location on the rear of the Dixie Terminal Building for the placement of a 50 ft. by 15 ft. advertisement, for the same 10 month period. A picture of this location is enclosed as Exhibit D. Contrary to the assertion in Mr. Gradison's response, the billboard location was illuminated, and the light fixtures are visible on the photograph. This location, owned by a corporation, is probably one of the most valuable spots for display advertising in the Cincinnati area. It is visible from Ft. Washington Way, a super highway artery through the downtown area that connects two major interstates. It is visible from several downtown streets. Most significantly, it directly overlooks the Riverfront Stadium plaza and the pedestrian bridge connecting the stadium with the downtown area.

OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

[illegible]

7 2 U 0 0 0 0 0 0

7 2 U
U
r r i u v s

7 2 U 0 0 0 0 0 0

7 2 U 0 0 0 0 0 0

7700047
bank, or any corporation . . . to make a contribution or expenditure in connection with any federal election". The section also prohibits "any candidate, political committee, or other person to accept or receive any contribution prohibited by this section." For purposes of Sec. 610, the term "contribution or expenditure" includes "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value" except a loan by a bank made in the ordinary course of business. This broad definition is clearly intended to encompass any service, item, or rental property received by Gradison for less than full consideration, which is owned by a corporation and has some ascertainable commercial value. Even though a property has not been put to a prior commercial use, it may still have a commercial value which results in a violation of Sec. 610.

While we can not say with full certainty that the values our complaint places on the three corporate items in question are accurate, it seems clear that the values offered by the Gradison Committee are far below the level of full consideration that Section 610 requires. The difference between the value actually paid by the Gradison campaign and the actual market value (which could be appraised by the Elections Commission or the Justice Department) equals the value of the illegal corporate contributions which we allege. Further, the delay of payment to Amcomp Corp. until 1975 of the "rent" of \$700 for the Dixie Terminal office space and billboard location was an arrangement clearly beyond the "ordinary course of business" between commercial lessor and lessee. As such it represents an illegal "advance" of that sum as well, and a further violation of Section 610.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770-101043

770-101043

770-101043

770-101043

AGREEMENT FORM FOR POLITICAL BROADCASTS

Sept. 1

STATION and LOCATION WLWT, 140 West 5th Street, Cincinnati, OH 45202 10/74Dolan, Keeler, & Stites

I, 318 Broadway, Cincinnati, Ohio (on behalf of) Willis D. Gradison Jr.,
 a legally qualified candidate of the Republican political party for the office of U.S. Congressman
 in the General election to be held on November 5, 1974, do hereby request station
 time as follows:

LENGTH OF BROADCAST — HOUR — DAYS — TIMES PER WEEK — TOTAL NO. WEEKS — RATE —

SEE ATTACHED CONTRACT

DATE OF FIRST BROADCAST

10/8/74

DATE OF LAST BROADCAST

10/14/74

Total Charges: _____

The broadcast time will be used by Willis D. Gradison Jr.

I represent that the advance payment for the above-described broadcast time has been furnished by
Bill Gradison for Congress Comm. and you are authorized to so describe that sponsor in your log
 and to announce the program as paid for by such person or entity. The entity furnishing the payment, if
 other than an individual person, is: () a corporation; (X) a committee; () an association; or () other
 unincorporated group. The names and offices of the chief executive officers of the entity are: _____

John Dowlin, Chairman and Frank Address, Treasurer

It is my understanding that: If the time is to be used by the candidate himself within 45 days of a primary
 or primary runoff election, or within 60 days of a general or special election, the above charges represent
 the lowest unit charge of the station for the same class and amount of time for the same period; where the
 use is by a person or entity other than the candidate or is by the candidate but outside the aforementioned
 45 or 60 day periods, the above charges do not exceed the charges made for comparable use of such station
 by other users.

It is agreed that use of the station for the above-stated purposes will be governed by the Communications
 Act of 1934, as amended, and the FCC's rules and regulations, particularly those provisions reprinted on
 the back hereof, which I have read and understand.

For the above-stated broadcasts I also agree to prepare a script or transcription, which will be delivered
 to the station at least 48 hours before the time of the scheduled broadcasts; (note:
 this last statement is not applicable if the candidate is personally using the time).

Date: 9/2/74 _____
 (Candidate, Supporter or Agent)

Accepted } by Don H. H. H. Title General Sec. MGR
 Rejected - }

This application, whether accepted or rejected, will be available for public inspection for a period of two
 years in accordance with FCC regulations (AM, Section 73.120; FM, Section 73.290; TV, Section 73.657).

CERTIFICATION

The following certification must be made with respect to all time purchases by or on behalf of federal candi-
 dates (also for state and local candidates in any state which has enacted campaign spending limitations pur-
 suant to section 104(c) of the Federal Election Campaign Act of 1971):

I hereby certify that 100% of the total charges paid for the use of the time purchased above, including any
 agent's commission allowed the agent by the station, will not violate the above-named candidate's permissible
 limit of campaign spending under the provisions of Section 104(a) of the Federal Election Campaign Act of
 1971. If I am not the above-named candidate, I further certify that I have given the station a written state-
 ment signed by the above-named candidate authorizing me to make the foregoing certification in his behalf.

Date: 9/2/74 _____
 (Candidate, Supporter or Agent)

#1 E

7 7 SPOT TELEVISION CONFIRMATION CONTRACT

Ex. A

WLSN-TV, INC. - CINCINNATI

3 WEEKLY

CINCINNATI, OH 45222

ADVERTISER WLSN-TV, INC. - CINCINNATI	STATION MARKET CINCINNATI	DATE 11/2/74
PRODUCT WLSN-TV, INC. - CINCINNATI	SALESMAN OFFICE CINCINNATI	
CONTRACT YEAR 1974	CONTRACT NEW ☒ NO ☐	9017-001-001/64200-361
CANCELLATION NOTICE REQD	REVISED ☐ ON ☐ NO ☐	
SCHEDULE DATES 11/1/74-11/14/74	BILLING WK AS EARNED ☒ BLANKET ☐	RATE CD. NO FUTURE RATE CARD

SCHEDULE

LINE	2							3		4	5	6	7	MG/REF	8	9	10	11	12	ITEM
	DAY OR ROTATION							TIME												
	M	T	W	T	F	S	S	FPCM	TO	TYPE										
1								11:30-1:00	11/01/74	30	11/01/74-11/01/74		4F			2	4500	10		1
2								11:30-1:00	11/02/74	30	11/02/74-11/02/74		4F			1	4500	5		2
3	X		X	X	X	X		11:30-1:00	11/03/74	30	11/03/74-11/03/74		4F			6	8500	30		3
4								11:30-1:00	11/04/74	30	11/04/74-11/04/74		4F			1	8500	5		4
5	X	X	X	X	X	X		11:30-1:00	11/05/74	30	11/05/74-11/05/74		4F			6	20000	30		5
6	X							11:30-1:00	11/06/74	30	11/06/74-11/06/74		4F			1	20000	5		6

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

GRAND TOTAL

10650.00

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD.

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

#1 E

7 7 SPOT TELEVISION CONFIRMATION CONTRACT

Ex. A

KOLAR FIELD - H. F. TITTS

3 ER. / DAY
CINCINNATI, O. 452 2

ADVERTISER KOLAR FIELD - H. F. TITTS	STATION MARKET CINCINNATI, OHIO
PRODUCT KOLAR FIELD - H. F. TITTS	SALESMAN OFFICE CINCINNATI, OHIO
CONTRACT YEAR 1974	CONTRACT NEW ☒ NO ☐ 9017-001-001/6420-361
CANCELLATION NOTICE REQD.	REVISED ☐ ON ☐ NO ☐
SCHEDULE DATES 11/17/74-11/24/74	BILLING WK ☐ BILLING AS ORDERED ☐ RATE CD ☐ FUTURE RATE CARD NO EFFECTIVE ☐

SCHEDULE

2	3	4	5	6	7	MG/REF	9	10	11	12
DAY OR ROTATION M T W T F S S	FROM TIME TO	TYPE	EFFECTIVE DATES	CLASS	SEC	8 FREQ	SPOTS PER WEEK	EARNED RATE SPOT	UNITS	CARD
X	11:30-1:00	30	11/12/74-11/11/74	4F			2	4500	10	1
X	11:30-1:00	30	11/17/74-11/14/74	4F			1	4500	5	2
X	11:30-1:00	30	11/17/74-11/14/74	4F			6	6500	30	3
X	11:30-1:00	30	11/17/74-11/14/74	4F			1	8500	5	4
X	11:30-1:00	30	11/17/74-11/14/74	4F			6	20000	30	5
X	11:30-1:00	30	11/17/74-11/14/74	4F			1	20000	5	6

GRAND TOTAL

10650.00

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD.

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

Ex. A

9/27/74

7 7 SPOT TELEVISION CONFIRMATION CONTRACT

ROLAN KELLOR AND STITES

318 BROADWAY
CINCINNATI, OH. 45202

ADVERTISER ROLAN KELLOR AND STITES	STATION/MARKET WLWT-TV, CINCINNATI	DATE 9/27/74
PRODUCT SPADISON CONG. CONFERENCE	SALESMAN/OFFICE B. J. LEE-CIN	
CONTRACT YEAR	CONTRACT NEW ☐ NO ☐ 9017-001-004/04200-301	
CANCELLATION NOTICE REQD.	REVISED ☐ ON ☐ NO.	
SCHEDULE DATES 10/22/74-10/28/74	BILLING WK. ☐ AS EARNED ☐ BLANKET ☐	RATE CD. ☐ FUTURE RATE CARD NO. EFFECTIVE

SCHEDULE

CASH IN ADVANCE

1 ROTATION	2 DAY OR ROTATION M T W T F S S	3 TIME FROM TO	4 TYPE	5 EFFECTIVE DATES	6 CLASS	7 SEC.	8 MG/REF FREQ.	9 SPOTS PER WEEK	10 EARNED RATE/SPOT	11 UNITS	12 FEDERAL ELECTION COMMISSION OFFICIAL FILE COPY OFFICE OF GENERAL COUNSEL
X	X			7-9 AM MONDAY-FRIDAY	30		4F	2	5000	2	
X				12 NOON-4 PM MON-FRI	30		4F	1	7000	1	
X				10:59:30P	30		4F	1	22500	1	
X				08:00:00P - 09:00:00P	30		4F	1	24000	1	
X				05:59:30P	30		4F	1	15000	1	
X				10:00:00P - 11:00:00P	30		4F	1	33000	1	
X				10:25:30P	30		4F	1	22500	1	
X	X			7-9 AM MONDAY-FRIDAY	30		4F	1	5000	1	
X	X			09:00:00P - 11:00:00P	30		4F	1	35000	1	

"WLWT hereby reserves the right to recapture any of the announcements and/or programs covered by this contract in order to comply with Section 315 of The Communications Act."

right to recapture any of the announcements and/or contract in order to comply with Section 315 of

GRAND TOTAL

1770.00

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

"THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD."

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

#3

Ex. A

SPOT TELEVISION CONFIRMATION/CONTRACT

WOLFE FLEURY NO STATES

30 DAY PAY
CINCINNATI, OH. 45202

ADVERTISER WOLFE FLEURY NO STATES		STATION/MARKET WLWT-TV CINCINNATI		DATE 9/19/74
PRODUCT WOLFE FLEURY NO STATES		SALESMAN/OFFICE J. L. LYN		
CONTRACT YEAR		CONTRACT NEW ☐ NO 9 17-001-003764200-001		
CANCELLATION NOTICE REQD.		REVISED ☐ ON ☐ NO ☐		
SCHEDULE DATES 10/15/74-10/21/74		BILLING WK. WOLFE FLEURY NO STATES	BILLING AS EARNED ☐ BLANKET ☐	RATE CD. 00
		FUTURE RATE CARD NO EFFECTIVE		

SCHEDULE

CASH IN ADVANCE

1	2	3	4	5	6	7	8	9	10	11	12	13
NOTATION	DAY OR ROTATION M T W T F S S	TIME FROM TO	TYPE	EFFECTIVE DATES	CLASS	SEC.	MG/REF 8 FREQ.	SPOTS PER WEEK	EARNED RATE/SPOT	UNITS	CARD	ITEM
X	A	12:00N-4 PM MON-FRI	30	10/15/74-10/18/74		4F		1	17000	2		
X	A	09:59:30P	30	10/15/74-10/17/74		4F		1	15000	2		
X	A	7-9 AM MONDAY-FRIDAY	30	10/16/74-10/18/74		4F		1	5000	1		
X		09:00:00P - 10:00:00P	30	10/16/74-10/18/74		4F		1	3000	1		
X		10:59:30P	30	10/18/74-10/18/74		4F		1	22500	1		
X		10:29:30P	30	10/20/74-10/20/74		4F		1	22500	1		
X		7-9 AM MONDAY-FRIDAY	30	10/21/74-10/21/74		4F		1	5000	1		
X		09:00:00P - 11:00:00P	30	10/21/74-10/21/74		4F		1	3000	1		
"WLWT hereby reserves the right to recapture any of the announcements and/or programs covered by this contract in order to comply with Section 315 of The Communications Act."												
GRAND TOTAL											17000	

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

"THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD."

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

#36 - Revision 77 SPOT TELEVISION CONFIRMATION/CONTRACT

ALL INFORMATION AND STATISTICS

316 1744 41
CANCELLATION NOTICE 01.45202

ADVERTISER E. ALLEN - COMM. COMM.		STATION/MARKET WTTN-TV / WTTN-TV		DATE 10/22/74
PRODUCT E. ALLEN - COMM. COMM.		SALESMAN/OFFICE 1-6-CH		
CONTRACT YEAR		CONTRACT NEW ☐ NO ☐ 9017-001-003/042.0-061		
CANCELLATION NOTICE REQD.		REVISED ☒ ON 10/22/74 NO.		
SCHEDULE DATES 10/15/74-10/21/74		BILLING WK. WCS-8.1M	BILLING AS EXP'D ☐	RATE CD. 3
		BILLING ☐	BLANKET ☐	FUTURE RATE CARD NO.

SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12
ROTATION	DAY OR ROTATION M T W T F S S	FROM TIME TO	TYPE	EFFECTIVE DATES	CLASS	SEC.	MG/REF FREQ.	SPOTS PER WEEK	EARNED RATE/SPOT	UNITS	ADDITIONAL
X	X	12:00:00 - 1:00:00	30	10/15/74-10/16/74EX	4F			2	7000		
		1:00:00 - 1:30:00	30	10/15/74-10/17/74EX	4F			2	15000		
		1:30:00 - 2:00:00	30	10/16/74-10/16/74EX	4F			1	5000		
		2:00:00 - 10:00:00	30	10/16/74-10/16/74EX	4F			1	33000		
		10:00:00 - 11:00:00	30	10/16/74-10/16/74EX	4F			1	22500	1	
		11:00:00 - 11:30:00	30	10/20/74-10/20/74EX	4F			1	22500	1	
		11:30:00 - 12:00:00	30	10/21/74-10/21/74EX	4F			1	5000	1	
		12:00:00 - 11:00:00	30	10/21/74-10/21/74EX	4F			1	30000	1	
		11:00:00 - 11:00:00	30	WAKEGOOD -CANCELLED	4F			1	33000	0	

GRAND TOTAL

1370.00

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

"THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD."

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

SPOT TELEVISION CONFIRMATION/CONTRACT

COLON KILLER AND STIFFS

315 L. D. L. AY
CIRCULAR 11, 6-45202

ADVERTISER 0010053		STATION/MARKET 1-T/101		DATE 10/23/74
PRODUCT 1-T/101		SALESMAN/OFFICE 1-T/101		
CONTRACT YEAR	CONTRACT			
CANCELLATION NOTICE REQD.	NEW ☐ NO 9 17-01-103/84			
	REVISED ☐ ON 10/23/74 NO 10/23/74			
SCHEDULE DATES 1/1/74-1/21/74	BILLING WK. 1-1	BILLING AS ORDERED ☐	BLANKET ☐	RATE CD. 1-1
				FUTURE RATE CARD NO EFFECTIVE

SCHEDULE

1 ROTATION	2 FILED	3 DAY OR ROTATION							4 TYPE	5 EFFECTIVE DATES	6 CLASS	7 SEC.	8 MG/REF FREQ.	9 SPOTS PER WEEK	10 EARNED RATE/SPOT	11 UNITS	12 CARD	ITEM
		M	T	W	T	F	S	S										
		X							12:00:00-4 P. MON-FRI	30	10/15/74-10/18/74EX	4F		2	7000	2		
									10:00:00-3 P.	30	10/15/74-10/17/74EX	4F		2	15000	2		
									7-10:00:00 Y-FRI-SAT	30	10/16/74-10/16/74-X	4F		1	5000	1		
									09:00:00 - 10:00:00P	30	10/16/74-10/16/74EX	4F		1	30000	1		
									1/10									
									10:00:00 P	30	10/16/74-10/18/74EX	4F		1	22000	1		
									10:00:00 P	30	10/20/74-10/20/74EX	4F		1	22000	1		
									7-10:00:00 Y-FRI-SAT	30	10/21/74-10/21/74EX	4F		1	5000	1		
									09:00:00 - 11:00:00P	30	10/21/74-10/21/74EX	4F		1	20000	1		
									10:00:00P - 11:00:00P	30	10/21/74-10/21/74EX	4F		1	18000	1		
									09:00:00 - 09:00:00P	30	10/19/74-10/19/74EX	4F		1	18000	1		

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

GRAND TOTAL

1700.00

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

"THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD."

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed _____

(DCL:3)

Signed _____

(Date)

#4

SPOT TELEVISION CONFIRMATION/CONTRACT

Ex. A

9/19/74

H. LAM KELLER AND STITES

313 BROADWAY
CINCINNATI, O. 45202

ADVERTISER 7704	STATION/MARKET 10056	DATE 9/19/74
PRODUCT	SALESMAN/OFFICE	
CONTRACT YEAR	CONTRACT	
CANCELLATION NOTICE REQD.	NEW ☐ NO ☐ 17-001-002/0000	
SCHEDULE DATES 10/1/74-10/14/74	REVISED ☐ ON ☐ NO.	BILLING WK. ☐ BILLING AS EARNED ☐ BLANKET ☐
	RATE CD.	FUTURE RATE CARD NO. EFFECTIVE

SCHEDULE

CASH IN ADVANCE

1 ROTATION	2 DAY OR ROTATION M T W T F S S	3 TIME FROM TO	4 TYPE	5 EFFECTIVE DATES	6 CLASS	7 SEC.	8 MG/REF FREQ.	9 SPOTS PER WEEK	10 EARNED RATE/SPOT	11 UNITS	12 CARD	ITEM
A	X											
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												
X												

TIMES LISTED REPRESENT PROGRAMMING AND/OR ADJACENCIES AS DECLARED AT TIME OF SALE.

