



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MJR # 3584

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Daniel E. Williams
Complainant
Idaho State Democratic Party
P.O. Box 445
Boise, ID 83701
(208) 336-1815

BEFORE THE FEDERAL ELECTION COMMISSION

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DANIEL E. WILLIAMS,
Complainant,
v.
DIRK KEMPTHORNE,
KEMPTHORNE FOR SENATE,
STEVEN SYMMS,
SYMMS FOR SENATE,
Respondents.

MUR 3584

COMPLAINT

STATE OF IDAHO)
 : ss.
County of Ada)

Complainant, DANIEL E. WILLIAMS, deposes and says pursuant to
11 C.F.R. 111.4:

1. Complainant Daniel E. Williams is a citizen of the State of Idaho and is Chief Legal Counsel of the Idaho State Democratic Party.
2. Respondent Kempthorne for Senate ("Kempthorne Committee") is the principal campaign committee of Respondent Dirk Kempthorne, who is the Republican nominee for the United States Senate from Idaho.

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3. Respondent Symms for Senate ("Symms Committee") is the principal campaign committee of Respondent Steven Symms, who is the retiring Republican United States Senator from Idaho.

4. Respondents have violated the Federal Election Campaign Act of 1971, as amended ("FECA"), 2 U.S.C. §§ 431, et seq., and related Federal Election Commission regulations, 11 C.F.R. 100, et seq., by failing to report various in-kind contributions made by the Symms Committee to the Kempthorne Committee. The Kempthorne Committee has also accepted more than the contribution limit from the Symms Committee. Respondents' specific violations are set forth in paragraphs 6 through 16 below.

5. On August 7, 1991, Respondent Steven Symms announced that he would not run for reelection to the United States Senate in 1992. On August 14, 1991, Respondent Dirk Kempthorne announced that he would run as a Republican candidate for the United States Senate in 1992. On September 17, 1991, Kempthorne filed his "Statement of Candidacy" and on September 20, 1991, filed his "Statement of Organization." Senator Symms has stated publicly that he would aid Kempthorne in his bid for the United States Senate. The Symms Committee has contributed the maximum legal contribution of \$2000 to the Kempthorne Committee.

6. Upon information and belief, Respondents have failed to report in-kind contributions to the Kempthorne Committee by the Symms Committee for rent payments made by the Symms Committee on behalf of the Kempthorne Committee. The Kempthorne Committee's

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campaign office is located in the former Hoff Building, 802 W. Bannock Street, Boise, Idaho in Suite LP 102. The Symms Committee's campaign office was in the same suite of the same location. FEC reports demonstrate that the Symms Committee paid \$500 per month in rent for the suite. During September and October, 1991, the Symms Committee paid \$500 for the suite, while the Kempthorne Committee paid just \$100 for use of the same suite. Beginning November, 1991, the Symms Committee discontinued payments and the Kempthorne Committee began paying the full \$500 (see table at Exhibit A).

7. Upon information and belief, Respondents have failed to report in-kind contributions to the Kempthorne Committee by the Symms Committee for office equipment, which failures include the following:

- a. computers and printers. At no time has the Kempthorne Committee reported purchase or lease of computers or computer printers. Yet, the Kempthorne Committee has reported purchase of computer supplies (see table at Exhibit B).
- b. telefax. At no time has the Kempthorne Committee reported purchase or lease of a telefax machine, yet a telefax number appears on pre-primary May 1992 stationery (see Exhibit C).
- c. copier. At no time has the Kempthorne Committee reported purchase or lease of copiers. Yet, a photograph appearing in The Idaho Statesman on August 2, 1992, depicts the Kempthorne Committee's press secretary making copies on a copier in the Kempthorne campaign office (see Exhibit D).

8. In July, 1992, an individual saw that certain office equipment in the Kempthorne Committee headquarters still had Symms

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bumper stickers on them. Upon information and belief, said office equipment belonged to the Symms Committee. Such bumper stickers have been removed.

9. Upon information and belief, Respondents have failed to report the contribution of a telephone line to the Kempthorne Committee by the Symms Committee. The telephone number listed as Symms for Senate in Boise, Idaho (208-344-1776) (see Exhibit E) and paid for by the Symms Committee rings to an internal line of the Kempthorne Committee. A June 29, 1992, fundraising letter still lists the above telephone number as the Symms Committee number (see Exhibit F).

10. Despite beginning his official campaign on August 14, 1991, upon information and belief Respondents Kempthorne and the Kempthorne Committee failed to disclose either employee salaries or in-kind contributions reflecting employee time until November, 1991.

11. As of November, 1991, the Kempthorne Committee reported hiring three employees, Julie Harwood, Peter Moloney and Pat Nelson. Until November, 1991, all three employees were employed by the Symms Committee, despite Senator Symms announcement in early August, 1991, that he was not running.

12. Upon information and belief, the three employees performed work for the Kempthorne Committee while still on salary with the Symms Committee. At no time has the Symms Committee listed such employee time as a contribution to Kempthorne, nor has

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the Kempthorne Committee acknowledged receipt of such in-kind contributions of employee time.

13. During the August through November, 1991, period, the Kempthorne Committee maintained a campaign office and telephone. The Kempthorne Committee also made bulk mailings (See Exhibit G), which described a significant level of campaign activity, requiring staff.

14. On September 30, 1991, for example, while still on the Symms Committee payroll, Julie Harwood signed a Bulk Mail Permit with the U.S. Postal Service on behalf of the Kempthorne Committee (see Exhibit H).

15. The salaries paid to the three employees by Respondents are attached in a table at Exhibit I.

16. The above in-kind contributions to the Kempthorne Committee by the Symms Committee not only remain unreported, but exceed the maximum contribution of \$2000 already donated as a cash contribution to the Kempthorne Committee by the Symms Committee.

WHEREFORE, Complainant requests:

1. That the General Counsel recommend to the Federal Election Commission that it should find that Respondents have committed violations of FECA and applicable regulations;

2. That the Commission determine that Respondents have committed violations of FECA and applicable regulations;

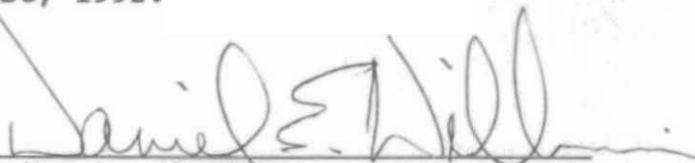
3. That an investigation, including an audit, be conducted by the Commission;

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4. Enter into a prompt conciliation with the Respondents to remedy the violations alleged in this Complaint and ensure that no further violations occur;

5. Impose any and penalties appropriate for the violations indicated.

DATED this 18th day of August, 1992.



Daniel E. Williams

SUBSCRIBED AND SWORN before me this 18th day of August, 1992.



Notary Public for Idaho
Residing at Meridian, Idaho
My Commission Expires: 3/4/93

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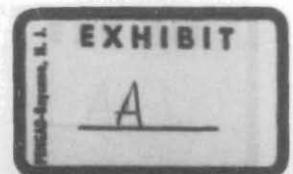
Rent

	July 1991	August 1991	September 1991	October 1991	November 1991	December 1991
Symms Campaign	\$500	\$500	\$500	\$500		
Kempthorne Campaign			\$100	\$100	\$500	\$500

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Sources:

- January 31 Year End Federal Election Report of 1991 for the Steve Symms For Senate Committee
- January 31 Year End Federal Election Report of 1991 for the Dirk Kempthorne Senate '92 Committee



Computer Disbursements:

Purpose of Disbursement	Amount	Date	Billing Party
Supplies	\$ 185.75	4/27/92	Idaho Computer and Supply
Computer Supplies	\$ 196.61	3/24/92	Idaho Computer and Supply
Computer Supplies	\$ 139.25	2/24/92	Computer Concepts
Computer Supplies	\$ 178.50	2/24/92	Idaho Computer and Supply
Computer Supplies	\$ 144.25	1/2/92	Computer Concepts
Computer Repairs	\$ 106.25	1/2/92	KRB Enterprises
Computer Supplies	\$ 99.75	12/5/91	Computer Specialties
Computer Repairs	\$ 60.00	12/2/91	KRB Enterprises
Computer Supplies	\$ 110.00	11/25/91	Computer Concepts
Equipment Parts	\$ 9.98	11/20/91	Computer Concepts
Computer Supplies	\$ 99.75	11/7/91	Computer Specialties
Computer Supplies	\$ 88.20	11/1/91	Computer Concepts
Computer Supplies	\$ 90.55	10/21/91	Computer Concepts
Total of Computer and Computer Supply Disbursements = \$1508.84			

Sources:

- January 31 Year End Federal Election Report of 1991 for the Dirk Kempthorne Senate '92 Committee
- April 15 Quarterly Federal Election Report of 1992 for the Dirk Kempthorne Senate '92 Committee
- Twelfth Day Report Preceding Primary Federal Election Report of 1992 for the Dirk Kempthorne Senate '92 Committee



KEMPTHORNE

Dear Idaho friends:

Tuesday is primary election day in Idaho. And, I need your help.