"THE CONDITIONS OF THE CONTRACT COPYRIGHTED NOVEMBER 1970 BY THE AAAA, WITH THE EXCEPTIONS AS PRINTED ON THE REVERSE SIDE HEREOF, ARE A PART OF THIS CONTRACT AS IS THE STATION'S RATE CARD."

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed

(Date)

(Date)

#45 Revision

W. L. KELLER AND STILES

210 BRUCKMAN
CINCINNATI, OH 45202

ADVERTISER ABC - COG.COM		STATION/MARKET ABC-TV-NEW YORK		DATE 9/21/74
PRODUCT ABC NEWS (COG.COM) -		SALESMAN/OFFICE JIM - CH		
CONTRACT YEAR	CONTRACT			
	NEW ☐ NO ☐			
CANCELLATION NOTICE REQD.	REVISED ☒ ON 9/21/74 NO.			
SCHEDULE DATES 10/1/74-11/1/74	BILLING WK. 1-4	BILLING AS ORDERED ☐	BLANKET ☐	RATE CO. 72
FUTURE RATE CARD NO EFFECTIVE				

CASH IN ADVANCE

ROTATION	FILED	2							3		4	5	6	7	MG/REF 8	9	10	11	12	13	
		DAY OR ROTATION							TIME	EFFECTIVE DATES											CLASS
		M	T	W	T	F	S	S	FROM	TO	TYPE										
	X		X						12:00AM-4 PM MON-FRI		30	10/29/74-10/29/74		AF		1	7000	1			
	X								7-9 AM MONDAY-FRIDAY		30	10/30/74-10/30/74		AF		1	5000	1			
									09:00:00P		30	10/31/74-10/31/74		AF		1	15000	1			
X	X	X	X	X	X				11:00P-1:00A MON-SAT		30	11/01/74-11/04/74		AF		1	9000	3			
									08:00:00P - 09:00:00P		30	CANCEL DUE START		AF		1	15000	0			
									08:00:00P - 09:00:00P		30	11/02/74-11/02/74		AF		1	30000	1			
									10:12:00P		30	11/03/74-11/03/74		AF		1	22500	1			
X	X								7-9 AM MONDAY-FRIDAY		30	11/04/74-11/04/74		AF		1	5000	1			
X	X								12:00AM-4 PM MON-FRI		30	11/04/74-11/04/74		AF		1	7000	1			
X	X								09:00:00P		30	11/04/74-11/04/74		AF		1	15000	1			
X	X								09:00:00P - 11:00:00P		30	11/04/74-11/04/74		AF		1	30000	1			
X	X								11:00:00P		30	11/04/74-11/04/74		AF		1	22500	1			
"WLWT hereby reserves the right to recapture any of the announcements and/or programs covered by this contract in order to comply with Section 315 of The Communications Act."																					

*** GRAND TOTAL**

138A.00

ACCEPTED FOR AGENCY:

ACCEPTED BY STATION GENERAL MANAGER:

Signed

Signed _____

Campaign law faulty, Luken says

BY BILL FURLOW
Politics Reporter

U.S. Rep. Thomas A. Luken, D-Cincinnati, said today that Secretary of State Ted W. Brown's rules governing the new state campaign finance law contain a "loophole" that could let candidates spend more money than the law intends.

Luken said that Brown's interpretation that the new campaign spending limits apply only to money spent after the law became effective July 23 "opens a loophole through which a candidate could drive a truck filled with campaign money..."

The new law limits spending in congressional races this year to \$83,000.

IN A LETTER to his Republican opponent, Willis D. Gradison Jr., Luken today suggested that the two candidates agree to limit their spending on the November election campaign to \$83,000 each.

Gradison refused.

Gradison, who lost to Luken by 4100 votes in a March 5 special election, said that he intends to follow Brown's rules.

"The law is very confusing on this point," Gradison said. "We didn't know what it meant, so we're following the secretary of state's rules."

HE SAID THAT Luken, a lawyer, "ought to know the law well enough to know the legislature can't go around

passing retroactive laws. This law only took effect July 23."

But, Gradison said, "The money's so hard to raise, I doubt we'll get anywhere close to that limit anyway."

Most of his expenses before July 23 were for his campaign staff, Gradison said.

Congressional candidates do not have to file their federal campaign expense report until Sept. 10 and their first state report until Oct. 23.

LUKEN SAID THAT he thinks any candidate who "calculatingly goes out and pre-pays for his campaign in June and July is evading the intent of the law."

"I do not agree with the secretary of state's interpre-

tation, but the solution is for every candidate to agree to abide by the letter and the spirit of the law and count all campaign expenditures for the November election against the spending limits," Luken said.

Brown said in a telephone interview from his Columbus office that he believes the law should be applied to all campaign expenditures, but that he does not have the authority to require that because it is not clearly spelled out in the legislation.

He said that all expenses for the November election must be reported, regardless of when they were made.

Post, Fri Aug 30 1974

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Gradison OKs SAT. Aug 31 1974 POST expense limit ✓

Willis D. Gradison Jr. said yesterday he intended to "follow the letter and spirit of the law" in response to a U. S. Rep. Thomas A. Luken's suggestion that both limit their expenses to \$83,000 for the period between the March 5 special election and the Nov. 5 election.

Gradison, a Republican challenging Luken for the First District Congressional seat, said his first expense report to be filed Sept. 10 would make it "perfectly evident that there are no abuses and no gaping loopholes" in his expenditures.

LUKEN, in a press conference yesterday morning, charged that rules governing the state's new campaign financing law contain a "loophole," in that the law only

covers expenses after the law became effective July 23.

State law limits spending in congressional races this year to \$83,000.

Gradison's campaign manager, Ronald Roberts, said the Sept. 10 report would show that about \$6,000 had been spent prior to July 23, mostly on signs.

He said that amount would be included in the \$83,000 spending limit.

GRADISON, WHO HELD a press conference later yesterday, charged that his opponent already has spent more than \$83,000 in mailing expenses, and restated his accusations that Luken has mailed campaign literature at public expense.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010059

Ex.B

Luken, Gradison

duel over spending

Democratic Rep. Thomas A. Luken and Republican Willis D. Gradison Jr., opposing each other in the First District congressional race, traded verbal punches yesterday on the issues of campaign spending and aid to the elderly.

Luken said he believes his opponent may spend more than the \$83,000 limit set by the state on their congressional race. Luken disclosed his anticipated expenditures up to the Nov. 5 election and urged Gradison to do the same.

LUKEN SAID he expects to spend a total of \$60,027. His most recent report lists \$43,947 in expenditures applicable to the state spending limit.

Gradison said his campaign spending will not reach the \$83,000 limit.

"We are going to follow all the regulations of the law, period," Gradison said. The law covers funds spent after July 23.

Gradison, at a press conference after Luken's, then charged his opponent with ignoring needs of the elderly by helping vote down a nutrition program for the elderly poor.

He accused Luken of supporting "special-interest" legislation, specifically the Energy Transport Security Act, which requires 30 percent of imported oil to be shipped on American ships, and the railroad retirement fund.

Luken, in a debate earlier this week, said that, although the aid to the elderly bill was a good one, a vote for it would have been inflationary at a time when Congress was attempting to reduce the budget.

8 DAYS BEFORE
ELECTION. 10/26/75.

Post
P40 10-26

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

JAN 3, 1975.

Ex. B

Gradison exceeded state spending limit by \$54,267

BY BILL FURLOW
Politics Reporter

U.S. Rep. Willis D. Gradison Jr., R-Cincinnati, spent \$54,267 more than was permitted by state law in his successful campaign last fall, according to a report released late yesterday. He spent a total of \$137,630.

But the state law, which provided for a fine of triple the excess spent, will not be enforced in this instance, an aide to Secretary of State Ted W. Brown said today.

Brown's aide said the state law was superseded in October by a new federal campaign spending act.

The report was filed by Gradison's committee with the clerk of the U.S. House of Representatives, and a copy was relayed to Secretary of State Ted W. Brown, the state's chief elections officer.

REP. GRADISON said today his campaign last fall, in which he defeated then U.S. Rep. Thomas A. Luken, D-Cincinnati, complied with the state law.

Gradison's administrative assistant, Ronald R. Roberts, offered these reasons:

- \$21,905 of the total was raised before the state law became effective on July 23, 1974.

- Another \$25,500 was spent on fund-raising activities that did not count against the spending limit. Included in this category are mass mail solicitations, and the fund-raising breakfast featuring then Republican National Chairman George Bush.

- Under the federal reporting requirement, an \$8902 loan had to be listed in two categories and thus was counted twice.

So, Roberts said, deducting the money raised before the law took effect, the amount spent on fund raising and the loan counted twice, the amount governed by the old state law is \$81,323.

Gradison's claim that money raised before the state law became effective did not count in the spending limit the law imposed is based on interpretation of the law by Secretary of State Brown.

Secretary of State Brown, a Republican, has ruled that the state law was superseded when President Ford signed the new federal law in October.

HOWEVER, THE \$70,000 campaign spending limit imposed by the new federal act did not become effective until Jan. 1, 1975.

"Because of the pre-emption of federal law, you had no state law applicable to the election of federal offices," said James Marsh, assistant secretary of state, "and you had a gap in the federal law as far as the spending was concerned."

Gradison said, "My understanding from our lawyers is that the law that passed Congress last year explicitly overrides any limits that apply to state limits. However, we would have met the requirements if they'd stayed in effect."

Gradison defeated Democrat Luken in the Nov. 5, 1974, First Congressional District election by 2599 votes.

THE LUKEN COMMITTEE'S report says it spent \$79,591 in the race against Gradison.

In the Second Congressional District



WILLIS GRADISON

campaign, U.S. Rep. Donald D. Clancy, a Republican, reported spending \$31,791 in his race against Democrat Edward W. Wolterman.

Wolterman's report said he spent \$11,999.

Chuckle for today

Many men wish they were strong enough to tear a telephone book in half—especially if they have teen-age children.

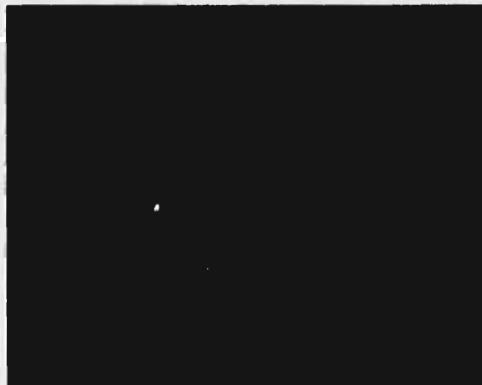
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
UNITED STATES GENERAL ELECTION

Major Downtown Office Buildings

Name, Location and Manager or Realtor	Sq. Ft. Rentable	Sq. Ft. Vacant	No. of Floors	Sq. Ft./ Floor	Rental Range
American Building 30 E. Central Parkway Robert Gay (Bldg. Mgr.) (513) 621-8527	62,000	25,000	15	5,500	\$4.75- \$5.25
Atlas Bank Building 524 Walnut Street Author Rubloff & Company Robert Marcott (513) 381-0580	50,000	3,000	10	5,200	\$4.00- \$5.00
Carew Tower 441 Vine Street Emery Realty, Inc. Frank Bedell (513) 381-3443	354,614	5,000	46	8,000	\$5.50- \$6.50
Central Trust Building 309 Vine Street Central Management Company Henry Steinman (Bldg. Mgr.) (513) 381-1950	527,548	2,000	Tower 28 Annex 7	12,000 Tower 41,000 Annex	\$5.25 Tower \$4.75 Annex
Dixie Terminal Building 49 E. Fourth Street Walnut Management, Inc. Stanley R. Sander (513) 621-2371	143,107	2,340	10	16,200	\$6.00- \$6.85
DuBois Tower/Fifth Third Center 511 Walnut Street Cincinnati Redevelopment Corp. Robert C. Wright (513) 621-6242	422,209	0	32	14,000	\$7.50- \$8.50
Enquirer Building 617 Vine Street The Mayer Company Arnold Mabley (513) 621-5515	236,000	35,000	14	15,625	\$4.50- \$5.00
Executive Building 35 E. Seventh Street Ohio Real Estate Investment Co. William Peeno (513) 621-0423	80,956	10,592	8	10,800	\$5.00
Fifth and Race Tower 120 W. Fifth Street Feist & Feist Robert Bonds (513) 621-1001	200,000	50,000	14	10,500	\$6.50- \$8.00
First National Bank Building 105 E. Fourth Street Robert A. Cline Co. Albert Loring (513) 621-8600	193,958	4,748	18 Flrs. 3 Bldgs.	20,000 10,000 6,000	\$4.75- \$6.00
580 Building 580 Walnut Street Author Rubloff & Company Espy & Straus, Inc. Robert Skiles or Stanley Straus (513) 381-0580 or (513) 721-6315	535,000	150,000	17	31,000	\$8.00- \$9.00
Formica Mercantile Library Building Complex 120 E. 4th/414 Walnut Street Metro Management, Inc. Neil Quinn (513) 621-0505	172,000	31,000	13	16,000	\$4.50- \$8.00

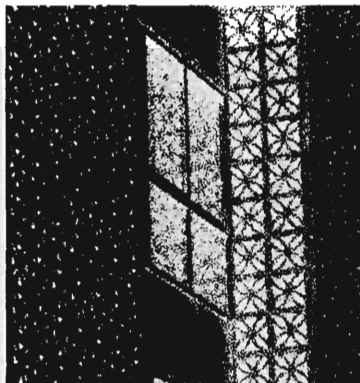
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Name, Location and Manager or Realtor	Sq. Ft. Rentable	Sq. Ft. Vacant	No. of Floors	Sq. Ft./ Floor	Rental Range
Fourth & Race Tower 105 W. Fourth Street Theodore Mayer & Bros., Inc. Richard Theryoung (513) 421-4442	136,909	59,000	14	10,000	\$4.50- \$5.00
Fourth & Walnut Building 36 E. Fourth Street Robert Gay (Bldg. Mgr.) (513) 621-8527	244,989	30,000	17	12,000	\$5.50- \$6.00
Gwynne Building 602 Main Street The Mayer Company Arnold Mabley (513) 621-5512	130,000	40,000	13	8,500- 11,400	\$4.00- \$5.00
Hartford Building 630 Main Street West Shell, Inc. Herbert Pye (513) 241-4388	80,000	0	5	16,400	\$3.50
Kroger Building 1014 Vine Street Del E. Webb Realty & Mgmt. Co. Doug Neal (513) 621-3017	328,690	130,000	25	13,500	\$4.80- \$5.40
One-One East Fourth One-One East Fourth Street Koetzle Corporation Susan Morehead (513) 381-0381	58,000	17,000	10	4,500	\$3.50- \$5.00
Provident Bank Building 7th & Vine Streets West Shell, Inc. Herbert Pye (513) 241-4388	125,866	37,764	11	8,500	\$3.85- \$4.10
Provident Tower One East Fourth Street Walnut Management, Inc. Stanley R. Sander (513) 621-2371	215,919	1,400	19	10,383	\$7.85- \$8.25
Temple Bar Building Court and Main Streets Koetzle Corp. Susan Morehead (513) 381-0381	150,000	12,000	10	16,000	\$3.50- \$5.00
Three East Fourth Building Three East Fourth Street Walnut Management, Inc. Stanley R. Sander (513) 621-2371	36,000	4,984	4	10,000	\$7.50- \$7.85
Tri State Building 432 Walnut Street Flavian Becker (Bldg. Mgr.) (513) 621-2470	65,162	4,500	15	7,000	\$5.00
214 East Third Building 214 East Third Street North American Management and Development Company William J. Williams, Jr. (513) 721-2744	18,000	18,000	5	6,000	\$8.00- \$8.50 (Available Early 1975)



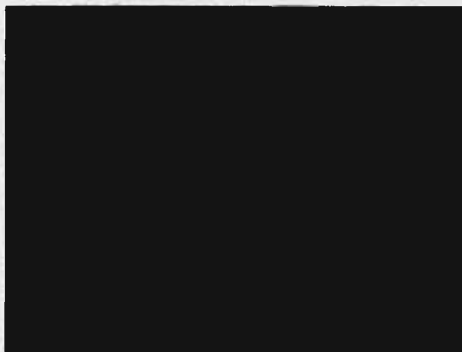
Suburban Office Buildings

Name, Location and Manager or Realtor	Sq. Ft. Rentable	Sq. Ft. Vacant	No. of Floors	Sq. Ft./Floors	Rental Range
Alcoa Building Walnut Hills, Ohio 2331 Victory Parkway Theodore Mayor & Bros., Inc. Maury Gerwe (513) 621-0921	14,000	14,000	2	7,000	\$3.50- \$5.50
Amberlawn Executive Building Roselawn, Ohio 7710 Reading Road West Shell, Inc. Tim Wright (513) 761-9711	50,000	4,000	4	12,500	\$5.50
American Colony Building Montgomery, Ohio 7700 Cooper Road American Colony William Coors (513) 891-2060	20,000	11,000	2	10,000	\$6.00- \$6.75
Beechmont East Anderson Township, Ohio 8595 Beechmont Avenue West Shell, Inc. Jack Shimala (513) 761-9711	15,000	10,000	3	5,000	\$6.00- \$6.50
W. P. Butler Office Building #1 Franklin, Kentucky 2641 Crescent Springs Drive W. P. Butler Co. Ralph B. Grieme, Jr. (606) 341-6243	12,000	1,400	2	6,000	\$5.50
W. P. Butler Office Building #2 Franklin, Kentucky 2639 Crescent Springs Drive W. P. Butler Co. Ralph B. Grieme, Jr. (606) 341-6243	12,000	12,000	2	6,000	\$5.50 \$6.00
Carrousel Towers Roselawn, Ohio 8075 Reading Road West Shell, Inc. Jack Shimala (513) 761-9711	36,000	1,000	4	9,000	\$5.50 \$7.00
Chester Square Towers Sharonville, Ohio 11149 Chester Road NCPM, Inc. Andy Curley (513) 242-8223	130,000	130,000	7	22,000	\$5.50- \$6.85 \$6.85- \$7.40
Cincinnati Savings Office Building Anderson Township, Ohio 7373 Beechmont Avenue Robert A. Cline, Inc. William Hofmann (513) 621-8600	10,000	500	3	3,333	\$6.00



Name, Location and Manager or Realtor	Sq. Ft. Rentable	Sq. Ft. Vacant	No. of Floors	Sq. Ft./ Floors	Rental Range
Colonial Center Building Fairfax, Ohio 5725 Dragon Way Colonial Center Building Stan Brock (513) 561-4400	23,000	5,500	4	7,300 1,100	\$5.00- \$7.00
Columbia Wooster Building Fairfax, Ohio 5701 Wooster Pike P. G. Graves, Inc. Robert Erman (513) 241-6964	18,000	1,500	3	6,000	\$4.30- \$4.70
Credit Union Building Queensgate, Ohio 801 Linn Street Carl Parker (Bldg. Mgr.) (513) 421-9595	60,000	40,000	6	10,000	\$6.50
Dues Office & Dist. Center Union Township; Butler Co., Ohio 9900 Princeton Pike West Shell, Inc. Robert Friedman (513) 721-4200	30,000	2,500	2	15,000	\$5.00- \$5.50
8060 Building Kenwood, Ohio 8060 Montgomery Road R. E. Dietz & Co. Robert Sherman (513) 241-3375	13,407	3,800	3	4,470	\$6.75- \$7.25
Executive 75 Ft. Mitchell, Kentucky 2330 Royal Drive Drees Builders & Developers Ronald Mechlin (606) 341-0355	13,000	0	2	6,500	\$6.50
Financial Building Crescent Springs, Kentucky 100 Crisler Avenue Koetzle Corp. Herman Lass (513) 381-0381	13,200	3,400	3	4,400	\$6.50
Film Arts Forest Park, Ohio 636 Northland Road Kanter Corp. Philip S. White (513) 851-6000	15,000	2,000	2	7,500	\$6.50- \$7.50
Heekin Office Building Roselawn, Ohio 7125 Reading Road West Shell, Inc. Rod MacEachen, Jr./Sr. (513) 761-9711	11,000	1,530	3	3,666	\$4.00- \$5.00

Name, Location and Manager or Realtor	Sq. Ft. Rentable	Sq. Ft. Vacant	No. Floors	Sq. Ft. / Floors	Rental Range
Home Builders Association Bond Hill, Ohio 1213 Tennessee Avenue Koetzle Corp. Herman Lass (513) 381-0381	11,400	0	3	3,400- 4,000	(For Sale Only)
Inter Ocean Walnut Hills, Ohio 2600 Victory Parkway Theodore Mayer & Bros., Inc. Fred Reddert (513) 621-0921	37,000	34,000	4	10,000	\$3.50- \$5.50 (Also for Sale)
KDI-IBM Building Fairfax, Ohio 5721 Dragon Way West Shell, Inc. Joseph G. Baron (513) 761-9711	21,000	9,000	4	3,000- 6,000	\$6.00
KZF Building Walnut Hills, Ohio 2830 Victory Parkway Espy & Straus, Inc. Thomas Compton (513) 721-6315	60,000	23,000	4	15,000	\$3.50- \$5.50
Kentucky Executive Building Ft. Mitchell, Kentucky 2055 Dixie Highway Frederick A. Schmidt, Inc. Jack Brendamour (513) 381-1780	24,000	14,000	3	6,000	\$6.25
Kenwood Professional Building Blue Ash, Ohio 9403 Kenwood Road Development Systems Hal Reisenfeld (216) 292-6935	57,000	57,000	2	28,000	\$6.50 (Available Late 1974)
Kuhr Building Roselawn, Ohio 7685 Reading Road Koetzle Corp. (513) 381-0381	14,200	8,200	2	8,200 6,000	\$4.50 (Also for Sale)
Mariemont Center Building Mariemont, Ohio 3914 Miami Road Robert A. Cline Co. Melvin Yeager (513) 621-8600	9,073	1,338	3	2,688- 3,458	\$5.00- \$6.50
Mariemont Executive Building Mariemont, Ohio 3814 West Street Mariemont Investments Edward J. Stern (513) 272-3440	17,250	600	4	4,300	\$5.75- \$7.25



Name, Location and
Manager or Realtor

Sq. Ft.
Rentable

Sq. Ft.
Vacant

No. of
Floors

Sq. Ft./
Floor

Rental
Range

Queensgate Commerce Center

Queensgate, Ohio
1150 W. Eighth Street
Koetzle Corp.
Susan Morehead (513) 381-0381

80,000

1,000

2

Varies

\$6.50

Sharon Square

Sharonville, Ohio
11175-11177 Reading Road
Theodore Mayer & Bros. Inc.
Fred Reddert (513) 621-0921

30,000

15,000

3

10,000

\$5.00-
\$5.50

6901 Wooster Pike Building

Mariemont, Ohio
6901 Wooster Pike
Mariemont Investments
Edward J. Stern (513) 272-3440

15,200

3,800

3

5,000

\$4.75-
\$6.50

Summit Executive Building

Roselawn, Ohio
1821 Summit Road
West Shell, Inc.
Jack Shimala (513) 761-9711

50,000

12,000

5

10,000

\$5.00-
\$5.50

2300 Montana Building

Cincinnati, Ohio
2300 Montana Avenue
2300 Montana Corp.
Patrick Williams (513) 662-2300

60,000

22,000

5

12,300

\$6.25-
\$6.75

Victory Parkway Building

Walnut Hills, Ohio
1501 Madison Road
West Shell, Inc.
Rod MacEachen, Jr./Sr. (513) 761-9711

40,000

1,500

4

10,000

\$5.50

Western Hills Medical Arts

Western Hills, Ohio
4966 Glenway Avenue
West Shell, Inc.
Herbert Pye (513) 241-4388

22,000

3,232

6

3,600

\$5.25-
\$6.00

Woodview Centre

Cincinnati, Ohio
71 & Ridge Road
at Norwood Lateral
Metro, Inc.
Bruce McConnell (513) 821-4211

15,000

7,500

3

5,000

\$5.25-
\$6.00

XLO Building

Kenwood, Ohio
7886 Montgomery Road
West Shell, Inc.
Tim Wright (513) 761-9711

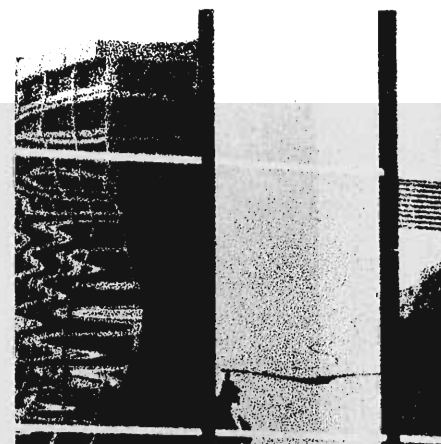
9,541

0

1

9,541

\$6.50



Office Parks

Name, Location and Manager or Realtor

Acreage

Total Occupied Available

Buildings

Sq. Ft. /
Rentable

Sq. Ft.
Vacant

No. of Buildings &
No. of Flrs. / Bldg.

Sq. Ft. /
Floor

Rental
Range

Ashwood Office Park

Blue Ash, Ohio
Reed Hartman Hwy
Collins Construction Co.
Patric R. Collins (513) 793-7064

10 0 10

45,000 45,000

1 bldg. - 6 flrs.
(Planned -
6 Bldgs.
2 Parking
Garages)

8,000

\$ 6.00-
\$ 7.00
(Available
Summer 1976)

Atkinson Square

Sharonville, Ohio
11750 Chesterdale Road
Arlen Management, Inc.
Mardy Hovekamp (513) 772-1230

20 18 2

179,000 7,000

38 bldgs - 1 flr.

2,000-
7,000

\$ 6.00

Banning Professional Center

North College Hill, Ohio
2240-2250 Banning Road
West Shell, Inc.
Rod MacEachern, Jr. / Sr. (513) 761-9711

9 9 0

72,000 72,000

2 bldgs - 3 flrs.

12,000

\$46.50
Randomly
Open
(Available
Spring 1976)

Circle Park Office Center

Springfield Township, Ohio
11440 Hamilton Avenue
Crest Communities, Inc.
M. L. Simpson (513) 851-6600

3 3 0

18,000 0

2 bldgs - 2 flrs.

3,500-
5,500

\$ 6.00-
\$ 6.50

Commerce Commons Office Park

Florence, Kentucky
Tanner's Lane
W. P. Butler Co.
Ralph B. Greene, Jr. (606) 341-6243

9.4 9.4 0

141,000 141,000
(Planned)

6 bldgs - 2 flrs.

10,500-
13,000

\$ 5.50-
\$ 7.00
All 6 Buildings
to be available
by late 1975

Cornell Park

Blue Ash, Ohio
Cornell Road & Reed Hartman Hwy
Community Builders
Glen Jeffers (513) 563-4050

120 0 120

Proposed

Executive Park

Sharonville, Ohio
Executive Park Drive
Community Builders
Glen Jeffers (513) 563-4050

14 14 0

143,200 55,200

5 bldgs - 5 flrs.

8,500

\$ 6.30-
\$ 6.75
5th Bldg.
120,000 sq. ft.
(Available
Early 1976)

Fidelity Park

Miami Township
(Clermont County) Ohio
S.R. 28 and Wolfpen-
Pleasant Hill Road
Land-Dev Corporation
Albert E. Watike (513) 891-8881

64 8 56

Hillcrest Square Towers

Roselawn, Ohio
Reading Rd. & Losantville Ave
Unit, Inc.
Roy Norwood (513) 631-6440

50 20 30

240,000 10,000

1 bldg. - 12 flrs.
1 bldg. - 5 flrs.

15,000
19,000

\$ 6.00-
\$ 7.00
3rd Bldg.
170,000 sq. ft.
(Planned)

Holiday Office Park

Queensgate, Ohio
Eighth & Linn Streets
Queensgate Associates, Inc.
Jack Markham (513) 721-0445

11 11 0

320,000 86,000

1 bldg. - 12 flrs.
2 bldgs - 5 flrs.

16,100
16,000

\$ 5.35-
\$ 6.25

Kanter Office Park

Forest Park, Ohio
640, 650, 660
670 Northland Road
Kanter Corporation
Philip S. White (513) 851-6000

60 10 50

95,000 14,500

1 bldg. - 7 flrs.
3 bldgs - 1 flr.

9,400
14,500

\$ 6.00-
\$ 7.50

Tri-County Office Park

Springdale, Ohio
1313 E. Kemper Road
West Shell, Inc.
Jack Shimala (513) 761-9711

22 7.5 14.5

44,708 11,121

3 bldgs - 2 flrs.

varies

\$ 6.25

Whitehall Park

Kenwood, Ohio
Hosbrook Road
Community Builders
Glen Jeffers (513) 563-4050

7 7 0

93,000 6,300

3 bldgs - 4 flrs.

8,500

\$ 7.30-
\$ 7.75

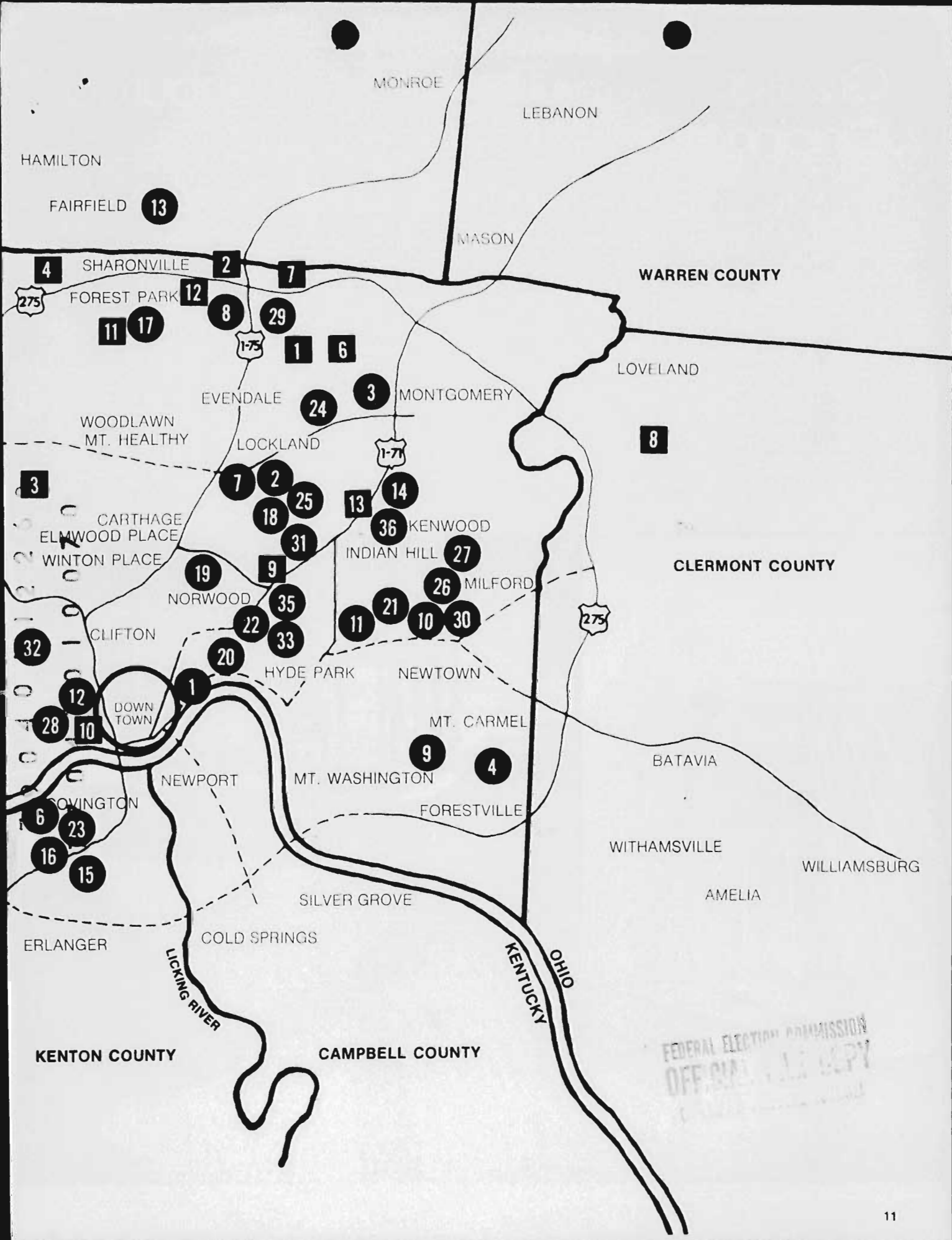
SUBURBAN ○

- 1 Alcoa Building
- 2 Amberlawn Executive Building
- 3 American Colony Building
- 4 Beechmont East
- 5 W. P. Butler Office Building #1
- 6 W. P. Butler Office Building #2
- 7 Carousel Towers
- 8 Chester Square Towers
- 9 Cincinnati Savings Office Building
- 10 Colonial Center Building
- 11 Columbia Wooster Building
- 12 Credit Union Building
- 13 Dues Office & Dist. Center
- 14 8060 Building
- 15 Executive 75
- 16 Financial Building
- 17 Film Arts
- 18 Heekin Office Building
- 19 Home Builders Association
- 20 Inter Ocean
- 21 KDI-IBM Building
- 22 KZF Building
- 23 Kentucky Executive Building
- 24 Kenwood Professional Building
- 25 Kuhr Building
- 26 Mariemont Center Building
- 27 Mariemont Executive Building
- 28 Queensgate Commerce Center
- 29 Sharon Square
- 30 6901 Wooster Pike Building
- 31 Summit Executive Building
- 32 2300 Montana Building
- 33 Victory Parkway Building
- 34 Western Hills Medical Arts
- 35 Woodview Centre
- 36 XLO Building

OFFICE PARKS □

- 1 Ashwood Office Park
- 2 Atkinson Square
- 3 Banning Professional Center
- 4 Circle Park Office Center
- 5 Commerce Commons Office Park
- 6 Cornell Park
- 7 Executive Park
- 8 Fidelity Park
- 9 Hillcrest Square Towers
- 10 Holiday Office Park
- 11 Kanter Office Park
- 12 Tri-County Office Park
- 13 Whitehall Park





FEDERAL ELECTION COMMISSION
OFFICIAL COPY

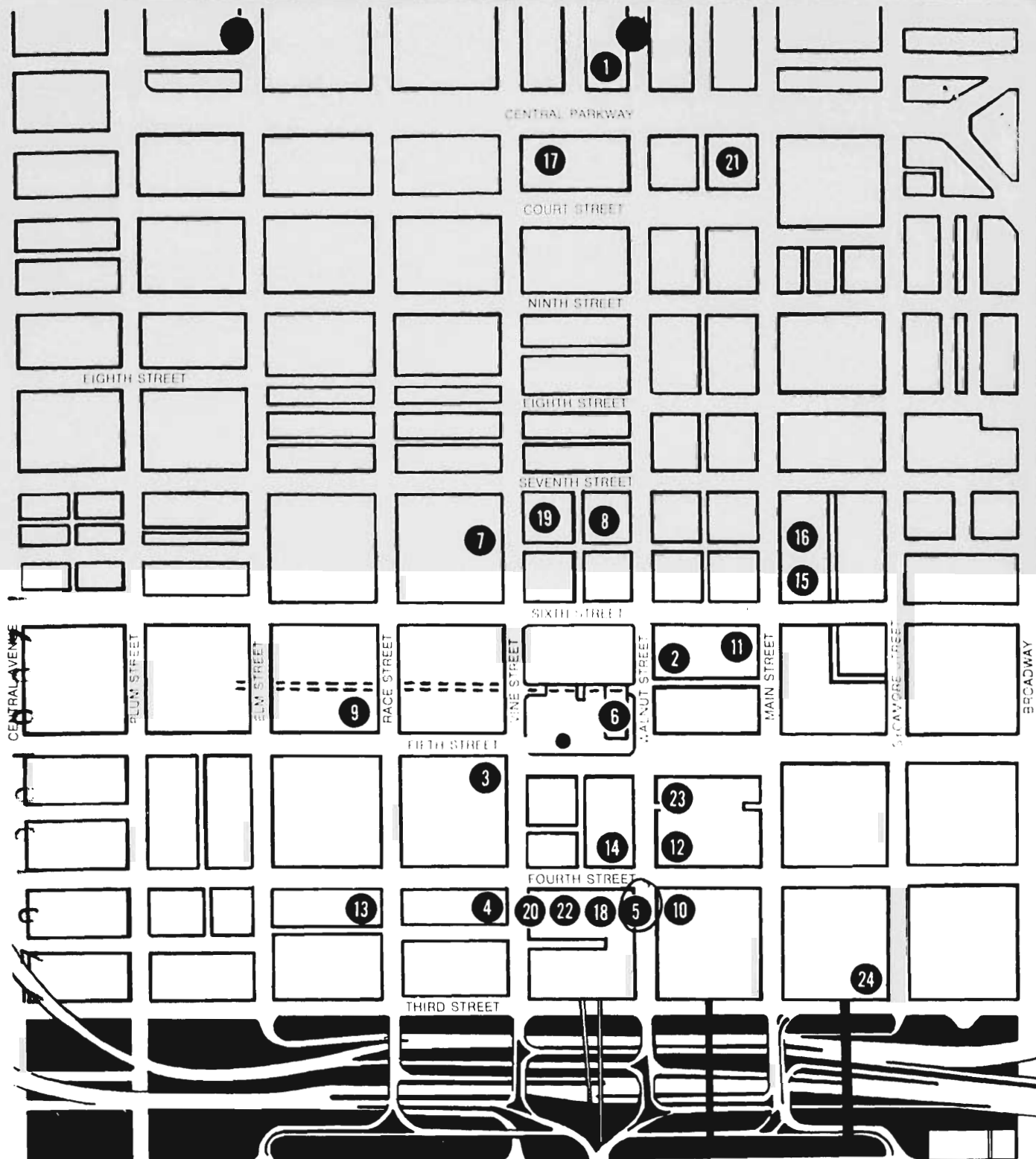
Greater Cincinnati

Downtown & Suburban Office Buildings & Office Parks Guide



For further information, contact Economic Development,
Greater Cincinnati Chamber of Commerce,
120 West Fifth Street, Cincinnati, Ohio U.S.A. 45202 (513) 721-3300.