I ask for your support in the primary election, May 28.

As the Republican nominee for the United States Senate, I can win against the incumbent Congressman Richard Stallings in this fall's general election.

The Idaho voters have been telling me they want change.

They want to see some new faces, with some new ideas, going to Washington, D.C. They tell me:

"The same old people, with the same old tired ideas, going back again isn't the answer to the problem."

My record as Mayor of Boise has been one of change. In the six years I've been at City Hall, we've gotten some things done, we've made some changes. Idahoans are proud of their capital city now, which wasn't always the case.

So, if you want to see some changes made, if you want to send someone to Washington, D.C., with some new ideas, someone not tied to the status quo, then I need your vote in the primary election next Tuesday.

There's another reason why I need your support in this election. The Idaho primary election day, May 28, falls on the Tuesday right after the Monday Memorial Day holiday this year. You know the Memorial Day long weekend will have folks heading for the lakes and streams in droves and the last thing on their minds will be voting in a primary election.

Voter turnout on May 26 could be very low. Lots of families will have just returned from a three-day holiday weekend and just won't remember to show up at the polls.

I need your commitment that you'll make a special effort to remember to go to your polling place next Tuesday and cast your vote in the primary election – and for Dirk Kempthorne as United States Senator.

People all over the country will be watching this primary election, wanting to put some spin on it. The political "experts" in Washington, D.C. will want to declare the likely November winner based on the primary vote.

And the media will report that incumbent Dick Stallings is a shoo-in in November if he gets one more vote than I do in the primary election.

But you can be the key to getting the Kempthorne campaign off to a strong start just by showing up and casting your ballot so I win a big primary vote next Tuesday.

When I announced in February that I would be a candidate for the United States Senate, I said it was because I am fed up with the federal government.

In Washington, our federal government seems broken; unable to face our nation's problems and seize upon our great opportunities. Congress, I said, sits in grid-lock as special interests speak with a louder voice than our citizens. Witness:



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*The drug crisis grows.
Health care costs soar.
A difficult recession lingers.
Workers are laid off.
Homes and farms are lost.*

Yet, all we see are huge Congressional pay raises, passed quietly in the night, bounced checks, and career politicians more interested in staying in office than in representing people.

The eight year incumbent Democrat Congressman running for this office – Richard Stallings – contends I'm not qualified because I don't have any federal experience.

Well, if there's some school for federal bureaucracy, I'm not going.

If I'm supposed to go back there and become comfortable with the status quo, and just go along to get along, then I'm not going.

We need change.

Dick Stallings, the incumbent Congressman, is well funded by the special interest groups from Washington, D.C. They are all intent on keeping the status quo.

Stallings has over \$125,000 in his war chest, most of it from big unions and Washington, D.C., lobby groups. He's prepared to buy a whole lot of Idaho radio and television ads.

We've relied on over 3500 Idahoans for most of our financial help. Which is certainly okay by me. The powerful special interests in Washington don't care much for my message of change.

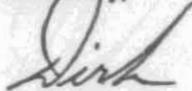
So, I need your help. Not only do I need your vote next Tuesday, but I need your financial help, as well.

I need you to pay for a radio ad or a television ad. I need for you to send my campaign a check for \$75 to buy a television spot or one for \$20 which will buy a radio ad.

Really, any amount will help, if it's \$50 or even \$15.

If you want to change the Congress as much as I do, if you want to try to unstick the grid-lock that has ground our government to a halt, then make a special effort to vote in next Tuesday's primary election. We need change.

Sincerely,



Dirk Kempthorne

PS: If you're going to be gone next Tuesday – turning a three-day weekend into something longer – please vote by absentee ballot. Just go to your courthouse this week, before the Memorial Day weekend, and ask to vote by absentee ballot. One vote really can make a difference.

PPS: I've enclosed a reply envelope to make it easy to send a check to the campaign. If you'll just write the word "tv" or the word "radio" on the outside of the envelope, I'll know exactly what you want us to do with your contribution. It will really help.

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TV reporter took risk in becoming campaign

By Marianne Flagg
The Idaho Statesman

To the viewer at home, KTVB Channel 7 night reporter Mark Snider might have seemed the consummate reporter, eating scoops and deadlines for dinner.

Some viewers must have been surprised six weeks ago when Snider announced that he was leaving the station to become press secretary for Dirk Kempthorne's U.S. Senate campaign.

Snider was a little shocked himself.

"It's the most difficult decision I've ever had to make," says Snider, 30. "It was tough to suddenly make this change. I talked on the phone with my mentors in the business. This was an opportunity I couldn't miss."

Kempthorne offered Snider the job about a week after the primary.

Snider visited friends in Oregon while he mulled the offer. "I made up my mind driving back from Oregon. Then I got home and changed my mind. I stayed up one night writing my resignation to Channel 7."

Journalists frequently move into public relations jobs. But Snider did so knowing he had no job security beyond Election Day, Nov. 3. "This is a roll of the dice."

The job change turned Snider into a risk-taker, something he wasn't before. "I play it safe. That's why this was such a tough decision."

The move was doubly difficult because, at least in the minds of some journalists, leaving reporting for a political press job is like jilting Luke Skywalker for a fling with the Dark Side.

Snider wondered if the press-secretary post would "taint" him for future news jobs requiring that all-important patina of objectivity. He decided the risk was worth the opportunity to see firsthand how the political process works.



Stuart Wong/The Idaho Statesman

Mark Snider is press secretary for Dirk Kempthorne's campaign.

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The str in his rep "I had deadlines Snider sa; line is fu ing night; for so lon to go to and go he cook.

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Not one road, Snid; career ple what he wi

"I'm seeing a lot of the state. I've been to places I didn't know existed. I'm meeting tons of people.

"I'd done as much as I could at Channel 7. It was time for a change. I'm not knocking Channel 7. It was a great place to work."

As often happens in career changes, quality-of-life issues

THE REST OF THE STORY Careers /From 1D

telephone trucks to get repaired. While they were getting repaired, I had the day off to go to the library and read," Abramovitz recalls. "That was a terrific job. I started teaching piano seriously."

He emigrated to Israel with his family. They lived there five years. "For the first time I decided to try my hand at playing piano professionally. I got a job as a cocktail pianist in a hotel lobby."

He learned thousands of jazz standards and lounge favorites, such as "Moon River."

Abramovitz began singing to keep himself entertained. "Nobody was listening, anyway."

The Abramovitzes left Israel and moved to Boise three years ago. He says they settled in Boise because it has strong cultural in-

"That whole thing about leading a bohemian life, that doesn't exist now."

Jules Abramovitz changed his career

stitutions and is a safe, wholesome place to raise their children. Abramovitz doesn't regret his varied travels.

He says wistfully that his adventures aren't readily available to today's young people.

"When I went off to Paris to seek adventures, you could get a hotel room in the student quarter for 75 cents a night and sit over a glass of wine for a nickel. And you'd sing in bars with people.