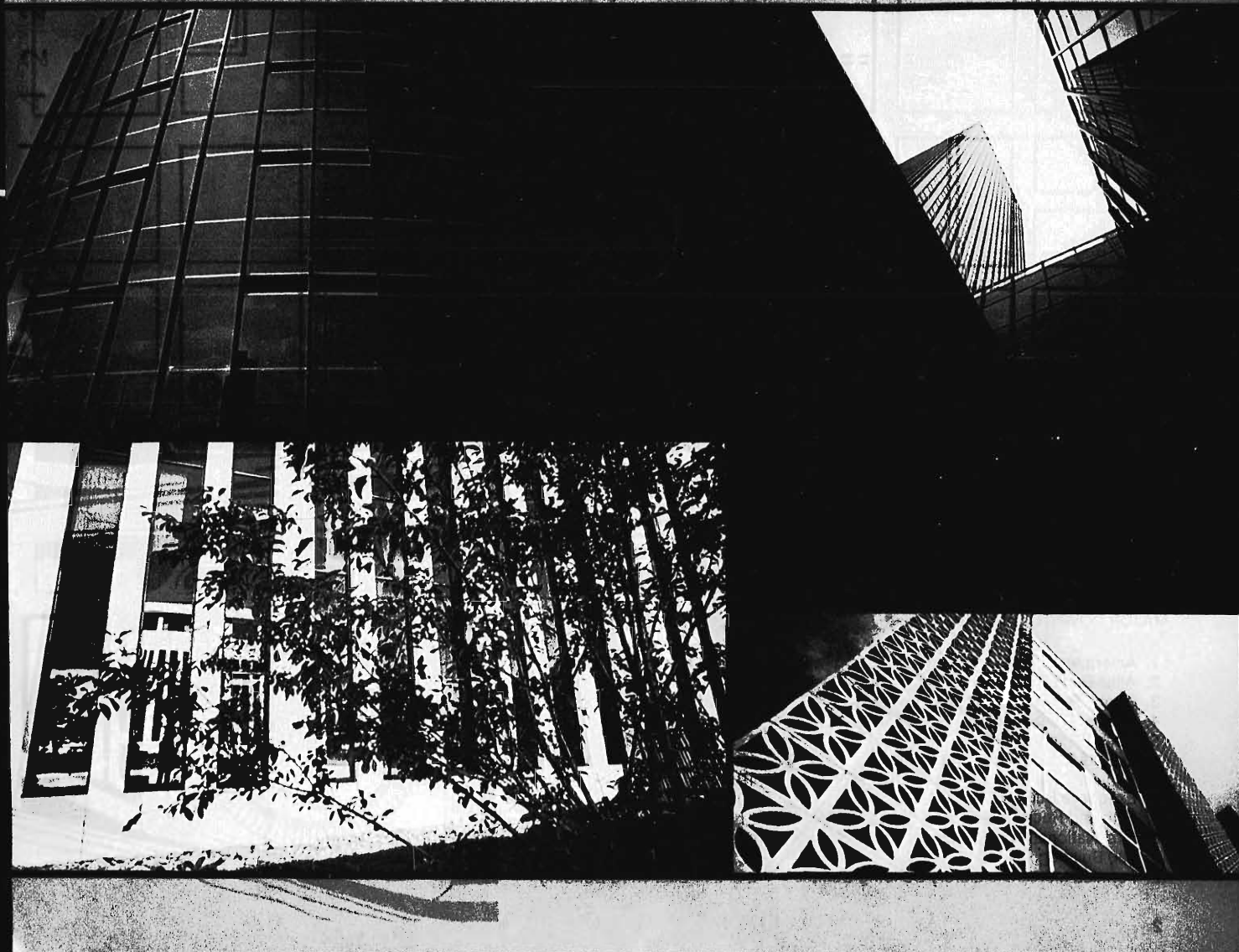
MAJOR DOWNTOWN

- | | |
|---|--------------------------------|
| 1. American Building | 13. Fourth & Race Tower |
| 2. Atlas Bank Building | 14. Fourth & Walnut Building |
| 3. Carew Tower | 15. Cayne Building |
| 4. Central Trust Building | 16. Hartford Building |
| 5. Dixie Terminal Building | 17. Kroger Building |
| 6. DuBois Tower/Fifth Third Center | 18. One One East Fourth |
| 7. Enquirer Building | 19. Provident Bank Building |
| 8. Executive Building | 20. Provident Tower |
| 9. Fifth and Race Tower | 21. Temple Bar Building |
| 10. First National Bank Building | 22. Three East Fourth Building |
| 11. 580 Building | 23. Tri State Building |
| 12. Formica Mercantile Library Building Complex | 24. 214 East Third Building |

RIVERFRONT
STADIUM

Greater
Cincinnati

Ex. C
Downtown & Suburban
Office Buildings &
Office Parks Guide





FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



77040014227

77040010072

GRADISON STOREFRONT, HYDE PARK PLAZA.

EA. E



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



7 7 0 0 4 0 0 1 0 0 2 2 7 3
7 7 0 0 4 0 0 1 0 0 7 3

U.S. Post Law

70040112271

City of Cincinnati

OHIO

45221



AHA.

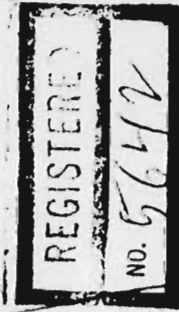
GORDON A. McKay

FEDERAL Election Commission

1325 K Street, N.W.

Washington D.C.

2043



RETURN RECEIPT REQUESTED

What's new

Peter Linzer

COLLEGE OF LAW

University of Cincinnati

Cincinnati, Ohio 45221

Hon. John G. Murphy, Jr.
General Counsel
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
ORIGINAL FILE COPY
OFFICE OF THE GENERAL COUNSEL



University of Cincinnati

Cincinnati, Ohio 45221

COLLEGE OF LAW

November 12, 1975

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

Re: Complaint filed June 24, 1975 against Congressman Willis D. Gradison, et al.

Dear Mr. McKay:

I have your letter of November 6, enclosing at my request, a copy of the response submitted by Congressman Gradison. The copy that you sent me lacks the first page of the 14 page answer, thus making it impossible for me to determine on whose behalf that 14 page answer was submitted.

You have allowed my clients ten days to respond to the Gradison answer. That answer was sent to the Commission on August 28, nine weeks before you got around to sending it to me. In addition, you gave the respondents more than two months to answer the complaint. You also apparently accepted respondents' unverified answer, despite the fact that you forced the complainants to go to great trouble to verify the complaint.

I find it very strange that the Commission seems to bend over backwards where Congressman Gradison is concerned while at the same time it treats the complainants as if they are riff-raff who are making trouble and deserve to be treated very abruptly. I would appreciate an explanation.

In the meantime, I request a 30 day extension of time in which to respond to the Gradison answer. I would further appreciate your sending us a copy of whatever rules and procedures you have finally decided upon. I also note that I requested much more in my letter of last month than merely a copy of the Gradison papers, but that you failed even to comment on the rest of my requests.

Finally, I would appreciate hearing from you in a shorter period of time than the month that the last response took.

Very truly yours,

Peter Linzer
Associate Professor of Law

PL:crb
cc: The Hon. John G. Murphy, Jr.
General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Peter Linzer

COLLEGE OF LAW

University of Cincinnati

Cincinnati, Ohio 45221

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

The Hon. John G. Murphy, Jr.
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

11/11/1975



University of Cincinnati

Cincinnati, Ohio 45221

COLLEGE OF LAW

November 12, 1975 147

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

Re: Complaint filed June 24, 1975 against Congressman Willis D. Gradison, et al.

Dear Mr. McKay:

I have your letter of November 6, enclosing at my request, a copy of the response submitted by Congressman Gradison. The copy that you sent me lacks the first page of the 14 page answer, thus making it impossible for me to determine on whose behalf that 14 page answer was submitted.

You have allowed my clients ten days to respond to the Gradison answer. That answer was sent to the Commission on August 28, nine weeks before you got around to sending it to me. In addition, you gave the respondents more than two months to answer the complaint. You also apparently accepted respondents' unverified answer, despite the fact that you forced the complainants to go to great trouble to verify the complaint.

I find it very strange that the Commission seems to bend over backwards where Congressman Gradison is concerned while at the same time it treats the complainants as if they are riff-raff who are making trouble and deserve to be treated very abruptly. I would appreciate an explanation.

In the meantime, I request a 30 day extension of time in which to respond to the Gradison answer. I would further appreciate your sending us a copy of whatever rules and procedures you have finally decided upon. I also note that I requested much more in my letter of last month than merely a copy of the Gradison papers, but that you failed even to comment on the rest of my requests.

Finally, I would appreciate hearing from you in a shorter period of time than the month that the last response took.

Very truly yours,

Peter Linzer
Associate Professor of Law

PL:crb

cc: The Hon. John G. Murphy, Jr.
General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Peter Linzer
COLLEGE OF LAW

University of Cincinnati

Cincinnati, Ohio 45221



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

Walden



FEDERAL ELECTION COMMISSION

1101 K STREET NW
WASHINGTON, DC 20543

November 6, 1975

Mr. Peter Linzer
College of Law
University of Cincinnati
Cincinnati, Ohio 45220

Dear Mr. Linzer:

This is in response to your request for a copy of the response submitted by the Gradison for Congress Committee with respect to your complaint filed with the Commission. A copy of such response is enclosed.

Any further information you might choose to provide regarding the complaint and/or the Committee's response should be recieved in this office within ten days after receipt of this letter.

Sincerely,

Gordon Andrew McKay
Assistant Staff Director for
Disclosure and Compliance

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Enclosure as stated

Certified Mail

77040010079
770400112200



University of Cincinnati

Cincinnati, Ohio 45221

COLLEGE OF LAW

OCT 3 1975

Hon. John G. Murphy, Jr.
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Complaint filed June 21, 1975 concerning
Congressman Willis D. Gradison

Dear Mr. Murphy:

I have your two letters dated July 22, 1975 and August 15, 1975. On August 15, 1975 you informed me that the Commission had determined that it had jurisdiction over our complaint, and that Congressman Gradison had been requested to respond to the allegations in the complaint within 15 days from the date he received your letter. That was six weeks ago, and we have heard nothing since. It is now more than three months since our complaint was filed.

I recognize that the Commission desires to set up responsible procedures, which insure the rights of those against whom complaints are filed. Nonetheless, the Commission's procedure of (1) giving no publicity to the proceedings before it and, (2) apparently giving no information about its proceedings even to the complainants, has the appearance, if not the effect, of shielding an incumbent from adverse publicity concerning exactly the matters about which the Commission was set up.

We have been informed that Congressman Gradison has prepared an elaborate and extensive answer to our complaint. I do not know if this answer has been filed, since I have been given no information about any extensions given to Congressman Gradison. I would certainly assume that the complainants would receive a copy of the answers to their complaint, and would be given an opportunity at least to discuss the matters with field investigators from the Federal Election Commission. Neither I nor the complainants themselves have the money to fly to Washington to appear before the Commission, but since we have not even received copies of any communications between the Commission and Congressman Gradison, we have no way of even knowing his responses to our charges.

I would appreciate receiving copies of all correspondence between Congressman Gradison or his representatives and the Commission and copies of all documents filed on his behalf with the Commission. I also request that the complainants be given a meaningful opportunity to comment, both in writing and orally to investigators for the Commission on both the charges against Congressman Gradison and his response to those charges.

I would appreciate hearing your comments.

Very truly yours,

Peter Linzer
Associate Professor of Law

PL:crb

FEDERAL ELECTION
COMMISSIONSeptember 12, 1975 2:26 PM
TO SEP

Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20006

Attention: Mr. Steven Schachman

Re: Gradison for Congress Committee

Dear Mr. Schachman:

In light of the confusion surrounding our recent discussions with the Commission staff, this letter will confirm our understanding of our conversation with you and Drew McKay which took place on September 11, 1975.

The Commission, through its staff and beginning on Monday, September 15, 1975, will conduct a field audit, solely of the Gradison for Congress Committee's reports for the general election campaign of 1974. The investigation will be conducted consonant and in accordance with the Federal Election Campaign Act of 1971 and the practices and manual of Regulations and Accounting Instructions promulgated by the Clerk of the United States House of Representatives as the same existed in 1974. No audit will be conducted at this time of other committees or elections.

You indicated that it was the Commission's opinion that, if warranted, the Commission had authority to audit other reports of other committees functioning in other elections in connection with the instant complaint on file

77000010082
FEDERAL ELECTION
COMMISSION
SEP 12 1975
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

with the Commission. Further, you agreed that after completing the aforesaid audit that you would notify us if any further investigation was necessary.

As we indicated to you, we do not share your view of the Commission's authority in connection with this complaint and that we would consider that matter with you when and if necessary. Further, we feel confident that the investigation of the Gradison for Congress Committee's reports in connection with the general election will bring a swift conclusion to this matter without time consuming delays. If this does not accurately reflect your understanding of that conversation, contact us immediately.

SANTEN, SANTEN & HUGHES CO., L.P.A.

By William E. Santen
William E. Santen

By Donald L. Wiley
Donald L. Wiley

Counsel for Respondent, Gradison
for Congress Committee

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010083

FEDERAL ELECTION
COMMISSION

August 28, 1975 3:52

Steve Roman, Chief
Audit Division
Federal Elections Commission
1325 K Street N.W.
Washington, D. C. 20463

Dear Mr. Roman:

Enclosed please find our Memorandum of Facts and Authorities. As we discussed, this is offered solely for the Commission's use in conducting its audit. Pursuant to the guidelines which you have established and which you have communicated to me, this Memorandum shall not be published, made available, or further disseminated. It will be used solely by the Commission in connection with its audit.

Thank you for your cooperation in this regard. If you have any questions, please feel free to contact our counsel, Santen, Santen & Hughes Co., L.P.A., Suite 1816 First National Bank Building, Cincinnati, Ohio 45202. Their phone number is 1-513-721-5541. Please call either William E. Santen or Donald L. Wiley.

Sincerely,

Ronald R. Roberts
Ronald R. Roberts

RRR/kr
Encl.

77010010084

HERMAN W. SANTEN (1920-1965)
WILLIAM E. SANTEN
HARRY H. SANTEN
KENNETH R. HUGHES
FRANKLIN A. KLAINE, JR.
WILLIAM B. SINGER
DONALD L. WILEY
GARY R. HOFFMANN

FEDERAL ELECTION
SANTEN, SANTEN & HUGHES CO., L.P.A.
ATTORNEYS AT LAW
SUITE 1816 FIRST NATIONAL BANK BUILDING
CINCINNATI, OHIO 45202-57

TELEPHONE
721-5541

AREA CODE
513

August 28, 1975

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

Re: Complaint filed June 24, 1975
Alleging Violations of the Federal
Elections Campaign Act of 1971, as
Amended

Gentlemen:

Enclosed please find the separate Answers of Respondents, Gradison for Congress Committee, Willis D. Gradison, Jr., Hugh T. McDonald, and Jerome A. Stricker and Bill Gradison for Congress Committee. In light of your announcement that the responses were to be prepared consonant with the rules prevailing prior to the recent amendments to the Act, the responses are not verified.

Please contact us if you need any further information, as we will want to cure any problems which you might have.

Sincerely,

SANTEN, SANTEN & HUGHES CO., L.P.A.

Donald L. Wiley

DLW/kr
Encl.

FEDERAL ELECTIONS COMMISSION
OFFICIAL FILE COPY
BUREAU OF RECORDS AND COMMUNICATIONS

FEDERAL ELECTIONS COMMISSION
1325 K Street N.W.
Washington, D.C. 20463

SEPARATE RESPONSE OF RESPONDENT
BILL GRADISON FOR CONGRESS COMMITTEE
AND
JEROME A. STRICKER, TREASURER
TO THE COMPLAINT ALLEGING VIOLATIONS
OF THE FEDERAL ELECTIONS CAMPAIGN
ACT OF 1971, AS AMENDED

For their separate response to the Complaint, Respondent,
Jerome A. Stricker, the Treasurer of the Bill Gradison for Congress
Committee, for himself and for such Committee, herein answers as
follows:

COUNTS I, II, III, IV, V, VI, VII, VIII, IX, X

For their separate Answer to Counts I, II, III, IV, V, VI, VII,
VIII, IX and X of the Complaint, Respondent, Jerome A. Stricker for him-
self and for the Bill Gradison for Congress Committee, hereinafter col-
lectively called "Respondents":

1. Deny each and every allegation of Counts I, II, III, IV, V,
VI, VII, VIII, IX, and X for want of knowledge or because the same are
not true.

Further, for their separate Answer to Complaint, Respondents:

2. Deny each and every allegation of the Complaint for want of
knowledge or because the same are not true.

WHEREFORE, Respondents pray that the Complaint be dismissed, with
prejudice.

SANTEN, SANTEN & HUGHES CO., L.P.A.

By William E. Santen
William E. Santen

By Donald L. Wiley
Donald L. Wiley
1816 First National Bank Building
Cincinnati, Ohio 45202
(513) 721-5541

Counsel for Respondents

RECEIVED
OFFICE OF GENERAL COUNSEL
FEB 20 1972

FEDERAL ELECTIONS COMMISSION
1325 K Street N.W.
Washington, D.C. 20543
75 AUG 28 PM 2:57

SEPARATE RESPONSE OF RESPONDENT
WILLIS D. GRADISON, JR.
TO THE COMPLAINT ALLEGING VIOLATIONS
OF THE FEDERAL ELECTIONS CAMPAIGN
ACT OF 1971, AS AMENDED

For his separate response to the Complaint, Respondent,
Willis D. Gradison, Jr., herein answers as follows:

COUNTS I, II, III, IV, V, VI, VII, VIII, IX, X

For his separate Answer to Counts I, II, II, IV, V, VI,
VII, VIII, IX, and X of the Complaint, Respondent, Willis D.
Gradison, Jr., hereinafter called "Respondent":

1. Denies each and every allegation of Counts I, II, III,
IV, V, VI, VII, VIII, IX and X for want of knowledge or because
the same are not true.

Further, for his separate Answer to the Complaint, Respondent:

2. Denies each and every allegation of the Complaint for
want of knowledge or because the same is not true.

WHEREFORE, Respondent prays that said Complaint be dis-
missed, with prejudice.

SANTEN, SANTEN & HUGHES CO., L.P.A.

By William E. Santen
William E. Santen

By Donald L. Wiley
Donald L. Wiley
1816 First National Bank Building
Cincinnati, Ohio 45202
(513) 721-5541

Counsel for Respondent

FEDERAL ELECTIONS COMMISSION
OFFICE OF THE CLERK
OFFICE OF FEDERAL JUDGES

77040112237

FEDERAL ELECTIONS COMMISSION
1325 K Street N.W.
Washington, D.C. 20463

ELECTION
COMMISSION

SEPARATE RESPONSE OF RESPONDENT
HUGH T. McDONALD
TO THE COMPLAINT ALLEGING VIOLATIONS
OF THE FEDERAL ELECTIONS CAMPAIGN
ACT OF 1971, AS AMENDED

SEP 20 PM 2:59

For his separate response to the Complaint, Respondent, Hugh T. McDonald, the Treasurer of the Gradison for Congress Committee, herein answers as follows:

COUNTS I, II, III, IV, V, VI, VII, VIII, IX, X

For his separate Answer to Counts I, II, III, IV, V, VI, VII VIII, IX and X of the Complaint, Respondent, Hugh T. McDonald, hereinafter called "Respondent":

1. Denies each and every allegation of Counts I, II, III, IV, V, VI, VII, VIII, IX and X for what of knowledge or because the same are not true.

Further, for his separate Answer to the Complaint, Respondent:

2. Denies each and every allegation of the Complaint for want of knowledge or because the same is not true.

WHEREFORE, Respondent prays that said Complaint be dismissed, with prejudice.

SANTEN, SANTEN & HUGHES CO., L.P.A.

BY

William E. Santen
WILLIAM E. SANTEN

BY

Donald L. Wiley
Donald L. Wiley

Suite 1816 First National Bank Building
Cincinnati, Ohio 45202
Phone: (513) 721-5541
Counsel for Respondent

GENERAL COUNSEL

FEDERAL ELECTIONS COMMISSION

1325 K Street N.W. Washington, D.C. 20463
JUN 20 PM 2:59SEPARATE RESPONSE OF RESPONDENT,
GRADISON FOR CONGRESS COMMITTEE
TO THE COMPLAINT ALLEGING VIOLATIONS
OF THE FEDERAL ELECTIONS CAMPAIGN ACT
OF 1971, AS AMENDED

For its separate response to the Complaint Respondent,
Gradison for Congress Committee, herein answers as follows:

COUNT I

For its separate Answer to Count I of the Complaint, Re-
spondent Gradison for Congress Committee, hereinafter called
the "Respondent":

1. Admits that it utilized space in the basement of the
Dixie Terminal Building, Fourth Street, Cincinnati, Ohio, during
the general election campaign of 1974. Denies that it used such
space for ten months.

2. Denies that the rental rates for office space of the
type used by it in the Dixie Terminal Building range from \$6.00
to \$6.85 per square foot per year. Denies that such space
measured 3,050 square feet. Denies that the reasonable rental
for space rented for the period held is \$15,250.00. For want
of knowledge, denies that the Dixie Terminal Building is owned
by American Financial Corporation and Amcomp Corporation.

3. States that a reasonable, adequate and fair rental was
paid for such space and related services leased in the Dixie

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

4. Denies that it made use of an illuminated billboard measuring approximately 50 feet by 15 feet on the rear wall of the same building and states that it was permitted to utilize the rear wall of the building for purposes of hanging a canvas banner, as an integral part of the lease arrangement for space in the building. States that a reasonable, adequate and fair rental was paid for said right to hang a banner on the rear wall as part of the rental paid for said space pursuant to the parties' agreement.

5. States that the rental paid for the space, related services and the right to hang the banner on the rear of said building was reasonable, fair and adequate and denies any corporate contribution in terms of in kind services or other valuable commodities to the Committee on behalf of American Financial Corporation or Amcomp Corporation.

6. Denies that the Respondent failed to report in accordance with Federal law expenditures made or to be made identified for the use of the properties. States that such expenditures made for the use of these properties were reported at the times, and in the manner and as required by the Federal Campaign Act of 1971, hereinafter called the "Act" and the Manual of Regulations and Accounting Instructions relating to disclosure of Federal Campaign Funds for Candidates for the United States House of Representatives and Political Committees supporting such candidates, prepared and published by the Clerk of the United States House of Representatives and promulgated pursuant to the authority granted under such Act, hereinafter sometimes referred to as the "Manual of

to as the **FEDERAL ELECTION COMMISSION** **OFFICIAL FILE COPY** **OFFICE OF GENERAL COUNSEL**

Regulations and Accounting Instructions".

7. Denies the receipt of any corporate contribution from American Financial Corporation or Amcomp Corporation to the Committee by virtue of Respondent's use of such properties.

8. Denies paragraph 3 of Count I of Complaint for the reason that the same is not true.

9. Denies each and every other allegation in Count I of the Complaint not herein admitted to be true.

COUNT II

For its separate Answer to Count II of the Complaint
Respondent:

10. Denies the allegations of Count II, paragraph 4 of the Complaint because the same are not true. Denies receipt of any donation in the form of properties and services described by Count I by American Financial Corporation and/or its subsidiary Amcomp Corporation. Denies any violation of 2 U.S.C., Section 434(b)(2). States that the Respondent received no donation in the form of the use of property and services described by Count I of the Complaint from American Financial Corporation or Amcomp Corporation and states that therefore no reporting of the same was necessary.

11. Denies the allegations of paragraph 5 of Count II of the Complaint because the same are not true. Denies any violation of 2 U.S.C, Section 434 (b)(9). States that expenditures in consideration for the use of the properties, rights and services described in Count I of the Complaint were reported by the

OFFICE OF THE ATTORNEY GENERAL
OFFICE OF GENERAL COUNSEL

77040112201

Respondent in the manner, at the times and as required by the Act and the Manual of Regulations and Accounting Instructions.

12. Denies each and every other allegation in Count II of the Complaint not herein admitted to be true.

COUNT III

For its separate Answer to Count III of the Complaint Respondent:

13. Admits that it utilized office space at the Hyde Park Plaza Shopping Center, Cincinnati, Ohio, during the general election campaign of 1974. Denies that said space measured 2,400 square feet. For want of knowledge denies that it was general and public knowledge that the Gradison Committee operated a telephone bank aimed at soliciting votes for Willis D. Gradison at the Hyde Park Plaza Office. Denies that the reasonable value of the space occupied by Respondent was \$3,000.00. For want of knowledge, denies that according to the records of the Hamilton County Real Estate Department, Hyde Park Plaza is owned by Antonio J. Palazolla Company, an Ohio Corporation. States that it occupied under lease the premises in the Hyde Park Plaza Shopping Center for a period of ten weeks. States that a reasonable rental value for said space was paid for the ten week period which was the amount agreed upon between the parties.

14. Denies that it failed to report in accordance with Federal law, expenditures made or agreed to be made identified for the use of this space. States that said expenditures were identified and were reported in the manner, and times and in strict compliance with the applicable provisions of the Act and

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010792

the Manual of Regulations and Accounting Instructions promulgated thereunder.

15. Denies receipt of any corporate contribution from Antonio J. Palazolla Company to Respondent in the form of the aforesaid space and related services. States that the rental paid for the aforesaid space and reported as aforesaid was adequate, reasonable and fair market rental for said space and related services.

16. Denies receipt of any gift of substantial value by virtue of the use of said premises and related services from the Antonio J. Palazolla Company. Denies any violation of 18 U.S.C., Section 610 (1972).

17. Denies each and every other allegation of Count III of the Complaint not herein admitted to be true.

COUNT IV

For its separate Answer to Count IV of the Complaint, Respondent:

18. Denies the allegations of Count IV, paragraph 9 of the Complaint, because the same are not true. Denies the receipt of any donation in the form of office space or related services as described in Count III by Antonio J. Palazolla Company to Respondent during the 1974 campaign. Denies any violation of 2 U.S.C. 434(b)(2). States that the Respondent received no donation in the form of the use of property or related services described by Count III of the Complaint from Antonio J. Palazolla Company and that therefore, no reporting of the same was necessary.

19. Denies the allegations of paragraph 10 of Count IV of the Complaint because the same are not true. Denies any violation of 2 U.S.C., Section 434(b)(9). States that expenditures made in connection with the use of the office space were reported by Respondent in accordance with, at the times, and in the manner required by the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

20. Denies each and every allegation of Count IV of the Complaint not herein admitted to be true.

COUNT V

For its separate Answer to Count V of the Complaint,
Respondent:

21. Denies the allegations contained in paragraph 11 of Count V of the Complaint because the same are not true.

22. Denies that the instruments identified in paragraph 11 of the Complaint are contracts of the Respondent and denies that the same are within the definition of expenditure in 2 U.S.C., Section 431(f)(2).

23. Admits the allegations of paragraph 12 of Count V of the Complaint and states that it reported \$12,680.00 for media expenditures prior to the November 5, 1974 election pursuant to and in the manner, at the times and in compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

24. Denies the allegations in paragraph 13 of Count V of the Complaint because the same are not true. Denies any violation

77040010094

of 2 U.S.C., Section 434(b)(9). Denies that either of the 15-day or the 5-day reports were incomplete or inaccurate.

25. Denies that it failed to report any expenditures as defined by the Act and as required to be reported by the Manual of Regulations and Accounting Instructions promulgated thereunder prior to the 15-day and the 5-day reports. Denies that any such reports were incomplete and/or inaccurate.

26. Respondent denies that it misled voters in the Ohio First Congressional District as to the extent of spending by the Respondent prior to the election. States that all expenditures were reported in the manner, at the times, and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated under such Act.

27. States that the items alleged by the Complaint to be contracts and set forth in paragraph 11 of Count V of the Complaint and Schedule A did not constitute "expenditures" as that term is defined in the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder. States that the aforesaid items were not required to be reported by Respondent in such 15-day or 5-day reports pursuant to the applicable provisions of the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

28. States that expenditures as defined in such Act were reported in the manner, at the times and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

29. Denies each and every other allegation of the Complaint

not herein admitted to be true.

COUNT VI

For its separate response to Count VI of the Complaint,
Respondent:

7700010095
30. Admits that the December 31st report of the Committee reported a payment to the advertising agency of Nolan, Keelor & Stites for media production costs totaling \$7,059.49. Denies that only \$350.40 of production costs were reported as paid to Nolan, Keelor & Stites prior to the November 5th election. States that \$7,965.83 of production costs were reported as paid to Nolan, Keelor & Stites in its September 10th report. Admits that commercials for the Respondent were aired commencing October 8, 1974. Denies that any production expenditures as defined by the Act and regulations promulgated thereunder, incurred or contracted for prior to the disclosure deadlines, were not reported in the 15-day or 5-day reports, as the case may be, in compliance with the applicable provisions of the Act and in the manner, at the times, and as required by the Act and Manual of Regulations and Accounting Instructions promulgated thereunder.

31. Denies the allegations of paragraph 15 of Count VI of the Complaint because the same are not true. Denies any violation of 2 U.S.C., Section 434(b)(9). Denies that said reports were incomplete. States that the Robert Goodman Agency of Baltimore, Maryland, was paid \$11,000.00 for production costs and such expenditure was reported in the 15-day pre-election report of the Respondent timely filed with the supervisory officer.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

32. States that the contract for such production was not in writing and therefore pursuant to 2 U.S.C., Sections 434(b)(12) and 436(d), and by virtue of the Accounting Manual promulgated by the supervisory officer pursuant to Section 434(a) and Section 438(a)(2), such contracts, promises and agreement were not required to be reported at such time.

33. Denies each and every other allegation of Count VI of the Complaint not herein admitted to be true.

COUNT VII

For its separate Answer to Count VII of the Complaint,
Respondent:

34. Admits that the December 31, 1974 report filed by Respondent reveals two expenditures for polling to Marketing Opinion Research totaling \$3,000.00, and dated November 1st and 8th, 1974. Admits that no such expenditures were listed on either the 15-day or the 5-day pre-election reports. Denies that any contracts to conduct polling were agreed to by Respondent, or on behalf of it, prior to the disclosure deadline of either the 15-day or the 5-day reports. Denies any violation of 2 U.S.C., Section 434 (b)(9).

35. States that no expenditures as defined by the Act and regulations were made and no duty of reporting as required by the Act and the regulations promulgated thereunder existed prior to the deadlines for the 15-day or 5-day pre-election reports.

36. States that the above-described expenditures for polling to Marketing Opinion Research totaling \$3,000.00 and dated

OPTIONAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010010097

November 1st and 8th, 1974, were reported in the manner, at the times and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

37. States that pursuant to the Manual of Regulations and Accounting Instructions relating to disclosure of Federal campaign funds for candidates for the United States House of Representatives and Political Committees supporting such candidates promulgated by the supervisory officer pursuant to the authority of Section 438 (a) (2) of the Act and pursuant to Section 436(d) of the Act, there was no debt incurred or contract, agreement, or promise to make an expenditure which was in writing and that therefore no requirement existed at such time to report the same on the separate schedules of the reporting forms prescribed by the Clerk prior to the time the same were reported by the Respondent.

38. Denies receipt of any contribution in the form of in kind services with respect to said polling because the same is not true.

39. States that the above-described expenditures for polling to Marketing Opinion Research totaling \$3,000.00 and dated November 1st and 8th, 1974, were reported in the manner, at the times, and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

40. States that pursuant to the Manual of Regulations and Accounting Instructions relating to disclosure of Federal campaign funds for candidates for the United States House of Representatives and political committees supporting such candidates promulgated by the supervisory officer pursuant to the authority of Section 438

77040113333
77040010098

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
JAN 10 1975

(a)(2) of the Act and pursuant to Section 436(d) of the Act there was no contract, agreement or promise to make an expenditure which was in writing and that therefore no requirement existed at such time to report the same on the separate schedule of the reporting forms prescribed by the Clerk.

41. Denies each and every other allegation of Count VII of the Complaint not herein admitted to be true.

COUNT VIII

For its separate Answer to Count VIII of the Complaint, Respondent:

42. Admits that the December 31st report of the Gradison Committee filed after the 1974 election, disclosed expenditures of \$3,962.58 for newspaper advertisements. Admits that these expenditures were not listed on the 15-day or 5-day pre-election reports. Denies that the expenditures for this advertising occurred and that there existed reportable expenditures, as defined by the Act and the regulations, to place such advertising prior to the disclosure deadlines of either the 15-day or 5-day reports. Denies any failure to report these expenditures in the manner, at the time, and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder. Denies that the 15-day or 5-day report were incomplete or inaccurate.

43. States that no expenditure as defined by the Act and regulations was made with respect to these items and no duty of reporting as required by the act and the regulations promulgated thereunder existed, prior to the deadlines of the 15-day or 5-day

77010112397
7701010099

OFFICIAL FILE COPY
MADE BY THE FBI

pre-election reports.

44. States that such arrangements for advertising occurred after the cut-off time for reporting on the 15-day or 5-day pre-election reports and states that such expenditures were reported in the manner, at the time and in strict compliance with the Act and the regulations promulgated thereunder.

45. Denies each and every other allegation of Count VIII of the Complaint not herein admitted to be true.

COUNT IX

For its separate Answer to Count IX of the Complaint,
Respondent:

46. Admits in its December 31st report, it reported two expenditures to W. D. Gradison & Co. for postage. Admits reporting a payment of \$2,000.00 on November 8, 1974, and of \$3,079.18 on November 14, 1974. Denies each and every other allegation of paragraph 18 of Count IX of the Complaint.

47. States that no expenditure as defined by the Act and regulations was made and no duty of reporting as required by the Act and the regulations promulgated thereunder existed, prior to the deadlines for the 15-day and 5-day pre-election reports.

48. States that expenditures for postage to W. D. Gradison & Co. reported in the manner, at the times, and in strict compliance with the Act and the Manual of Regulations and Accounting Instructions promulgated thereunder.

49. States that pursuant to the Manual of Regulations and Accounting Instructions relating to the disclosure of Federal

OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770400101000

campaign funds for candidates for the United States House of Representatives and political committees supporting such candidates promulgated pursuant to the authority of Section 438 (a) (2) of the Act and Section 436(d) of the Act, such expenditures were not required to be reported prior to the time when they were reported by the Respondent since they did not constitute and were not debts incurred or contracts, agreements, or promises to make expenditures entered into on or after April 7, 1972, which were in writing.

50. Denies each and every allegation of paragraph 19 of Count IX of the Complaint and denies that such postage constituted a contribution in the form of an advance of a valuable commodity or of any other kind or character to the Respondent in the amount of the postage value of \$5,079.18.

51. Denies that the postage constituted a contribution in the form of advance or in any other character or respect, and denies each and every allegation of paragraph 20 of Count IX of the Complaint.

52. Denies each and every other allegation of Count IX of the Complaint not herein admitted to be true.

COUNT X

For its separate response to Count X of the Complaint,
Respondent:

53. Denies each and every allegation of paragraph 21 of Count X of the Complaint because the same are not true in law or in fact.

54. Denies each and every allegation of paragraph 22 of the

FEDERAL ELECTION COMMISSION
RECEIVED
FILE COPY

7901011010101

Complaint because the same are not true in law or in fact.

Further, for its separate response to the Complaint,
Respondent:

55. Denies each and every other allegation of the Complaint not herein admitted to be true because the same are not true.