"That whole thing about leading a bohemian life, that doesn't

More career help

If you want more information about careers and how to get into them, counselor Nancy Kobe recommends these resources:

- Look in the Yellow Pages for professional career counselors.

- Take a six-week Boise State University Outreach course called Career Planning for the '90s. It costs \$59 and starts Sept. 24. Call 385-1974.

- Take a Community Educa-

tion course really intere

- Buy or reer manua stores and l

"Shiftin Hyatt

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exist now."

Abramovitz advocates that people do what they love. If they can make a living at it, all the better.

"I've found what I like to do. I

like to teach at it and I ei

"If you ha it's worth ta up."

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 999 N Curtis Rd Boise 378-2833
 If No Answer Call 383-0970
 Symms For Senata
 802 W Bannock Boise 344-1776
 Symms Steve Senator
 8 & Bannock Boise 334-1776
 Symonds Thomas Accounting &
 Tax Services
 8420 Fairview Plaza Boise 376-1933
 Symposium The 2801 Fletcher
 Synectics Software & Systems
 Boise 336-5021
 Synthes 389-9309
 Syntholl Corp 305 S 8 Boise 336-8600
 Syringa Gardens Cemetery
 9950 Hwy 55 Boise 939-6791
 Syringa Property Management
 242 N 8 Boise 336-4610
SYSCO GENERAL FOOD SERVICES
 5710 Pan Am Av Boise 345-9500

SYSTEM SEVEN
 Boise Towne Square Boise 377-1950

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TC Mac Construction Co
 2117 N 13 Boise 336-0443
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 Boise Towne Square Boise 323-8877
 111 Broadway Av Boise 336-9337
 7103 Overland Rd Boise 323-1904
 1517 N Milwaukee Boise 376-4600
 Parkcenter Mall Boise 338-1317
 1790 W State Boise 384-0994
 6940 W State Boise 853-4800

TCI Cablevision Of Idaho State
 Office 6901 W Emerald Boise 376-0479
T C M E Inc 1890 N Ancestor Av Boise 322-5038
TCT 2620 E Amity Rd Boise 343-6400
T D M Company 591 E State Eagle 939-6666
T & H Investments Inc
 1661 Shoreline Dr Boise 343-5988
T J INTERNATIONAL
 380 E Park Center Blvd Boise 345-8500
T J Maxx 1405 N Milwaukee Boise 378-0008
T & J's Hand Done Shoppe Boise 344-0233
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T J's Yankee Dog 512 Grove Boise 343-5648
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T L C Of Idaho Inc
 4888 Aeronca Boise 345-7266
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TMS Training Media Services
 Boise 377-9312
TNR Auto Frame & Uni Body
 1027 Lusk 336-9531
T N T Auto Salvage
 4010 W Gowen Rd Boise 362-4211

T N T INSURED TOWING—
 Towing Service 362-2777
 3901 W Gowen Rd Boise 362-2777
 Day Or Night Call 362-2777
 Storage Lot 3901 W Gowen Rd Boise 362-4418
 Auto Salvage 362-4211
 4010 W Gowen Rd Boise 362-4211

TNT UNITED TRUCK LINES—
 2840 S Cole Rd Boise 362-2875
 Fax Line 362-1977
T P & S Co 515 E Highland Boise 342-2225
T R Construction 1406 E 1 Merdn 888-2288
T & R's Carpet Care 888-0024
TS Concrete
 Mobile Service 866-0586
T & S Energy 6702 Fairview Av Boise 377-2435
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TV And VCR Doctor The
 8101 Fairview Av Boise 37-TVDOC
 Or Dial 378-8362
TV VCR & Microwave Don's
 2109 S Penning Dr Boise 376-6053

TW BLASINGAME & ASSOCIATES—
 Construction Services Group 345-5457
 5107 Overland Rd Suit C Boise
 Manufacturing Services Group
 5107 Overland Rd Boise 345-8002

TABLECROCK BREWPUB & GRILL 705 Fulton Boise 342-0944
Tackman Richard 1614 N 30 344-9434
Taco Bell—
 1420 Broadway Av Boise 384-0744
 6521 Fairview Av Boise 378-4548
 3377 W State Boise 384-1254

Taco John's—
 2870 W State 345-3721
 Ofc 1111 S Orchard Boise 336-1709
 1323 Broadway Av Boise 342-6616
 7000 Fairview Av Boise 322-6061
 1473 S Five Mile Rd 375-0214

Taco Time Boise Towne Square
 350 N Milwaukee Boise 322-1707
Taco Time Broadway Av
 1100 Broadway Av Boise 336-7472

Taco Time Overland
 6940 Overland Rd Boise 377-0391

Taco Time State Street
 1806 W State Boise 344-3288

Taco Time Vista Avenue
 405 Vista Av Boise 343-0932

Taco Time West Fairview Av
 7965 Fairview Av Boise 376-3281

Tactical Edge Inc
 6109 Overland Rd Boise 327-0301

Taft School 3722 Anderson Boise 338-3508
Taggart Jeff Bail Bonds 322-4747
Take One Video Productions
 511 W Main Boise 344-9498
Talbert Stables 1675 W Kuna Rd Kuna 922-4055
Talbot's 415 E Park Center Blvd Boise 344-4202

79 BOISE BUSINESS
Talbot Construction
 1310 Vista Av Boise 336-4244
Talbot Robert W atty
 815 W Washington Boise 344-7811
 Res 2269 S Scyene Wy Boise 336-9246

TALKING BALLOON
 5120 W Franklin Rd Boise 342-5100

Tallman Hap Stockman's Supply
 Inc 4410 Overland Rd 344-7873

Tamarack TV & RCA Servicer
 5278 Chinden Blvd Grdn Cy 322-4445

Tamura & Assoc 499 W Main Boise 343-2931
Tandy Corp
 See Radio Shack-A Division Of Tandy Corp

Tandy Electronic Service Center
 355 N Orchard Boise 375-6559
TANDY LEATHER 285 N Orchard 375-5589

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 32 E Franklin Rd Merdn 887-3959
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TATES RENTS

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Located Across 30th Street
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Chinden Store
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EXHIBIT E

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 Rentals—
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Tax Commis

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 7265 Potom.

Taylor Finley
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**Steve
Symms**
SENATOR FOR IDAHO

Box 471 • Boise, Idaho 83701 • 208-344-1776
June 29, 1992

The primary election is over and in less than five months you and I will choose a person to fill the seat I'll vacate on January 3.

I've got to tell you, I have mixed feelings about not being on the ballot - ABOUT NOT BEING ABLE TO STAND UP ON THE SENATE FLOOR AND GO TOE-TO-TOE WITH THE LEFT-LEANING DEMOCRATS, THE SOCIAL DO-GOODERS, AND THE UNILATERAL DISARMAMENT CROWD.

The other day, while I was in a drugstore back home in Caldwell, I overheard a guy say something like: "Well, this year either Senate candidate will be OK. They're both pretty conservative."

That stunned me! Nothing could be further from the TRUTH!

Hearing that prompted me to sit down and write this letter to you as one of the key backers of Dirk. I'll be right up-front. I'd like you to once again support Dirk Kempthorne in two ways:

- 1) By sitting down and writing out a check for as much as you can afford.
- 2) By spreading the information I'm sharing with you in this letter around to your friends and neighbors.

I wouldn't ask you to do these things if I didn't think it was absolutely necessary. I don't like asking for money. If you're like most Idahoans, it's hard enough just making the mortgage payment, much less contributing to every political candidate that comes along.

And... I wouldn't ask you to support a man without you knowing -- beyond a shadow of a doubt -- that he shares your values and will fight for you and your family in the U.S. Senate.

There's one more thing you should know. The conversation I overheard in the drugstore made me think of this. YOU NEED TO KNOW THAT THE MAN YOU ELECT IS HIS OWN MAN.

I stayed out of the Senate Primary. I didn't want to be accused of

(over)

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trying to pick my successor. But now that it's over, and Republicans have picked Dirk, I am going to do everything in my power to make sure he wins!

First of all, that guy I overheard in the drugstore was wrong - DEAD WRONG! There is only one conservative in the Senate race and his name is DIRK KEMPTHORNE!

Stallings doesn't seem to know what he is, or where he stands. He wears more masks than you'll see on Halloween. If he has beliefs or principles, they change faster than Idaho weather!

Dirk kind of reminds me of me - 20 years ago. Oh... he may not be as brash and maybe not as controversial, but, he knows where he stands and has the guts to stand up and fight for what he believes.

I saw a newspaper tabloid the other day quoting Dirk. He said, "If there is one reason, above all others, why I want to be the next Idaho Senator, it is because I'm also fed up with the federal government!"

That's enough for me. But where does he stand on the issues important to you? Here's some of Dirk's quotes I've picked up:

- * STATE'S RIGHTS - "We need more decisions at home and less decrees from Washington D.C."
- * FEDERAL BUDGET - "The idea of tax and tax, and spend and spend is absolutely out of control. I will be a tenacious fighter for a Balanced Budget Amendment."
- * AGRICULTURE - "The Idaho farmer can compete with any farmer in the world, but not with foreign treasuries. That's why unfair competition...must be countered."
- * WATER - "The assault on our water will have to be fought - and won - in the United States Senate, where every state is on equal footing with two Senators. My position on outside control of our water is simple. Not one drop!"
- * GUN CONTROL - "I fully support...the right of the people to keep and bear arms."

And this is just the beginning. Dirk has well thought out stands based on common sense, sound beliefs and conservative principles.

But Dirk is only half the story. What about Richard Stallings? What do we get if Stallings is able to masquerade his way into the Senate.

FIRST OF ALL, YOU GET A GUY WHO WILL OWE HIS SENATE FUTURE TO THE DEMOCRAT MAJORITY LEADER, GEORGE MITCHELL!

THIS IS REASON ENOUGH TO REJECT STALLINGS!

I know George Mitchell. George Mitchell is a friend of mine. But George Mitchell is no friend of Idaho!

93040990268

It was George Mitchell, along with Ted Kennedy, Howard Metzenbaum and Joe Biden who led the charge on the so-called crime/gun control bill. A few of us have been able to bottle up that bill because it's nothing but a gun control bill.

It is George Mitchell who wants to spend YOUR tax dollars for political campaigns.

It's George Mitchell who caters to the every whim of the Sierra Club, the Wilderness Society and the other radical environmental groups. (The so-called Clean Air Act was George Mitchell's doing.)

It was Mitchell who called up and pushed through, over my opposition, a Nevada wilderness bill that sets a terrible precedent for giving away western states' water rights (Richard voted FOR this bill in the House)!

And... it was George Mitchell who PERSONALLY tried (but failed) to KILL my PRIVATE PROPERTY RIGHTS ACT!

GEORGE MITCHELL WILL DECIDE ON WHICH COMMITTEES RICHARD STALLINGS SITS - HE WILL DECIDE IF STALLINGS' BILLS SEE DAYLIGHT - HE WILL DECIDE IF STALLINGS IS A PLAYER OR A BYSTANDER.

I know how the Senate works. If Stallings is to be a success, he's going to have to make some deals with Mitchell. What is he willing to trade for? What is a choice committee assignment worth?

What will Mitchell demand from Richard?

It's true Dirk will have to work with Republican leader, Bob Dole. But there's a huge difference between Bob Dole and George Mitchell. Dole is from Kansas and understands Western issues. Dirk Kempthorne and Bob Dole will make a good team.

Even without the "Mitchell Connection," Stallings would be an unmitigated disaster in the U.S. Senate. I've watched Richard over the years he's been in the House. His record isn't very pretty.

Since he's been in the House, he's voted for spending bills totaling \$79,720,407,027 MORE than the President asked for. THAT'S NEARLY 80 BILLION DOLLARS! (Or about \$1,235 for every family in America!)

In the House Richard was all over the map on Western issues like water rights and private property.

Clear back in 1987 when we were trying to finally settle the Swan Falls water debate, Richard was trying to "...satisfy the environmentalists." While others like then Attorney General Jim Jones and Jim McClure worked to add language to Stallings' bill protecting water rights, Richard was trying to "satisfy" the environmentalists!

(over)

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In 1988 when Richard introduced his bill to protect the City of Rocks, he left out a provision to protect Idaho's water rights. Senator McClure came to the rescue again.

Then, in 1989 Richard voted AGAINST state water rights TWICE in the Nevada Wilderness bill. Idahoans and Nevadans alike were outraged!

And what about Private Property? Richard is like a ping-pong ball. First he supported H.R. 1330, the Wetlands Bill, sponsored by Congressman Jimmy Hayes of Louisiana. Now, all of a sudden, he opposes it. This bill would provide just compensation to property owners whose rights are literally "taken" by the federal government.

I really get frustrated with his lack of action (or interest) in my bill, the PRIVATE PROPERTY RIGHTS ACT. He says he's for it, but if he is, it's hard to tell! I have repeatedly asked him to step up his efforts on behalf of Idaho property owners. So far he's like talking to a brick wall.

IF RICHARD MAKES IT TO THE SENATE, WHAT DO YOU SUPPOSE HIS BOSS, SENATOR MITCHELL WILL TELL HIM TO DO ON PRIVATE PROPERTY RIGHTS? (It was Mitchell who fought tooth and nail but failed to stop my bill in the Senate).

In less than FIVE months we're going to elect a Senator who will serve for SIX years. We can't afford to send George Mitchell another loyal follower.

We need Dirk Kempthorne. He'll go back there and make a difference. But he needs your help. Stallings is raising money like mad. I'm sure Mitchell is steering as much PAC money Richard's way as possible.

Will you join me in doing the three things I asked? First, write a check. Second, make copies of this letter and circulate it amongst your friends. Finally, make sure you vote for Kempthorne in November.

I'm not going to be on the ballot, but that doesn't mean I'm through fighting! Dirk will go to Washington and take over where I left off. I'm going to do everything in my power to help him. Will you join me?

If you will, we'll elect a strong, capable, independent Senator who will fight for you... and not another whipping boy for Senator Mitchell.

Yours for a free society,



STEVE SYMMS
UNITED STATES SENATOR

93040990270

October 10, 1991

CAMPAIGN NEWSLETTER

DIRK KEMPTHORNE FOR SENATOR

500 NEW KEMPTHORNE SUPPORTERS

More than 500 new supporters have signed on with the Kempthorne campaign following a mid-September statewide mailing. And those supporters are backing their commitment to the campaign with their wallets and pocketbooks.

In the first three weeks following the mailing, campaign contributions have come in at a pace that will most likely make this initial fundraising effort the most successful letter of its kind in Idaho campaign history.

STATEWIDE SUPPORT COMMITTEE COMES ALIVE

In less than five weeks, the initial Kempthorne Statewide Support Committee was formed with an impressive list of over 160 names representing every part of the state, and virtually every walk of life.

The support continues to swell from Idaho's Main Streets to country crossroads. "Everyday, more and more folks are signing up for the team. It's an encouraging sign to see our campaign off to such a great start and continuing to gain momentum," Kempthorne said.

KEMPTHORNE IS OFF AND RUNNING

Dirk Kempthorne and his wife Patricia hit the campaign trail running. After attending the Region VII barbecue in Idaho Falls with Pat and their two children, it was off to Coeur d'Alene where Dirk rallied support at the Idaho Mining Association convention. From Coeur d'Alene, Dirk hooked up with the family in Twin Falls for events in Twin and Sun Valley. A successful statewide swing, only a week and a half after announcing his intention to run for the U.S. Senate.

As Dirk meets with large groups, his speeches focus on the local perspective that he'll bring to Washington, D.C. -- building on the theme that the United States Senate needs a few good mayors; mayors who have been trained to balance a budget annually, mayors who understand the effects mandates, edicts and regulations from the federal government will have on small towns in states like Idaho.