WHEREFORE, Respondent prays that said Complaint be dismissed with prejudice.

SANTEN, SANTEN & HUGHES CO., L.P.A.

BY William E. Santen
William E. Santen

BY Donald L. Wiley
Donald L. Wiley

Suite 1816 First National Bank Building
Cincinnati, Ohio 45202
Phone: (513) 721-5541
Counsel for Respondent

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF SECRETARY

77040010102

1 5 AUG 1975

Peter Linzer, Esq.
University of Cincinnati
Law School
Cincinnati, OH 45221

Re: Complaint filed June 21, 1975 concerning
Congressman Willis D. Gradison

Dear Mr. Linzer:

In accordance with our letter dated July 22, 1975, the Commission has made a determination as to our subject matter jurisdiction with respect to the above captioned complaint. The Commission has determined that all complaints involving acts allegedly violating the Federal Election Campaign Act of 1971 which occurred prior to January 1, 1975, and connected with an election held prior to January 1, 1975, are to be handled as if the complaint was filed prior to January 1, 1975. That is, the Commission will act in a manner consonant with the course followed by the prior supervisory authorities, the Clerk of the House and the Secretary of the Senate, and will conduct an investigation into the allegations contained in the above mentioned complaint. After the investigation is completed the matter will be referred to the U.S. Department of Justice with a recommendation consistent with the results of said investigation.

The Commission has, therefore, requested Congressman Gradison to respond to the allegations contained in the complaint within 15 days from the date he receives our letter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

cc: Ian Potter
Drew McKay
Jack Murphy
Peter Roman

SS:mpc

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
DECEMBER 1975

CA001-7

PS Form 3811, Jan. 1969

RETURN RECEIPT, REGISTERED MAIL, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO:" space on reverse.

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. CERTIFIED NO. INSURED NO.
 438023

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. *Urethi Kiel*
 DATE OF DELIVERY

5. **ADDRESS** (Complete)
 OFFICIAL FILE COPY
 OFFICE OF GENERAL COUNSEL

6. **UNABLE TO DELIVER BECAUSE** CLERK'S INITIALS

☆ GPO: 1975-O-542-547

FEDERAL ELECTION COMMISSION
 OFFICIAL FILE COPY
 OFFICE OF GENERAL COUNSEL

77040010101

12 AUG 1975

CERTIFIED MAIL
RETURN RECEIPT REQUESTED #438023

Honorable Willis D. Gradison, Jr.
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Gradison:

In accordance with our letter dated July 22, 1975, the Commission has made a determination as to our jurisdiction with respect to the subject matter of the complaint received by you July 7, 1975. The Commission has determined that complaints involving acts allegedly violating the Federal Election Campaign Act of 1971 which occurred prior to January 1, 1975, and connected with an election held prior to January 1, 1975, are to be handled as if the complaint was filed prior to January 1, 1975. That is, the Commission will act in a manner consonant with the course followed by the prior supervisory authorities, the Clerk of the House and the Secretary of the Senate, and will conduct an investigation into the allegations contained in the above mentioned complaint. After the investigation is completed the matter will be referred to the U.S. Department of Justice with a recommendation consistent with the results of said investigation.

The Commission therefore requests that you respond to the allegations contained in the complaint. Your response should be filed with the Commission no later than 15 days from the date you receive this letter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

cc: Lan Potter
Drew McKay
Stephen Schachman
Peter Roman

July 22, 1975

Peter Linzer, Esq.
University of Cincinnati
Law School
Cincinnati, Ohio 45221

Re: Complaint filed June 21, 1975 concerning
Congressman Willis D. Gradison

Dear Mr. Linzer:

This is to inform you that the Commission is in the process of making a determination as to whether or not the subject matter of the complaint you filed is within the jurisdiction of the Commission. Until such time as the Commission makes this determination regarding alleged violations of the Federal Election Campaign Act of 1975 occurring prior to January 1, 1975, Congressman Gradison will not be required to respond to the allegations contained in your complaint. You may be assured, however, that we are in close contact with the Department of Justice in this matter and that if we determine that we do not have subject matter jurisdiction, the allegations contained in the above referenced complaint will be brought to the attention of the appropriate Department office.

Sincerely yours,

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

rew: JGM
cc: Lan Potter
✓ Drew McKay
Peter Roman

July 22, 1975

Honorable Willis D. Gradison, Jr.
U. S. House of Representatives
Washington, D. C. 20515

Dear Congressman Gradison:

This letter is in response to your request of July 16, 1975. The Commission has determined that you will not be required to file a response to the complaint received by you July 7, 1975, until such time as the Commission makes a final determination as to whether or not we have jurisdiction over the subject matter contained therein. Our discussions with the Department of Justice are continuing in this regard. If the Commission determines that it does in fact have jurisdiction over the subject matter of the complaint we will, of course, give you a reasonable time, after notification of said decision, in which to file your response.

If you have any further questions in this regard, please do not hesitate to write.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

cc: Ronald R. Roberts
Administrative Assistant

b1c: Lan Potter
Drew McKay
Peter Roman

SS:mpe

FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL
OFFICE OF GENERAL COUNSEL

79040112307
77010010106

BILL GRADISON
1ST DISTRICT, OHIO

RON ROBERTS
ADMINISTRATIVE ASSISTANT

CA-001-75

WASHINGTON OFFICE:
1331 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE (202) 225-3164

Congress of the United States
House of Representatives
Washington, D.C. 20515

DISTRICT OFFICE:
FEDERAL OFFICE BUILDING
550 MAIN STREET
CINCINNATI, OHIO 45202
TELEPHONE (513) 684-2456

July 16, 1975

The Honorable Thomas Curtis
Chairman
Federal Election Commission
Washington, D. C.

Dear Mr. Curtis:

Let me first express my appreciation to the Commission for allowing the Gradison for Congress Committee the necessary days to fully respond with facts and evidence concerning our Congressional campaign of 1974.

It has come to our attention, however, that the Federal Election Commission has not as yet ruled on the point as to whether the Commission has jurisdiction in this case or any other occurring in 1974.

Be assured that the Gradison Committee looks forward to presenting our answers under the jurisdiction and procedures initiated by the Commission. Indeed, we look forward to using such a forum to prove that our campaign was openly and properly conducted.

The point is this: If the Commission will indicate that they have jurisdiction, the Gradison Campaign will accept that decision and submit our answers to allegations on July 30, 1975, to the Commission. We will then continue to work within the prescribed framework of the Commission until these allegations are fairly and justly decided.

Our problem would be : 1) that if jurisdiction had not been decided prior to our submission of facts, 2) and our committee spends its time, energies and monies on our own behalf, and 3) if during that costly process the Commission decided that they did not have jurisdiction, our whole effort, time and monies would have been expended without accomplishing the intent of the process.

Additionally, if the Commission ruled that it did not have jurisdiction after we submit evidence, it would damage our case in any future adversary proceedings because Commission rules provide for disclosure to the complainants of all evidence submitted by our committee.

The Honorable Thomas Curtis
Page 2
July 16, 1975

I would, therefore, respectfully request that the Commission remove our anxieties relating to this matter and hopefully before July 30, 1975 when this process begins with the filing of our evidence.

If, for some reason, the Commission cannot make a determination before our submission deadline, I would hope that the Commission, after realizing the legitimacy of our question, would contact me and advise us on status and procedure as it pertains to our report; a report that will be ready on the agreed date.

Thank you for your consideration in this matter.

Respectfully,

Ronald R. Roberts

Ronald R. Roberts
Administrative Assistant to

BILL GRADISON

RR/E

FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE OF GENERAL COUNSEL

1 9 0 4 3 1 1 2 3 1
7 7 0 1 0 0 1 0 1
Congress of the United States

House of Representatives

Washington, D.C. 20515

OFFICIAL BUSINESS

The Honorable Thomas Curtis
Chairman
Federal Election Commission
Washington, D. C.

Attention; Gordon Andrew McKay

Bill Gradison

M.C.

75 JUL 16 PM 3:21

FEDERAL ELECTION
COMMISSION

'75 JUL 18 PM



63
OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

July 13, 1975

College of Law
University of Cincinnati
Cincinnati, Ohio
45220

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

Attn: Asst. Director of Compliance

Gentleman:

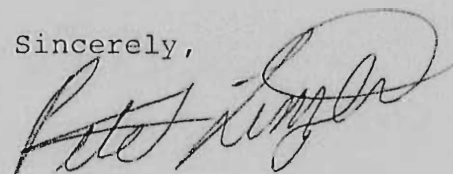
I am the attorney for the complainants against Rep. Willis D. Gradison, Jr. (1st Dist., Ohio) in a proceeding previously commenced before the Commission. A verified complaint was mailed to the Commission on June 21, 1975.

For the next month I will be on vacation. I will return on August 14, 1975. As we have requested that we be kept abreast of developments in this matter I would appreciate any correspondence being sent to me care of one of the complainants. Please address such correspondence to:

Peter Linzer
c/o Cornelia Lagrange
2540 Moundview
Norwood, Ohio 45212

Your cooperation is appreciated.

Sincerely,



Peter Linzer

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7704001010

July 11, 1975

438007
Honorable Willis D. Gradison, Jr.
U. S. House of Representatives
1331 Longworth Office Building
Washington, D. C. 20515

Dear Congressman Gradison:

This is in response to the letter of July 10, 1975, addressed to the Honorable Thomas B. Curtis, Chairman of the Federal Election Commission, signed by Mr. Ronald R. Roberts on your behalf, requesting an extension of time to respond to the complaint received by you on July 7, 1975.

The Commission has approved your request. Accordingly, the time for filing your response is extended until the close of business on July 30, 1975.

Inasmuch as the Commission has not adopted formal complaint procedures, this extension of time should not be regarded as a precedent in any other cases.

Sincerely,

Orlando B. Potter
Staff Director

OBP:jrd

CC: Potter File
McKay File

73 Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
ATT: GORDY

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

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.	CERTIFIED NO.	INSURED NO.
	438007	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

David K. Hill

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

☆ GPO: 1975-O-555-947

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

BILL GRADISON
1ST DISTRICT, OHIO

RON ROBERTS
ADMINISTRATIVE ASSISTANT

Congress of the United States

House of Representatives

Washington, D.C.

CA-001-75
WASHINGTON OFFICE:
1331 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-3164

DISTRICT OFFICE:
FEDERAL OFFICE BUILDING
550 MAIN STREET
CINCINNATI, OHIO 45202
TELEPHONE: (513) 684-2456

FEDERAL ELECTION COMMISSION

JUL 10 PM 3:35

July 10, 1975

The Honorable Thomas Curtis
Chairman
Federal Election Commission
Washington, D. C.

Dear Mr. Curtis:

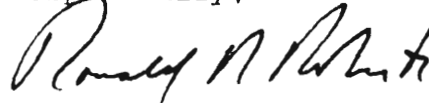
On July 7, 1975 I received and signed for a copy of a complaint lodged against the Gradison for Congress Committee. In that same material was a copy of the new rules of the Federal Election Commission regarding the entire hearing process.

The Gradison for Congress Committee will respond fully and factually to every allegation and include in that response all communiques, receipts, cancelled checks, press reports, and Federal reports pertaining to these sweeping and general complaints.

In order to accomplish the above stated goal, it will be necessary to bring together papers and people located both in Washington and Cincinnati. This task will also require the exclusive time of many people whose participation is vital to proving that the Gradison Committee met every requirement under Federal law.

For these reasons, we would respectfully request a two (2) week extension beyond the 10 day responding period. This extension would allow a thorough response to be submitted to the Federal Election Commission by the 30th of this month.

Respectfully,



Ronald R. Roberts
Administrative Assistant to

BILL GRADISON

cc: Gordon Andrew McKay

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS

The Honorable Thomas Curtis
Chairman
Federal Election Commission
Washington, D. C.

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

Bill Gradison

75 D.C.

JUL 10 PM 3:31

FEDERAL ELECTION
COMMISSION

HAND DELIVER

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

CA-1975-001(c)

4438002

Honorable Willis D. Gradison, Jr.
1331 Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Gradison:

The Federal Election Commission has received a formal complaint from four persons represented by Peter Linzer, Esq., College of Law, University of Cincinnati, Cincinnati, Ohio, 45220, duly filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 610 of Title 18 of the United States Code by Honorable Willis D. Gradison, Jr., the Bill Gradison for Congress Committee and the Gradison for Congress Committee. 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

Enclosures as stated

CAM:vlf

77040010116

RESEARCH SOCIETY, INCORPORATED, INCORPORATED AND CERTIFIED MAIL

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS
-------------------------------	------------------

☆ GPO: 1975-O-585-04

CA-1975-001(e)

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

438004

Mr. Hugh T. McDonald, Treasurer
Gradison for Congress Committee
700 Central Trust Tower
Cincinnati, Ohio 45202

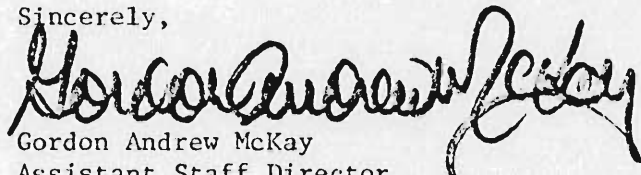
Dear Mr. McDonald:

The Federal Election Commission has received a formal complaint from four persons represented by Peter Linzer, Esq., College of Law, University of Cincinnati, Cincinnati, Ohio, 45220, duly filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 610 of Title 18 of the United States Code by Honorable Willis D. Gradison, Jr., the Bill Gradison for Congress Committee and the Gradison for Congress Committee. 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 ten 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

Enclosures as stated

GAM:vlf

OFFICIAL FILE COPY
FEDERAL ELECTION COMMISSION

CA-1975-001(C6)

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

438001

Mr. Peter Linzer
College of Law
University of Cincinnati
Cincinnati, Ohio 45220

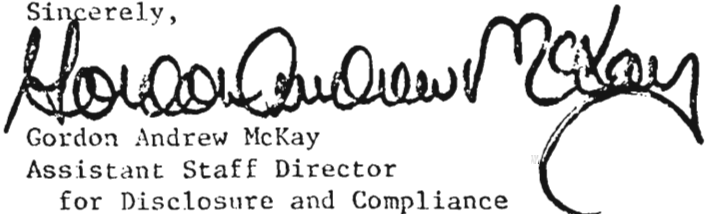
Dear Mr. Linzer:

This will acknowledge receipt of your complaint filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 610 of Title 18 of the United States Code by the Honorable Willis D. Gradison, Jr., and the Bill Gradison for Congress Committee.

A copy of your complaint has been forwarded to the Honorable Willis D. Gradison, Jr., Mr. Jerome A. Stricker, Treasurer of the Bill Gradison for Congress Committee and Mr. Hugh T. McDonald, Treasurer of the Gradison for Congress Committee. They have been requested to respond to the matters raised in your complaint within ten days after the receipt of their copies of your complaint. You will be supplied with copies of any responses they may make, and allowed an 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, copy enclosed), 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

Enclosures as stated

CAM:vlf

7701012

CA-1975-001(d)

FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

July 3, 1975

438003

Mr. Jerome A. Stricker, Treasurer
Bill Gradison for Congress Committee
408 Dixie Terminal Building
Cincinnati, Ohio 45202

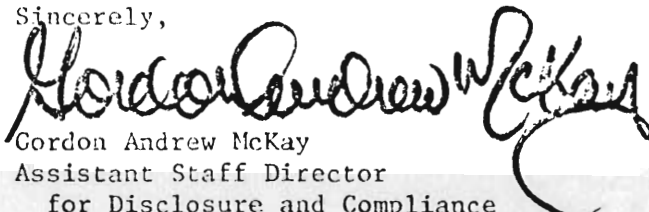
Dear Mr. Stricker:

The Federal Election Commission has received a formal complaint from four persons represented by Peter Linzer, Esq., College of Law, University of Cincinnati, Cincinnati, Ohio, 45220, duly filed under the Federal Election Campaign Act, as amended, alleging violations of the Act and Section 610 of Title 18 of the United States Code by Honorable Willis D. Gradison, Jr., the Bill Gradison for Congress Committee and the Gradison for Congress Committee. 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 ten 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

Enclosures as stated

GAM:vlf

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

PS Form 3841, Jan. 1970

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

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:

*James B. Shuck
Bill Cardin for Cong Comm
408 Ridge Terminus Rd
Crownsville MD 21032*

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.
438003

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

W.P. Clark
DATE OF DELIVERY
7-7-75

POSTMARK

5. ADDRESS (Complete only if requested)

580 Habert

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1975-0-400-017

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

12101001022

Title 11 - Federal Elections
CHAPTER II - FEDERAL ELECTION COMMISSION
[Notice 1975-9]

INTERIM GUIDELINE: COMPLAINT PROCEDURE

7 7 0 1 0 1 2 2
1. Filing. Any person who believes a violation of the Federal Election Campaign Act, as amended, 2 U.S.C. Section 431, et seq, or of Sections 603, 610, 611, 613, 614, 615, 616, or 617 of Title 18, United States Code, has occurred may file a complaint with the Federal Election Commission, 1325 K Street, N. W., Washington, D. C. 20463.

2. Form of Complaint. There is no prescribed form for a complaint, but all complaints must be typewritten or handwritten legibly in ink. The person making the complaint must sign the complaint, the complaint must be verified by the oath or affirmation of such person taken before an officer authorized to administer oaths, and include his or her address and phone number in the complaint. A complaint shall name the person complained against (respondent), describe in detail the alleged violation or violations and shall be submitted together with copies of evidentiary material available to the complainant.

3. Notification of Respondent. The Commission shall send a copy of the complaint to the respondent within a reasonable time after the complaint is received. Such notification of the respondent shall not be released to the public unless and until written permission of the respondent is expressly given.

770101010123
4. Reply by Respondent. The respondent will normally be given ten (10) days after receipt in which to respond in writing to the allegations in the complaint except where, in the judgment of the Commission, a shorter or longer period of time is necessary. The response to the complaint shall be addressed to the Federal Election Commission, 1325 K Street, N. W., Washington, D. C. 20463. The Commission shall send a copy of the response to the complainant within a reasonable time. The response must be typewritten or handwritten legibly in ink. The respondent or the authorized representative thereof shall sign the response and the response shall be verified by the oath or affirmation of such person taken before an officer authorized to administer oaths.

5. Exchange of Information. The Commission shall receive all documents and evidence submitted by the complainant and respondent and shall facilitate the exchange of such information by sending copies to the parties within a reasonable time.

6. Investigations. The Staff Director and the General Counsel shall proceed to direct the investigation of all duly filed complaints. A duly filed complaint is one which substantially complies with the form described by paragraph 2 above, is within the jurisdiction of the Commission and contains allegations of fact which, if proved, would constitute

FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE OF GENERAL COUNSEL

a violation of law. Investigations shall be conducted expeditiously and shall include an investigation of any reports and statements filed by the complainant, if the complainant is a candidate. Such investigations shall not be made public by the Commission or any other person without the written consent of the person under investigation.

7. Hearings. At the time the Commission notifies the respondent that a complaint has been filed, it shall notify the respondent that the respondent may request a hearing. The Commission will determine the manner and procedure for such hearings.


Thomas B. Curtis
Chairman, for the
Federal Election Commission

Date: July 1, 1975

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770100124

FEDERAL ELECTION
COMMISSION

1975 JUN 21 1975
College of Law
University of Cincinnati
Cincinnati, Ohio 45220

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

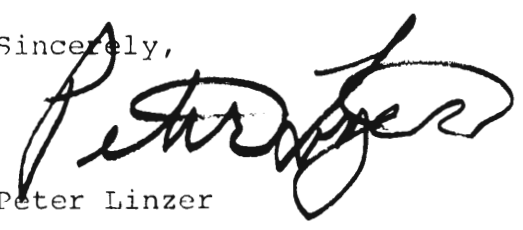
Attn: Assistant Director of Compliance

Gentleman:

I am the attorney for the complainants against Rep. Willis D. Gradison, Jr. (1st Dist., Ohio) in a proceeding previously commenced before the Commission. The original complaint was mailed to the Commission care of the Clerk of the House of Representatives on June 6, 1975. It has come to my attention that you have recently adopted as interim rules the procedural rules of the Commission's predecessor as Supervisory Officer under the applicable statutes, and that these rules require that the addresses of the complainants be listed on the complaint and that the complaint be verified.

I enclose a complaint that satisfies these requirements as I understand them.

Sincerely,



Peter Linzer

77010125

FEDERAL ELECTION COMMISSION

COMPLAINT FOR VIOLATION OF
THE FEDERAL ELECTIONS CAMPAIGN
ACT OF 1971, AS AMENDED

77010010125

The undersigned, pursuant to U.S.C. Sec. 314 (a), charge Congressman Willis D. Gradison, Jr. (1st District, Ohio) and the Bill Gradison for Congress Committee ("Gradison Committee") with nine violations of the Federal Campaign Act of 1971 and 18 U.S.C. Sec. 610.

The violations alleged are summarized as follows:

I-II The Gradison Committee accepted and failed to report an illegal corporate contribution of approximately \$15,250 from American Financial Corporation, an Ohio corporation, and Amcomp Corporation, a subsidiary of American Financial Corporation, Cincinnati, Ohio in the form of rent-free office and billboard space in and on the Dixie Terminal Building, Cincinnati, Ohio.

III-IV The Gradison Committee accepted and failed to report an illegal corporate contribution of approximately \$3,000 from the Antonio Palazolla Company, an Ohio Corporation, in the form of rent-free office space in Hyde Park Plaza, Cincinnati, Ohio.

V The Gradison Committee deliberately delayed the reporting of television expenditures of \$20,655 for broadcast advertising until after the November 4, 1974 election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 and 5 days prior to that election.

VI The Gradison Committee deliberately delayed the reporting of \$6,709.04 in production expenditures until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior to the election.

VII The Gradison Committee deliberately delayed the reporting of \$3,202.58 of expenditures for newspaper advertising until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior to that election.

VIII The Gradison Committee deliberately delayed the reporting of \$3,000 in expenditures for polling until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior

77000010127

EX-100

to the election.

IX The Gradison Committee failed to report expenditures for postage provided by Gradison & Co., a corporation, totaling \$5,079.18 prior to the election, though such expenditures were made or contracted for prior to the deadline for the five day report. If no such expenditure by the Gradison Committee occurred or was agreed to prior to that deadline, the postage expenditure constituted an illegal corporate contribution in the form of an advance.

The summary effect of these violations was to conceal from the voters of Ohio's First District the true nature and extent of the expenditures made by the Gradison for Congress Committee.

The specific charges of this complaint are made in the following pages:

COUNT I

1. The Gradison Committee had the use of office space measuring approximately 3050 square feet in the lower concourse of the Dixie Terminal Building, Fourth Street, Cincinnati, Ohio for 10 months during the general election campaign of 1974. During the same

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

790401423
77040010123

7704011330
7704010122

campaign, for a period of nine months, the Gradison Committee made use of an illuminated billboard location measuring approximately 50 ft. x 15 ft. on the same building in downtown Cincinnati. According to records of the Cincinnati Chamber of Commerce, rental rates for office space in the Dixie Terminal Building range from \$6.00 to \$6.85 per square foot per year. Therefore, reasonable rental value of that office space (computed at \$6.00 per square foot) for a 10 month period is \$15,250. The reasonable rental value of the billboard location is \$425.00. According to records of the Hamilton County, Ohio Real Estate Department, the Dixie Terminal Building is owned by American Financial Corporation, an Ohio Corporation with principal office in Cincinnati, Ohio, and Amcomp Corporation, a subsidiary of American Financial Corporation.

2. At no time has the Gradison Committee reported in accordance with federal law either: (i) expenditures made or agreed to be made identified for the use of these properties; or (ii) the contribution of the use of these properties at their reasonable value by American Financial Corporation or Amcomp Corporation to Willis D. Gradison or to the Gradison Committee.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF FEDERAL ELECTIONS

770:0010130

3. By accepting this gift of substantial value in the use of these properties and the related services (such as lighting, utilities, and maintenance) from American Financial Corporation, Willis D. Gradison and the Gradison Committee have violated 18 U.S.C. Sec. 610 (1972) forbidding the acceptance and receipt by candidates for federal office of corporate contributions.

COUNT II

4. The Gradison Committee failed to report to the Clerk of the House the donation of the use of the properties and services described in Count I by American Financial Corporation and its subsidiary Amcomp Corporation as those donations were received during the 1974 campaign. This failure violated 2 U.S.C. Sec 434 (b) (2).

5. In the alternative, if the Gradison Committee made, or agreed to make expenditures in consideration for the use of these properties and services, the Gradison Committee violated 2 U.S.C Sec. 434 (b)(9) by failing to report those expenditures.

COUNT III

6. The Gradison Committee had the use of store-front office space measuring approximately 2400 square

ELECTION

feet at the Hyde Park Plaza Shopping Center, Cincinnati, Ohio for approximately three months during the general election campaign of 1974. During those three months it was general and public knowledge that the Gradison Committee operated a telephone bank aimed at soliciting votes for Willis D. Gradison at the Hyde Park Plaza office.

The reasonable rental value of that office space for a three month period is \$3,000. According to the records in the Hamilton County Real Estate Department, Hyde Park Plaza is owned by the Antonio J. Palazolla Company, an Ohio Corporation.

7. At no time has the Gradison Committee reported in accordance with federal law either: (i) expenditures made or agreed to be made identified for the use of this office space or (ii) the contribution of the use of these properties at their reasonable value by the Antonio J. Palazolla Company to Willis D. Gradison or the Gradison Committee.

8. By accepting this gift of substantial value for the use of this property and any related services from the Antonio J. Palazolla Company, Willis D. Gradison and Gradison Committee violated 18 U.S.C. Sec. 610 (1972), forbidding the acceptance and receipt by candidates

77010010131
JAN 11 1975
FBI - CINCINNATI

for federal office of corporate contributions.

COUNT IV

9. The Gradison Committee failed to report to the Clerk of the House the donation of the office space described in Count III by the Antonio J. Palazolla Company as that donation was received during the 1974 campaign. This failure violated 2 U.S.C. Sec 434 (b)(2).

10. In the alternative, if the Gradison Committee made, or agreed to make expenditures in consideration for the use of this office space, the Gradison Committee violated 2 U.S.C. Sec. 434 (b)(9) by failing to report those expenditures.

COUNT V

11. During the period of September 20, 1974 through September 26, 1974, the Advertising Agency of Nolan, Keelor & Stites, 318 Broadway, Cincinnati, Ohio signed contracts on behalf of the Gradison Committee totaling \$12,555 for broadcast advertising with WKRC-TV, Cincinnati, Ohio. On September 20th, 1974, Nolan, Keelor & Stites signed two contracts on behalf of the Gradison Committee totaling \$14,370.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770100130

779 0010133

for advertising with WCPO-TV, Cincinnati. During the period of September 19 through September 27, 1974, Nolan, Keelor & Stites signed four contracts on behalf of the Gradison Committee for advertising with WLW-TV, Cincinnati, for a total expenditure of \$6,410. Thus by September 27th, 1974, contracts to make expenditures totaling \$33,335, for TV time were made by Nolan, Keelor & Stites on behalf of the Gradison Committee. (See Schedule A for dates and amounts of individual contracts.) These contracts fall within the definition of expenditure in 2 U.S.C. Sec. 431 (f)(2).

12. The Gradison Campaign Committee reported \$0 for total media expenditure in its September 10th report. The Committee reported \$8,340 for media expenditures in its 15 day (October 20th) report, and \$4,340 in its 5 day (October 30th) report. The Gradison Committee therefore reported only \$12,680 for media expenditures prior to the November 4th, 1974 election.

13. In so doing, the Gradison Committee violated 2 U.S.C. Sec. 434 (b) (9) since it failed to report \$20,655 of contracts for expenditure made prior to October 1st, making both the 15 day and 5 day reports incomplete and inaccurate.

This failure to fully disclose misled voters in Ohio's First Congressional District as to the extent of spending by the Gradison Committee prior to the election.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

COUNT VI

14. The December 31 report of the Gradison Committee reveals payment to the advertising agency of Nolan, Keelor & Stites for media production costs totaling \$7,059.49. Only \$350.40 of these production costs were reported prior to the November 5th election. Commercials for the Gradison Committee were aired commencing October 8th, and production work for signs, leaflets, and newspaper advertising was completed so that those materials could be used substantially prior to election day. Therefore, the major portion of these production expenditures were incurred or contracted for prior to the disclosure deadlines of either the 15 day or 5 day reports.

15. Upon information and belief, these expenditures were made, or contracts to make these expenditures were agreed to on behalf of the Gradison Committee by Nolan, Keelor & Stites. Failure to so report these expenditures for production in either the 15 day or 5 day report constitutes a violation of 2 U.S.C. Sec. 434 (c)(9), in that those reports were not complete.

COUNT VII

16. The December 31, 1974 report of the Gradison

77040010134

77040010135

Committee, filed after the 1974 election, reveals two expenditures for polling to Market Opinion Research totaling \$3,000 and dated November 1st, and 8th, 1974. No such expenditures were listed on either the 15 day or 5 day pre-election reports. Upon information and belief, for the polling occurred, or contracts to conduct the polling were agreed to by the Gradison Committee or on behalf of it, prior to the disclosure deadlines of either the 15 day or 5 day reports. Failure to disclose these expenditures for polling until the December 31st report constituted a violation of 2 U.S.C. Sec. 434 (b)(9), in that either the 15 day or 5 day reports or both were not complete.

COUNT VIII

17. The December 31 report of the Gradison Committee, filed after the 1974 election, disclosed expenditures of \$3,262.58 for newspaper advertisements. These expenditures were not listed on the 15 day or 5 day pre-election reports. Upon information and belief, the expenditures for this advertising occurred, or contracts to place the advertising were agreed to prior to the disclosure deadlines of either the 15 day or 5 day reports. Failure to disclose these

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-14-83 BY SP-1

expenditures until the December 31st report constituted a violation of 2 U.S.C. Sec. 434 (b)(9), in that either the 15 day or 5 day report or both were incomplete.

COUNT IX

18. In its December 31st report, the Gradison Committee reported two post election expenditures to W.D. Gradison and Co. for postage. The Committee reported a payment of \$2,000 on November 8, 1974 and of and of \$3,079.18 on November 11, 1974. Upon information and belief, this postage was used prior to the deadline for the 15 day report, 5 day report or both. If the Gradison Committee had agreed to make an expenditure to Gradison and Co. for the use of that postage, the committee violated 2 U.S.C. Sec. 434 (b)(9), by failing to file a complete report of that expenditure in its 15 day or 5 day reports or both.

19. In the alternative, if the Gradison Committee had made no such agreement to pay for the postage, the amounts constituted a contribution in the form of an advance of a valuable commodity to the Gradison Committee in the amount of the postage value, \$5,079.18. The Gradison Committee violated 2 U.S.C. Sec. 434 (b)(2) by failing to file complete 15 day or 5 day report

77010136

OFFICIAL FILE COPY
STATE OF CALIFORNIA

or both including this \$5,079.18 contribution.

20. If, as alleged in the alternative in paragraph 19, the provision of postage to the Gradison Committee by W.D. Gradison constituted a contribution in the form of an advance, the Gradison Committee and Willis D. Gradison violated 18 U.S.C. Sec. 610 (1972) forbidding the acceptance and receipt by candidates for federal office of corporate contributions.

COUNT X

21. In accord with 2 U.S.C. Sec. 434, the candidate, Willis D. Gradison is equally responsible for the failures of full and timely disclosure by the Gradison Committee described in Count II and Counts IV - IX.

22. Therefore, Willis D. Gradison separately violated Secs. 2 U.S.C. Sec. 434 through his failure of the Gradison Committee to report in a timely fashion the expenditures described in Counts II, IV, V, VI, VII, VIII, and IX or the contributions described in Counts II, IV and IX or both.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010137

SCHEDULE A

This schedule lists the dates and amounts of the contracts entered into by the Gradison for Congress Committee with local television stations. The reader should compare these dates with the dates (listed above) when The Committee reported these expenditures. There is no expenditure on this list that should not have been reported on the 15 day prior to the election report.

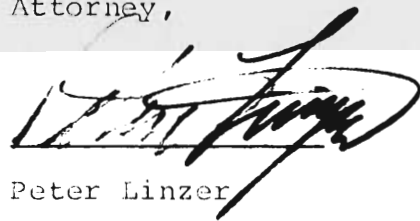
WKRC T.V.:	DATE OF CONTRACT	AMOUNT
	SEPT. 20, 1974	\$ 2400.00
	SEPT. 20, 1974	\$ 2580.00
	SEPT. 20, 1974	\$ 1170.00
	SEPT. 20, 1974	\$ 1830.00
	SEPT. 24, 1974	\$ 1625.00
	SEPT. 25, 1974	\$ 2100.00
	SEPT. 26, 1974	\$ 850.00
		\$ 12,555.00
WCPO T.V.	SEPT. 20, 1974	\$ 7630.00
	SEPT. 20, 1974	\$ 7130.00
		\$ 14,370.00
WLW T.V.	SEPT. 19, 1974	\$ 1700.00
	SEPT. 19, 1974	\$ 1560.00
	SEPT. 21, 1974	\$ 1380.00
	SEPT. 27, 1974	\$ 1770.00
		\$ 6410.00

No reason can be demonstrated, nor is there one, for the failure of the Committee to report these expenditures until after the election. While The Gradison Committee had their advertising agency put up their "front money", they became expenditures of the campaign on the date the contracts were entered into.

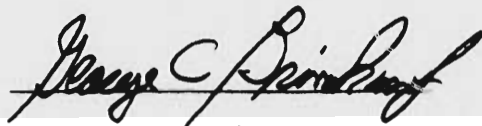
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Therefore, the undersigned request, pursuant to the Federal Election Campaign Act, as amended, 1974, that the Federal Election Commission hold a hearing upon, investigate and refer the violations which are the subject of this complaint to the Attorney General of the United States for prosecution.

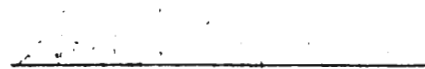
Attorney,



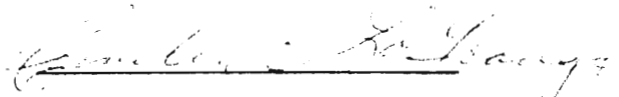
Peter Linzer
College of Law
University of Cincinnati
Cincinnati, Ohio
45220



George M. Brinkman
242 Glenmary
Cincinnati, Ohio 45220



Gail C. Engerholm
222 Senator Pl.
Cincinnati, Ohio 45220



Constance LaGrange
2540 Moundview Dr.
Norwood, Ohio



Henry J. Anna
2477 Scully St.
Cincinnati, Ohio 45214

77040010132

State of Ohio
County of Hamilton

770100147

George C Brinkman being duly sworn,
deposes and says that he is one of the complainants
against Willis D. Gradison, Jr. (1st District, Ohio)
before the Federal Election Commission, that on June
21, 1975 in Cincinnati, Ohio he
signed the attached complaint against Willis D. Grad-
ison, Jr., and that, upon information and belief, the
statements made in the above described complaint are
true.

George C Brinkman
Complainant

Sworn and subscribed before me
this 21st day of June, 1975.

Mary Marcella Elfers
Notary Public

MARY MARCELLA ELFERS
Public Notary, Hamilton County, Ohio
My Commission Expires Nov. 25, 1976

State of Ohio

County of Cuyahoga

[Signature] being duly sworn,
deposes and says that he is one of the complainants
against Willis D. Gradison, Jr. (1st District, Ohio)
before the Federal Election Commission, that on June
21, 1975 in Cleveland, Ohio, [Signature] he
signed the attached complaint against Willis D. Grad-
ison, Jr., and that, upon information and belief, the
statements made in the above described complaint are
true.

[Signature]
Complainant

Sworn and subscribed before me
this 21 day of June, 1975.

[Signature]
Notary Public [Signature]

[Signature]

77000010141

State of Ohio
County of Hamilton

77040010142
Cornelia
~~Costance~~ LaGrange being duly sworn,
deposes and says that he is one of the complainants
against Willis D. Gradison, Jr. (1st District, Ohio)
before the Federal Election Commission, that on June
21, 1975 in Cincinnati, Ohio he
signed the attached complaint against Willis D. Grad-
ison, Jr., and that, upon information and belief, the
statements made in the above described complaint are
true.

Cornelia LaGrange
Complainant

Sworn and subscribed before me
this 21 day of June, 1975.

Mary Marcella Elfers
Notary Public
MARY MARCELLA ELFERS
Notary Public, Hamilton County, Ohio
My Commission Expires Nov. 25, 1978

State of Ohio

County of Hamilton

Henry J. Allen being duly sworn,
deposes and says that he is one of the complainants
against Willis D. Gradison, Jr. (1st District, Ohio)
before the Federal Election Commission, that on June
21, 1975 in Wilmington, Ohio he
signed the attached complaint against Willis D. Grad-
ison, Jr., and that, upon information and belief, the
statements made in the above described complaint are
true.