Most any evening you'll find Dirk and Pat talking about the issues in people's homes. Receptions hosted by Kempthorne supporters are giving people an opportunity to hear directly from the Candidate and his wife without any analysis or editorial comments from the media. The receptions have also become an effective fundraising tool for the campaign, allowing new contributors to donate -- even if it's only a small amount.



93040990271

U.S. Senate Candidate Dirk Kempthorne wants to talk taxes with the people of Idaho. After announcing his intention to run for the Senate, Kempthorne said he would take his record of fiscal responsibility to Washington, D.C. to help get the federal deficit under control and curb the tax and spend mentality currently held by Congress. "Before we can turn this runaway train around we must first stop the train," Kempthorne said.

"For every dollar most Idahoans pay in taxes, 61 cents ends up going straight to Washington, D.C., and yet Congress can't balance a budget. Instead, my Democratic opponent and others in Congress continually raise the debt limit, and ask for more money.

"Less than 10 cents of your tax dollar goes to local government, and yet that's the fund that pays for police and fire protection, schools, parks, libraries, and the road system. It's the things that we touch every day. It's where we live, and yet local governments balance their budgets every year."

Kempthorne said he will support a Balanced Budget Amendment, and line-item veto authority for the President, but he will not vote to raise the debt limit anymore. "We have to live within our means as a government. We citizens have to do it every year."

Stallings says his bank dealings problem-free

10-3-91

By Katherine Shaver
States News Service I.P.T.

WASHINGTON — Rep. Richard Stallings, D-Idaho, said besides one accounting error at the House Bank last fall, he has been problem-free with his personal finances at the Capitol Building bank and did not bounce checks like many of his colleagues. The congressman said he was "shocked" last fall when the House Bank notified him his account balance "was awfully close to zero" and he could risk bouncing future checks. Stallings said he knew he "had more than enough to cover" additional checks and subsequently discovered the bank had not recorded a earlier \$500 deposit on his account. "I got back to the office, found the deposit slip, pointed out mistakes and that was the end of it," Stallings said in an interview Monday. A recent General Account Office report illustrated that members of the House of Representatives had written 4,322

'Rubbergate' Stallings admits bouncing checks

10-4-91

By Katherine Shaver
States News Service I.P.T.



Rep. Richard Stallings

notified him once last fall. He had said bank officials told him then that his account "was

WASHINGTON — Rep. Richard Stallings, R-Idaho, Thursday conceded he overdrew his account at the House Bank seven times in the past two years, saying he "misspoke" last week when he told reporters he had not bounced any checks like many of his colleagues.

Last week, following widespread publicity that many House members had repeatedly bounced checks on their personal accounts at the House Bank in the Capitol building, Stallings told reporters the bank had only

Turn to Stallings, Page 2A

• TEL-US • 10-5-91

There were 271 responses Friday to this question
What is your opinion of R. Stallings in light of developments in Congress?

BETTER 15% WORSE 61%
SAME 24%



Dirk Kempthorne Senate '92

© BOX 1866
BOISE IDAHO 83701-9978

BULK RATE
U.S. POSTAGE
PAID
BOISE, ID 83708
PERMIT NO. 759

93040990273

U.S. POSTAL SERVICE
APPLICATION TO MAIL WITHOUT AFFIXING POSTAGE STAMPS

APPLICANT: File at office where mailings will be made with required fee.

NAME OF APPLICANT (Print or Type) **KEMPTHORNE FOR SENATOR**

ADDRESS OF APPLICANT (Street, Apt./Suite No., City, State and ZIP Code) (Print or Type) **P.O. Box 16881866 Boise, ID 83701**

APPLICANT'S TELEPHONE NO. **336-0092**

AVERAGE NUMBER OF PIECES IN EACH MAILING **200+**

CLASS OF MAIL MATTER
 FIRST SECOND THIRD FOURTH

SIGNATURE OF APPLICANT **Jubie Shroder**

DATE **8/29/91**

TO BE COMPLETED BY POSTMASTER

AMOUNT OF FEE COLLECTED **\$ 150.00**

PERMIT NUMBER **759**

DATE OF ISSUANCE **8-29-91**

POSTMASTER: Retain application in your file. When approved, deliver authorization to permit holder.

PS Form 3601, July 1980



Julie Harwood

	Aug. 1991	Sept. 1991	Oct. 1991	Nov. 1991	Dec. 1991	Jan. 1992	Feb. 1992	Mar. 1992	Apr. 1992
Symms Campaign	\$1830	\$1830	\$1830						
Kempthorne Campaign				\$915	\$2747	\$916	\$1833	\$1861	\$2791

Peter Moloney

	Aug. 1991	Sept. 1991	Oct. 1991	Nov. 1991	Dec. 1991	Jan. 1992	Feb. 1992	Mar. 1992	Apr. 1992
Symms Campaign	\$946	\$946	\$1618						
Kempthorne Campaign				\$473	\$1421	\$473	\$946	\$960	\$1440

Pat Nelson

	Aug. 1991	Sept. 1991	Oct. 1991	Nov. 1991	Dec. 1991	Jan. 1992	Feb. 1992	Mar. 1992	Apr. 1992
Symms Campaign	\$658	\$582	\$730						
Kempthorne Campaign				\$364	\$659	\$105	\$246	\$216	\$404

Sources:

- January 31 Year End Federal Election Report of 1991 for the Steve Symms For Senate Committee
- January 31 Year End Federal Election Report of 1991 for the Dirk Kempthorne Senate '92 Committee
- April 15 Quarterly Federal Election Report of 1992 for the Dirk Kempthorne '92 Committee





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1992

Daniel E. Williams
Idaho State Democratic Party
P.O. Box 445
Boise, Idaho 83701

RE: MUR 3584

Dear Mr. Williams:

This letter acknowledges receipt on August 19, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Dirk Kempthorne, Steve Symms, Dirk Kempthorne Senate '92 and Sharon L. Allen, as treasurer, Symms for Senate Committee and Richard L. Buxton, as treasurer, Julie Harwood, Peter Moloney and Pat Nelson. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3584. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure
Procedures

93040990275



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 25, 1992

Sharon L. Allen, Treasurer
Dirk Kempthorne Senate '92
P.O. Box 1866
Boise, Idaho 83701

RE: MUR 3584

Dear Ms. Allen:

The Federal Election Commission received a complaint which indicates that the Dirk Kempthorne Senate '92 Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3584. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040990276

Sharon L. Allen
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990277



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 25, 1992

Dirk Kempthorne
2211 Cornhusk Court
Boise, Idaho 83706

RE: MUR 3584

Dear Mr. Kempthorne:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3584. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

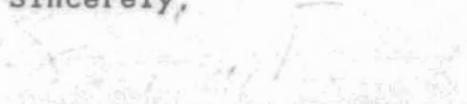
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93040990278

Dirk Kempthorne
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,


Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990279



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1992

Richard L. Buxton, Treasurer
Symms for Senate Committee
P.O. Box 471
Boise, Idaho 83701

RE: MUR 3584

Dear Mr. Buxton:

The Federal Election Commission received a complaint which indicates that the Symms for Senate Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3584. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

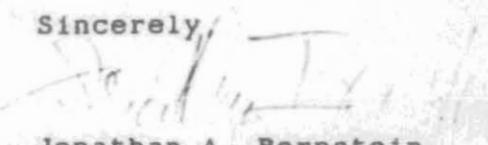
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Richard L. Buxton
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,


Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990281



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 25, 1992

Steve Symms
P.O. Box 471
Boise, Idaho 83701

RE: MUR 3584

Dear Mr. Symms:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3584. Please refer to this number in all future correspondence.

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93040990282

Steve Symma
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990283



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

August 25, 1992

Julie Harwood
8723 San Marino Drive
Boise, Idaho 83712

RE: MUR 3548

Dear Mr. Harwood:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3548. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

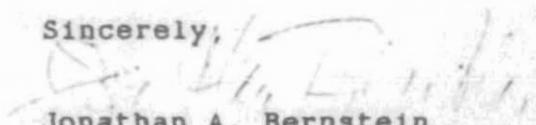
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93040990284

Julie Harwood
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,


Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990285



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 25, 1992

Peter Moloney
4931 Sorrento
Boise, Idaho 83704

RE: MUR 3548

Dear Mr. Moloney:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3548. Please refer to this number in all future correspondence.

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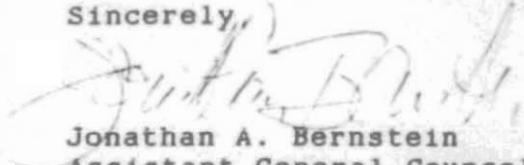
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93040990286

Peter Moloney
Page 2

If you have any questions, please contact Richard Zanfardino, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990287



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 25, 1992

Pat Nelson
3349 Chickory Way
Boise, Idaho

RE: MUR 3548

Dear Mr. Nelson:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3548. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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93040990238

Pat Nelson
Page 2

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Sincerely,

Jonathan A. Bernstein
Jonathan A. Bernstein
Assistant General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93040990289



IDAHO STATE DEMOCRATIC PARTY

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MUR 3584

P.O. Box 445
Boise, ID 83701
Phone (208) 336-1815
Toll Free in Idaho 1-800-542-ISDP (4737)
FAX (208) 336-1817

AUG 31 9 28 AM '92

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JULIE DEDMAN

Daniel E. Williams
Chief Legal Counsel

August 26, 1992

General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: Williams v. Kempthorne, et al.

Dear Counsel:

This letter represents an Addendum to the Complaint filed August 18, 1992, and captioned Daniel E. Williams, Complainant, vs. Dirk Kempthorne, Kempthorne for Senate, Steven Symms, Symms for Senate, Respondents. I provide this addendum to provide additional information and confirmation of the matters set forth in the original Complaint.

The Federal Election Commission must act to bring Respondents into compliance with applicable laws. The additional evidence discussed below establishes conclusively that the Kempthorne and Symms Committees have violated the Federal Election Campaign Act and F.E.C. regulations. Such violations cannot be attributed simply to sloppy reporting or commonplace administrative errors. Rather, they evidence an utter disregard for minimum reporting requirements and contribution limits.

The F.E.C. should take all necessary steps to correct this situation as soon as possible, including ordering an audit of the books and records of the Kempthorne and Symms Committees to insure that the public record accurately reflects the activities of the Committees. The F.E.C. should require the Kempthorne Committee to refund to the Symms committee the full amount of undisclosed in-kind contributions and should require the Symms Committee to file continuing F.E.C. reports at the same time that the Kempthorne Committee is required to file.

Paid for by Idaho State Democratic Central Committee, Joe Berenter, Treasurer

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Remember to check your income tax form for "Tax Check-Off" for the Democratic Party. Thank you.

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Further Evidence and Admissions of Violations.

1. According to news reports following the filing of the original Complaint (see Associated Press report attached as Exhibit A), an individual named Kelly Beale, who operates KRB Enterprises and provides computer services to the Kempthorne Committee, confirmed that the computer equipment used by Kempthorne came from the Symms Committee and other sources.

2. At first, the Kempthorne campaign called the evidence of violations in the original Complaint "baseless and false." Yet, Kempthorne's campaign manager, Phil Reberger, who previously worked on Symms Senate staff at the same time as he ran the Kempthorne campaign, admitted in a news report (see The Spokesman-Review report attached as Exhibit B), that the Kempthorne computer system came from the Symms operation. Reberger also admits that there was "value received and given."

3. Taking depreciation into account, a conservative estimate of the value of the computer equipment and printers supplied to the Kempthorne campaign by the Symms operation is \$4,250.00.

4. The Kempthorne campaign has not denied that the Symms Committee employees identified in the original Complaint performed work on behalf of the Kempthorne campaign. The three staff members were paid by the Symms Committee for three months after Symms announced he would not run for reelection. The filings already on record in the original Complaint indicate a high level of Kempthorne activity during the relevant time period. By the Symms Committee's own reports, the value of these employees' time totalled \$10,970.00.

5. Just as the Symms employee time represented an unreported in-kind donation, so too did the staff's use of the Symms campaign office represent an in-kind contribution. As set forth in Exhibit A to the original Complaint, the value of the Symms office for the relevant period was approximately \$1,250.00.

6. On this record, the minimal amount of unreported in-kind contributions made to the Kempthorne Committee by the Symms operation is \$16,470.00.

Conclusion

Respondents are not new to federal election law requirements. Kempthorne's campaign manager, Phil Reberger, is a veteran of federal elections (See Exhibit B). The Kempthorne and Symms Committees' failure to provide the complete disclosure required by federal law does a disservice to the voters of Idaho, who must rely on F.E.C. reports for reliable information about the campaign activities of federal candidates.

93040990291

On the basis of the foregoing, Complainant asks that the Commission take the following actions:

1. Conduct a prompt investigation, including an audit, of all the violations evidenced in the original Complaint;
2. Enter into a prompt conciliation with the Respondents to remedy the violations evidenced in the original Complaint and confirmed in this Addendum;
3. Require, as a necessary part of the conciliation, that the Symms Committee file regular pre-election reports with the F.E.C. at the same time as the Kempthorne campaign to ensure that no further violations occur;
4. Require the Kempthorne campaign to refund no less than \$16,470.00 to the Symms Committee to reflect the minimum value of the unreported in-kind contributions;
5. Impose any further restrictions or penalties as the circumstances may require.

DATED this 26th day of August, 1992.


 Daniel E. Williams

STATE OF IDAHO)
) ss:
 County of Ada)

On this 26th day of August, in the year 1992, before me, TANI R. SMITH, notary public, personally appeared Daniel E. Williams, known or identified to me to be the person who executed the instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


 Notary Public for Idaho
 Residing at Meridian Idaho
 My Commission Expires 3/4/93

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 92 AUG 31 PM 3:55

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92 AUG 31 PM 3: 55

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Kempthorne, Symms accused of violating campaign laws

Associated Press

BOISE — The campaigns of Republican Senate candidate Dirk Kempthorne and the man he wants to succeed — retiring GOP Sen. Steve Symms — have been accused of conspiring to violate federal campaign finance laws.

In a formal complaint filed Tuesday with the Federal Election Commission, Dan Williams, the attorney for the Idaho Democratic Party, claimed the Symms campaign — with its \$485,000 war chest — contributed equipment, services and staff to the Kempthorne political operation in excess of legal limits, and that neither campaign reported the subsidies as required by federal law.

The Symms campaign, in its current legal status, has already contributed the maximum \$2,000 allow under federal law, and Williams said all in-kind, or non-cash, contributions through the alleged subsidies would be illegal since they go beyond that limit.

The Kempthorne campaign, which has been under criticism both inside and outside the Republican Party for its less-than-subtle ties to Symms, had no comment initially.

But after reviewing the complaint, spokesman Mark Snider

called it "baseless and false."

"This truly is much ado about nothing," Snider said, promising the campaign's full cooperation with any requests from the federal agency. But Kelly Beale, who operates KRB Enterprises and provides computer and federal financial compliance services to both Kempthorne and Symms, said most of the computer equipment in the Kempthorne operation came from either Symms' or GOP Sen. Larry Craig's campaigns. Beale also said he sold the Kempthorne camp a computer for \$500 last spring.

None of that equipment or those transactions are identified in the Kempthorne or Symms reports. But Beale said the equipment in question has little value.

"All the machines they've got down there belong to other people," Beale said. "I don't know what they did; Symms either donated them or they bought them. But they have little value — maybe 50 bucks."

The allegations and complaint were lodged against the Boise mayor less than three hours before Kempthorne stood in the national spotlight, addressing the Republican National Convention in Houston.

Although he has repeatedly linked his Democratic rival, Con-

gressman Richard Stallings, to the scandals that have rocked Congress in recent years, Kempthorne made no comments about political ethics in his nationally televised address.