Henry J. Allen
Complainant

Sworn and subscribed before me
this 21 day of June, 1975.

G. Franklin Miller
Notary Public -- State of Ohio
non-expiring commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040010143

JA 1975-00

June 20, 1975

772502

Professor Peter Linzer
University of Cincinnati
College of Law
Cincinnati, Ohio 45221

Dear Professor Linzer:

This acknowledges receipt of your complaint filed pursuant to 2 U.S.C. 437(g) regarding the 1974 election in the First Congressional District of Ohio. This, also, will confirm your telephone conversations with Mr. Stephen Schachman, Deputy Assistant General Counsel of the Federal Election Commission.

This office will review your complaint to determine whether there is substantial reason to believe violations of law have occurred. Your complaint will not be considered until the initial copy of the complaint is received by the Commission. The Commission and Commission is still in the process of organizing a system for the processing of complaints. Therefore, you may experience some delay in the processing of your complaint. However, there is no doubt that this matter will receive the Commission's careful attention.

In compliance with the provisions of the Act, your complaint will not be made available for public inspection, nor will the arrangements be made by the Commission regarding the status of any investigation which might arise.

Sincerely,

Robert A. Bates, Jr.
Assistant Staff Director
For Disclosure and Compliance

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770010141

RECEIPT FOR CERTIFIED MAIL—30 (plus postage)

No. 752524

POSTMARK OR DATE

WASHINGTON, DC CENTRAL STATION
JUN 25 1975
USFO

PROFESSOR J. L. JONES
UNIVERSITY OF CINCINNATI
COLLEGE OF BUSINESS ADMINISTRATION

RETURN SERVICES FOR ADDITIONAL FEES

1. Shows to whom and date delivered 15¢
2. Shows to whom, date and where delivered 35¢
3. Shows to whom, date and where delivered 85¢
4. Shows to whom, date and where delivered 50¢

SPECIAL DELIVERY (extra fee required)

PS Form 3800 NO INSURANCE COVERAGE PROVIDED— (See other side)
Apr. 1973 NOT FOR INTERNATIONAL MAIL

770 000 101 45

PS 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:
Professor J. L. Jones
Univ. Cincinnati
Phil 4874

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
752524

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
B. L. Martin

4. DATE OF DELIVERY 6-23-75 POSTMARK JUN 25 1975

5. ADDRESS (Complete only)
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

6. CLERK'S INITIALS

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

T E L E G R A M

June 17, 1975

77010145
Peter Linzer
University of Cincinnati Law School
Cincinnati, Ohio 45221

DELIVERY NOTIFICATION REQUIRED

This will acknowledge receipt of your complaint filed under Sec. 437(g) of the Federal Election Campaign Act alleging violations of the Act and related statutes by the Bill Gradison for Congress Committee.

Please be advised that the complaint cannot be accepted as duly filed until a notarized copy of the complaint is received in this office. The complaint should be addressed to:

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

Drew McKay
Assistant Director for Compliance
Federal Election Commission

M. Pat Jennings
Clerk

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

June 10, 1975

Honorable Thomas B. Curtis, Chairman
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Chairman:

Enclosed herewith is a complaint which has been received in my office alleging certain violations of the Federal Election Campaign Act of 1974, as amended. It is filed by Mr. Peter Linzer, University of Cincinnati College of Law, Cincinnati, Ohio 45221.

I am this date forwarding it to the Federal Election Commission for appropriate disposition.

With kindest regards, I am

Sincerely,


W. PAT JENNINGS, Clerk
U. S. House of Representatives

Enclosure

cc: Mr. John Murphy, General Counsel, F.E.C.
Mr. Peter Linzer

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77010010147

June 4, 1975

Federal Elections Commission
% Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

Attention: John G. Murphy, Jr.
General Counsel

Dear Mr. Murphy:

Enclosed are three copies of a complaint alleging violation of the Federal Campaign Practices Act, as amended, 1974. Addresses of the individual complainants are available upon request.

I would appreciate being kept informed about the Commission's actions. My address is: Peter Linzer
University of Cincinnati
College of Law
Cincinnati, Ohio 45221
Telephone: (513) 475-6915

Thank you for your cooperation.

Sincerely,


Peter Linzer,
Attorney

FEDERAL ELECTIONS COMMISSION

COMPLAINT FOR VIOLATION OF
THE FEDERAL ELECTIONS CAMPAIGN
ACT OF 1971, AS AMENDED

The undersigned, pursuant to U.S.C. Sec. 314 (a), charge Congressman Willis D. Gradison, Jr. (1st District, Ohio) and the Bill Gradison for Congress Committee ("Gradison Committee") with nine violations of the Federal Campaign Act of 1971 and 18 U.S.C. Sec. 610.

The violations alleged are summarized as follows:

I-II The Gradison Committee accepted and failed to report an illegal corporate contribution of approximately \$15,250 from American Financial Corporation, an Ohio corporation, and Amcomp Corporation, a subsidiary of American Financial Corporation, Cincinnati, Ohio in the form of rent-free office and billboard space in and on the Dixie Terminal Building, Cincinnati, Ohio.

III-IV The Gradison Committee accepted and failed to report an illegal corporate contribution of approximately \$3,000 from the Antonio^{3.} Palazolla Company, an Ohio Corporation, in the form of rent-free office space in Hyde Park Plaza, Cincinnati, Ohio.

V The Gradison Committee deliberately delayed the reporting of television expenditures of \$20,655 for broadcast advertising until after the November 4, 1974 election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 and 5 days prior to that election.

VI The Gradison Committee deliberately delayed the reporting of \$6,709.04 in production expenditures until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior to the election.

VII The Gradison Committee deliberately delayed the reporting of \$3,202.58 of expenditures for newspaper advertising until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior to that election.

VIII The Gradison Committee deliberately delayed the reporting of \$3,000 in expenditures for polling until after the election, although these expenditures were made or contracted for prior to the deadlines for reports required 15 or 5 days prior

to the election.

IX The Gradison Committee failed to report expenditures for postage provided by Gradison & Co., a corporation, totaling \$5,079.18 prior to the election, though such expenditures were made or contracted for prior to the deadline for the five day report. If no such expenditure by the Gradison Committee occurred or was agreed to prior to that deadline, the postage expenditure constituted an illegal corporate contribution in the form of an advance.

The summary effect of these violations was to conceal from the voters of Ohio's First District the true nature and extent of the expenditures made by the Gradison for Congress Committee.

The specific charges of this complaint are made in the following pages:

COUNT I

1. The Gradison Committee had the use of office space measuring approximately 3050 square feet in the lower concourse of the Dixie Terminal Building, Fourth Street, Cincinnati, Ohio for 10 months during the general election campaign of 1974. During the same

7000011233

campaign, for a period of nine months, the Gradison Committee made use of an illuminated billboard location measuring approximately 50 ft. x 15 ft. on the same building in downtown Cincinnati. According to records of the Cincinnati Chamber of Commerce, rental rates for office space in the Dixie Terminal Building range from \$6.00 to \$6.85 per square foot per year. Therefore, reasonable rental value of that office space (computed at \$6.00 per square foot) for a 10 month period is \$15,250. The reasonable rental value of the billboard location is \$425.00. According to records of the Hamilton County, Ohio Real Estate Department, the Dixie Terminal Building is owned by American Financial Corporation, an Ohio Corporation with principal office in Cincinnati, Ohio, and Amcomp Corporation, a subsidiary of American Financial Corporation.

2. At no time has the Gradison Committee reported in accordance with federal law either: (i) expenditures made or agreed to be made identified for the use of these properties; or (ii) the contribution of the use of these properties at their reasonable value by American Financial Corporation or Amcomp Corporation to Willis D. Gradison or to the Gradison Committee.

3. By accepting this gift of substantial value in the use of these properties and the related services (such as lighting, utilities, and maintenance) from American Financial Corporation, Willis D. Gradison and the Gradison Committee have violated 18 U.S.C. Sec. 610 (1972) forbidding the acceptance and receipt by candidates for federal office of corporate contributions.

COUNT II

4. The Gradison Committee failed to report to the Clerk of the House the donation of the use of the properties and services described in Count I by American Financial Corporation and its subsidiary Amcomp Corporation as those donations were received during the 1974 campaign. This failure violated 2 U.S.C. Sec 434 (b) (2).

5. In the alternative, if the Gradison Committee made, or agreed to make expenditures in consideration for the use of these properties and services, the Gradison Committee violated 2 U.S.C Sec. 434 (b)(9) by failing to report those expenditures.

COUNT III

6. The Gradison Committee had the use of store-front office space measuring approximately 2400 square

feet at the Hyde Park Plaza Shopping Center, Cincinnati, Ohio for approximately three months during the general election campaign of 1974. During those three months it was general and public knowledge that the Gradison Committee operated a telephone bank aimed at soliciting votes for Willis D. Gradison at the Hyde Park Plaza office.

The reasonable rental value of that office space for a three month period is \$3,000. According to the records in the Hamilton County Real Estate Department, Hyde Park Plaza is owned by the Antonio J. Palazolla Company, an Ohio Corporation.

7. At no time has the Gradison Committee reported in accordance with federal law either: (i) expenditures made or agreed to be made identified for the use of this office space or (ii) the contribution of the use of these properties at their reasonable value by the Antonio J. Palazolla Company to Willis D. Gradison or the Gradison Committee.

8. By accepting this gift of substantial value for the use of this property and any related services from the Antonio J. Palazolla Company, Willis D. Gradison and Gradison Committee violated 18 U.S.C. Sec. 610 (1972), forbidding the acceptance and receipt by candidates

for federal office of corporate contributions.

COUNT IV

9. The Gradison Committee failed to report to the Clerk of the House the donation of the office space described in Count III by the Antonio J. Palazolla Company as that donation was received during the 1974 campaign. This failure violated 2 U.S.C. Sec 434 (b)(2).

10. In the alternative, if the Gradison Committee made, or agreed to make expenditures in consideration for the use of this office space, the Gradison Committee violated 2 U.S.C. Sec. 434 (b)(9) by failing to report those expenditures.

COUNT V

11. During the period of September 20, 1974 through September 26, 1974, the Advertising Agency of Nolan, Keeler & Stites, 318 Broadway, Cincinnati, Ohio signed contracts on behalf of the Gradison Committee totaling \$12,555 for broadcast advertising with WKRC-TV, Cincinnati, Ohio. On September 20th, 1974, Nolan, Keeler & Stites signed two contracts on behalf of the Gradison Committee totaling \$14,370

for advertising with WCPO-TV, Cincinnati. During the period of September 19 through September 27, 1974, Nolan, Keelor & Stites signed four contracts on behalf of the Gradison Committee for advertising with WLW-TV, Cincinnati, for a total expenditure of \$6,410. Thus by September 27th, 1974, contracts to make expenditures totaling \$33,335, for TV time were made by Nolan, Keelor & Stites on behalf of the Gradison Committee. (See Schedule A for dates and amounts of individual contracts.) These contracts fall within the definition of expenditure in 2 U.S.C. Sec. 431 (f)(2).

12. The Gradison Campaign Committee reported \$0 for total media expenditure in its September 10th report. The Committee reported \$8,340 for media expenditures in its 15 day (October 20th) report, and \$4,340 in its 5 day (October 30th) report. The Gradison Committee therefore reported only \$12,680 for media expenditures prior to the November 4th, 1974 election.

13. In so doing, the Gradison Committee violated 2 U.S.C. Sec. 434 (b) (9) since it failed to report \$20,655 of contracts for expenditure made prior to October 1st, making both the 15 day and 5 day reports incomplete and inaccurate.

This failure to fully disclose misled voters in Ohio's First Congressional District as to the extent of spending by the Gradison Committee prior to the election.

COUNT VI

14. The December 31 report of the Gradison Committee reveals payment to the advertising agency of Nolan, Keelor & Stites for media production costs totaling \$7,059.49. Only \$350.40 of these production costs were reported prior to the November 5th election. Commercials for the Gradison Committee were aired commencing October 8th, and production work for signs, leaflets, and newspaper advertising was completed so that those materials could be used substantially prior to election day. Therefore, the major portion of these production expenditures were incurred or contracted for prior to the disclosure deadlines of either the 15 day or 5 day reports.

15. Upon information and belief, these expenditures were made, or contracts to make these expenditures were agreed to on behalf of the Gradison Committee by Nolan, Keelor & Stites. Failure to so report these expenditures for production in either the 15 day or 5 day report constitutes a violation of 2 U.S.C. Sec. 434 (3)(9), in that those reports were not complete.

COUNT VII

16. The December 31, 1974 report of the Gradison

Committee, filed after the 1974 election, reveals two expenditures for polling to Market Opinion Research totaling \$3,000 and dated November 1st, and 8th, 1974. No such expenditures were listed on either the 15 day or 5 day pre-election reports. Upon information and belief, for the polling occurred, or contracts to conduct the polling were agreed to by the Gradison Committee or on behalf of it, prior to the disclosure deadlines of either the 15 day or 5 day reports.

Failure to disclose these expenditures for polling until the December 31st report constituted a violation of 2 U.S.C. Sec. 434 (b)(9), in that either the 15 day or 5 day reports or both were not complete.

COUNT VIII

17. The December 31 report of the Gradison Committee, filed after the 1974 election, disclosed expenditures of \$3,262.58 for newspaper advertisements. These expenditures were not listed on the 15 day or 5 day pre-election reports. Upon information and belief, the expenditures for this advertising occurred, or contracts to place the advertising were agreed to prior to the disclosure deadlines of either the 15 day or 5 day reports. Failure to disclose these

expenditures until the December 31st report constituted a violation of 2 U.S.C. Sec. 434 (b)(9), in that either the 15 day or 5 day report or both were incomplete.

COUNT IX

18. In its December 31st report, the Gradison Committee reported two post election expenditures to W.D. Gradison and Co. for postage. The Committee reported a payment of \$2,000 on November 8, 1974 and of and of \$3,079.18 on November 11, 1974. Upon information and belief, this postage was used prior to the deadline for the 15 day report, 5 day report or both. If the Gradison Committee had agreed to make an expenditure to Gradison and Co. for the use of that postage, the committee violated 2 U.S.C. Sec. 434 (b)(9), by failing to file a complete report of that expenditure in its 15 day or 5 day reports or both.

19. In the alternative, if the Gradison Committee had made no such agreement to pay for the postage, the amounts constituted a contribution in the form of an advance of a valuable commodity to the Gradison Committee in the amount of the postage value, \$5,079.18. The Gradison Committee violated 2 U.S.C. Sec. 434 (b)(2) by failing to file complete 15 day or 5 day report

or both including this \$5,079.18 contribution.

20. If, as alleged in the alternative in paragraph 19, the provision of postage to the Gradison Committee by W.D. Gradison constituted a contribution in the form of an advance, the Gradison Committee and Willis D. Gradison violated 18 U.S.C. Sec. 610 (1972) forbidding the acceptance and receipt by candidates for federal office of corporate contributions

COUNT X

21. In accord with 2 U.S.C. Sec. 434, the candidate, Willis D. Gradison is equally responsible for the failures of full and timely disclosure by the Gradison Committee described in Count II and Counts IV - IX.

22. Therefore, Willis D. Gradison separately violated Secs. 2 U.S.C. Sec. 434 through his failure of the Gradison Committee to report in a timely fashion the expenditures described in Counts II, IV, V, VI, VII, VIII, and IX or the contributions described in Counts II, IV and IX or both.

SCHEDULE A

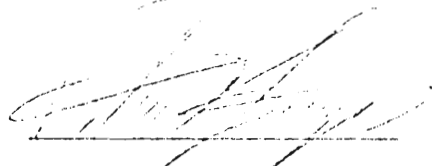
This schedule lists the dates and amounts of the contracts entered into by the Gradison for Congress Committee with local television stations. The reader should compare these dates with the dates (listed above) when The Committee reported these expenditures. There is no expenditure on this list that should not have been reported on the 15 day prior to the election report.

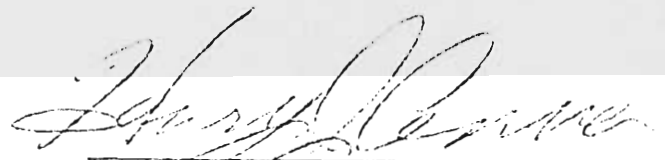
WKRC T.V.:	DATE OF CONTRACT	AMOUNT
	SEPT. 20, 1974	\$ 2400.00
	SEPT. 20, 1974	\$ 2580.00
	SEPT. 20, 1974	\$ 1170.00
	SEPT. 20, 1974	\$ 1830.00
	SEPT. 24, 1974	\$ 1625.00
	SEPT. 25, 1974	\$ 2100.00
	SEPT. 26, 1974	\$ 850.00
		\$ 12,555.00
WCPO T.V.	SEPT. 20, 1974	\$ 7630.00
	SEPT. 20, 1974	\$ 7130.00
		\$ 14,370.00
WLW T.V.	SEPT. 19, 1974	\$ 1700.00
	SEPT. 19, 1974	\$ 1560.00
	SEPT. 21, 1974	\$ 1380.00
	SEPT. 27, 1974	\$ 1770.00
		\$ 6410.00

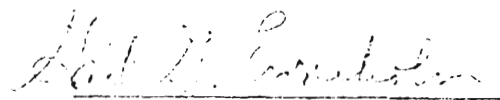
No reason can be demonstrated, nor is there one, for the failure of the Committee to report these expenditures until after the election. While The Gradison Committee had their advertising agency put up their "front money", they became expenditures of the campaign on the date the contracts were entered into.

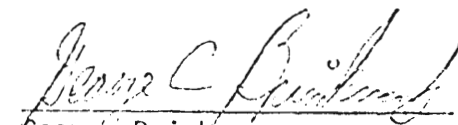
Therefore, the undersigned request, pursuant to the Federal Elections Campaign Act, as amended, 1974, that the Federal Elections Commission hold a hearing upon, investigate and refer the violations which are the subject of this complaint to the Attorney General of the United States for prosecution.

Attorney,


Peter Linzer
University of Cincinnati
College of Law
Cincinnati, Ohio 45221
(513) 475-6915


Henry J. Anna


Gail G. Engerholm


George Brinkman


Cornelia C. LaGrange

College of Law
University of Cincinnati
Cincinnati, Ohio
45220

7 7 0 4 0 0 1 0 1 4 9

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington D.C. 20463

Attn: Asst. Director for Compliance

RETURN RECEIPT REQUESTED

CERTIFIED
No. 113030
MAIL



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 801

Date Filmed 7/16/79 Camera No. --- 2

Cameraman BPC