A day earlier, Republicans charged Stallings with abusing his congressional free-mailing privileges to bolster his campaign prospects. Stallings supporters said the claim was a distortion.

And Williams said his charges were much more serious.

"What I'm talking about are serious violations of federal campaign laws," Williams said. "It's clear we've got an operation going that's taking advantage of the Symms equipment, paid staff, even the office itself."

Specifically, the complaint alleged that the Symms campaign paid for the Kempthorne campaign office last September and October. But Snider said the space the Kempthorne campaign occupied at that time was elsewhere in the same building and being paid for by it.

The complaint also alleged that while the Kempthorne campaign has reported spending more than \$1,500 on computer parts, supplies and repairs since last October, it has never reported buying, leasing or being donated a computer.

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EXHIBIT

B

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A
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FOR STYLE
Newspaper looking for a few
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IN HOME, D1

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HANDLE, B1

THE SPOKESMAN-REVIEW

SPOKANE, WASHINGTON

Kempthorne campaign fails to report loan of computers

By Dean Miller,
Staff writer

BOISE— Republican U.S. Senate candidate Dirk Kempthorne's campaign has borrowed a four-computer accounting and direct mail label system from senators Steve Symms and Larry Craig and former Sen. Jim McClure, a campaign official said Thursday.

The Republicans' loan to Kempthorne has not been reported on any campaign finance disclosure forms. Federal election laws require candidates to disclose to the public all cash and in-kind donations and loans.



But, while the Idaho Democratic Party has filed formal charges over the unreported donation, Kempthorne's campaign manager says he doubts the Federal Election Commission will rule the loan was illegal.

"We assumed we were within bounds," Kempthorne campaign chief Phil Reberger said Thursday. He said the computer system is a lending library of sorts whose costs are shared by the Republicans who use it.

Computers have become a vital and expensive tool in statewide campaigning. Book-keeping nightmares are tamed with computer record-keeping, saving hours of volunteer and paid staff time. In addition, sophisticated direct-mail fund raising and voter-contact strategies were nearly impossible until desktop computers became widely available in

the last decade.

The system Kempthorne is using is not available to all Republicans. For instance, Craig used it in 1990 in his primary election contest against former Attorney General Jim Jones and Kempthorne used it this spring to win his primary election battle against fellow Republicans Rod Beck and Milt Erhart of Boise.

"It's for those who have been anointed, it sounds like," said Rep. Richard Stallings, Kempthorne's Democratic opponent in the upcoming general election. "I think it's a rather cozy insider's deal," said Stallings, who said he's had to pay lease and rental fees for his computer system.

"Here Kempthorne has been running as the outsider, saying he's going to clean up

Washington. This really makes their whole campaign against so-called insiders very hypocritical," Stallings said.

Reberger said the Democratic Party's complaint to the FEC has prompted him to seek a ruling on the computer sharing arrangement.

"I'm going to the FEC and say, all right, what are our reporting requirements here?" Reberger said Thursday.

Democratic Party attorney Dan Williams, who filed the FEC complaint Tuesday, said there is no doubt Kempthorne has broken federal campaign laws.

"I think they're admitting a violation," Williams said. "The regulations are really quite simple. If you receive something of value you simply have to report it and it goes

toward the overall maximum contribution allowed."

Williams has alleged that since Symms has already donated the legal maximum of \$2,000 to Kempthorne's campaign in cash, any in-kind contributions such as the computer system are over the limit.

But Reberger says the use of the system does not qualify as a gift. Kempthorne must pay for all maintenance and repair work while he's using it and any improvements he makes stay with the system when it goes on to the next user.

"It's not worth a heck of a lot in the marketplace," Reberger said of the system, parts of which are 10 years old, prehistoric in computer terms. "But, there's certainly value

Please see KEMPTHORNE: A9

Bush attacks

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CONTINUED FROM A1

Kempthorne

received and given. From (election) cycle to cycle, the campaign in cycle would acquire whatever equipment was there in repairs for maintaining and servicing it and they were responsible for any additional. He said each purchase of new equipment has been properly reported to the FEC, as have all service costs. Those reports constitute reporting of the cost to use the entire system. Reberger said the computer system is not a gift. Though Reberger says no one technically owns the system, its use is controlled by Reberger and Al Henderson, Kempthorne's part-time campaign political director who also works part-time on the federal payroll in the Senate offices of Symms and Craig.

was started by Symms in 1980 when Reberger ran Symms' successful challenge of Democratic Sen. Frank Church. Since then, it has been used, maintained and improved by McClure's re-election campaign in 1984, by Symms' re-election campaign in 1986, by Craig's U.S. House re-election campaign in 1988, by McClure when he started to run for re-election to the U.S. Senate in 1990 and then by Craig after McClure withdrew from the race. None ever reported the computers as a gift, Reberger said. Though Reberger says no one technically owns the system, its use is controlled by Reberger and Al Henderson, Kempthorne's part-time campaign political director who also works part-time on the federal payroll in the Senate offices of Symms and Craig.

controlled by Reberger and Al Henderson, Kempthorne's part-time campaign political director who also works part-time on the federal payroll in the Senate offices of Symms and Craig. Reberger is on a leave of absence from his federal job as chief of staff for Symms' U.S. Senate office. He and Henderson have run Symms, McClure's and Craig's successful races for the U.S. Senate. At present, the system they bring with them to each campaign consists of four computers connected as a network. The computers range in age and power from a primitive 1980 IBM clone to a more recent IBM clone with the faster 386 model processor, Reberger said. In addition, the system is linked to a Hewlett-Packard laser jet printer that is at least 7 years old. McClure's campaign paid for a

file server that links all the computers into a network. Kempthorne's campaign has this year added a later model IBM clone purchased used for \$500 with a hard-disk drive for large-volume data storage. That computer is not hooked up to the network. Democratic Party lawyer Williams said that if the FEC rules Kempthorne's unreported gift illegal, Symms, McClure and Craig may be in trouble as well. "What these guys are doing is not disclosing a subsidy they have all shared together in the boy's club that places them above the maximum contribution limit," he said. "If Dirk Kempthorne is going to be the same kind of senator that he's been a candidate, he's just going to be part of the problem, he's not going to be part of the solution," said Williams.

CONTINUED FROM A1

Crash

Crash at Taylor estimated the bike's speed was 80 to 100 mph. When James crashed, the police car was less than a block behind him, Taylor said. There's no way he (the officer) stopped at red lights or did 30 mph, he said. Winkey, 40, said he was on Riverside trying to stop James, who was revving the engine of his Kawasaki racing bike. James pulled away at Riverside and Wall, rounded the block on Main, and sped away on Howard. Winkey said he and James went through green lights at Riverside and Sprague. He said James continued through red lights at First, Second and Third, while he stopped for all three lights. "It was just like a time warp," said Winkey, a night shift commander. "He frankly just took off like a rocket." Winkey said he stopped to make sure traffic was clear, then went through the red lights. Winkey said he believes he stopped but, "if I didn't come to a complete stop, it was 2, 3, 4

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CONTINUED FROM A1

Peterson

budget committee, issued a statement severely criticizing the contract. Thorne expressed disappointment that Zinser would hire someone heavily involved in a political campaign. "It casts a shadow over the university, which is not in the best interest of higher education," he said. Zinser, who has been trying to expand the Boise presence of the Moscow school, called the contract a "small investment to get some good contacts, planning and activities in Boise beyond what we already have been doing."

LaRocco said he believes the difference between Peterson's situation and Reberger's was that Reberger was on a federal payroll while Peterson's arrangement involved a private consulting contract for a relatively modest amount of money. Reberger received a major portion of his \$118,000 salary as Symms' chief of staff for months while he was running the Kempthorne campaign. In July, his federal compensation was cut to \$150 a month, the amount needed to keep him eligible for lucrative taxpayer-subsidized health and pension benefits. But within a month political pressure forced him to completely sever himself from the federal payroll.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

September 4, 1992

Daniel E. Williams
Idaho State Democratic Party
P.O. Box 445
Boise, ID 83701

RE: MUR 3584

Dear Mr. Williams:

This letter acknowledges receipt on August 31, 1992, of the supplement to the complaint you filed on August 18, 1992, against Dirk Kempthorne, Steve Symms, Dirk Kempthorne Senate '92 and Sharon L. Allen, as treasurer, Symms for Senate Committee and Richard L. Buxton, as treasurer, Julie Harwood, Peter Moloney, and Pat Nelson. The respondents will be sent copies of the supplement. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Richard M. Zanfardino
Staff Member

93040990296



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

September 4, 1992

Dirk Kempthorne Senate '92
Sharon L. Allen, treasurer
P.O. Box 1866
Boise, ID 83701

RE: MUR 3584

Dear Ms. Allen:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On August 31, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

Enclosure

93040990297



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

September 4, 1992

Dirk Kempthorne
2211 Cornhusk Ct.
Boise, ID 83706

RE: MUR 3584

Dear Mr. Kempthorne:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. M. Zanfardino".

Richard M. Zanfardino
Staff Member

Enclosure

93040990298



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 4, 1992

Symms for Senate Committee
Richard L. Buxton, as treasurer
P.O. Box 471
Boise, ID 83701

RE: MUR 3584

Dear Mr. Buxton:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

Enclosure

93040990299



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 4, 1992

Hon. Steve Symms
P.O. Box 471
Boise, ID 83701

RE: MUR 3584

Dear Senator Symms:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

Enclosure

93040990300



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 4, 1992

Julie Harwood
8723 San Marino Dr.
Boise, ID 83712

RE: MUR 3584

Dear Ms. Harwood:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact me at (202) 219-3690.

Sincerely

Richard M. Zanfardino
Staff Member

Enclosure

93040990301



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

September 4, 1992

Peter Moloney
4931 Sorrento
Boise, ID 83704

RE: MUR 3584

Dear Mr. Moloney:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

Enclosure

93040990302



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 4, 1992

Pat Nelson
3349 Chickory Way
Boise, ID 83706

RE: MUR 3584

Dear Mr. Nelson:

On August 25, 1992, you were notified that the Federal Election Commission received a complaint from Daniel Williams alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On August 31, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Zanfardino
Staff Member

Enclosure

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September 8, 1992

Mr. Jonathan A. Bernstein
Assistant General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3548 ³⁵⁸⁴

Dear Mr. Bernstein:

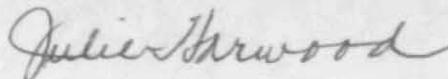
I was employed by Symms for Senate until October 31, 1991, and began working for Dirk Kempthorne's campaign November 1, 1991.

It was necessary to keep the Symms for Senate office open for business after Senator Symms announced that he had decided not to run for the U.S. Senate in order to complete thank you letters to contributors, refund contributions, pay creditors, prepare the upcoming FEC Report and conduct other necessary business before closing the office.

Anything done for Dirk Kempthorne prior to November 1, 1991, was voluntary during my lunch hours, evenings and weekends. I, along with many other volunteers, gladly gave of our free time to promote Dirk's candidacy in space rented by the Kempthorne campaign at 802 W. Bannock, Room 804---not LP 102, as suggested by Mr. Williams.

I hope this will clarify the allegations made by Mr. Daniel Williams.

Sincerely,



Julie Harwood

cc: Richard Zanfardino

93040990304

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3548

NAME OF COUNSEL: Bart W. Harwood

ADDRESS: 8723 San Marino Drive

Boise, ID 83704

TELEPHONE: 208-375-7411 (H)

208-336-0404

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

9/8/92

Date

Julie Harwood
Signature

RESPONDENT'S NAME: Julie Harwood

ADDRESS: 8723 San Marino Dr.

Boise, ID 83704

HOME PHONE: 208-375-7411

BUSINESS PHONE: 208-336-0092

93040990305

06C 6426

RECEIVED
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09/09/92

SEP 15 9 38 AM '92

Mr. Richard Zanfardino
Federal Election Commission
Office of General Counsel
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 SEP 15 AM 10:41

Dear Mr. Zanfardino:

RE: MUR 3548 *3584*

This letter is in response to your notification of complaint I received August 29, 1992.

I was an employee of the Symms for Senate campaign through October 31, 1991. It was my responsibility to help in the closure of the campaign office, and all activities related to that task. I occasionally volunteered for the Kempthorne campaign prior to November 1, 1991.

Please feel free to contact me if any other information is needed.

Very truly yours,

Peter D. Moloney
Peter D. Moloney

93040990306

OGC 6425

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SEP 15 9 38 AM '92

September 10, 1992

Federal Election Commission
Jonathan A. Bernstein
Assistant General Counsel
Washington, DC 20463

RE:MUR 3584

Dear Mr. Bernstein:

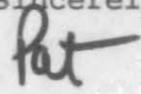
I am responding to your letter received August 28, 1992 regarding a complaint filed by the Idaho Democratic Party against Dirk Kempthorne, Kempthorne for Senate, and Steve Symms, Symms for Senate.

I was employed by the Symms for Senate campaign from May 1991 to October 31, 1991. Despite the fact that Senator Symms announced in August that he would not be running for re-election, the Symms campaign office remained open. At that time August thru October, I did computer entry, thank-you letters, and worked on the FEC report due during that period.

From the period that Dirk Kempthorne announced his candidacy until November 1991, I did do volunteer work for his campaign on my own time and did not charge the Kempthorne campaign for my services. In November 1991, I was hired by the Kempthorne for Senate campaign and continue to work for the Kempthorne for Senate campaign on a part-time basis.

I hope this will explain any misunderstanding about my employment during this time.

Sincerely,



Mrs. Pat Nelson

93040990307

92 SEP 15 AM 10:40

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE
GENERAL COUNSEL



RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

SEP 16 1 55 PM '92

September 14, 1992

Mr. Jonathan A. Bernstein
General Counsel's Office
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Bernstein:

This responds to your letter of August 25, 1992, which was received on August 31, 1992, regarding MUR 3584.

The complaint alleges various in-kind contributions were not reported by this committee.

With regard to rent payments, all payments have been reported as outlined in the complaint. In September and October of 1991, this committee rented an office in the Hoff Building, Boise, Idaho, Room 804 and did not utilize Suite LP 102. In November, 1991, this committee rented Suite LP 102 when it became available.

Some of the computer and printer equipment utilized by this committee came from the Symms for Senate committee with the understanding that it would need to be maintained and upgraded in lieu of rental or lease payments. This particular equipment ranges in age from four to seven years -- considerably outdated by current computer standards. An outside vendor estimate (attached) of the current market value of this equipment totals \$1950. This committee has already expended far in excess of the maximum estimated value on repair, maintenance, parts and upgrades to keep this equipment in functional status.

This committee has reported monthly payments to Fisher's Office Equipment, Boise, Idaho, which includes a monthly lease payment for a telefax machine.

The copier utilized by the committee is on a lease agreement (attached) with the Craig for Senate committee and the lease payments will be reflected in this committee's appropriate report filings.

Telephone line 208 344-1776 was acquired in November, 1991, and has been rented from U.S. West and reported by this committee since that time.

93040990308

This campaign did not utilize paid staff members until November, 1991. What little campaign activity that took place prior to that time was accomplished with several volunteers. The candidate did not even formally announce and kick-off his campaign until January, 1992, as the primary election was not held until May 26, 1992.

Please advise if you have any additional questions.

Sincerely,

Sharon L. Allen

Sharon L. Allen
Treasurer

Dirk Kempthorne

Dirk Kempthorne
Candidate

93040990309

KRB ENTERPRISES

ESTIMATED VALUES FOR COMPUTER EQUIPMENT:

(3) - IBM PERSONAL COMPUTERS-	\$150.00
(1) - NEC POWERMATE 386-20-	\$800.00
(1) - IBM AT-	\$400.00
(1) - MEMORY UPGRADE-	\$300.00
(1) - HP LASERJET-	\$150.00
(1) - NEC 5200/5300-	\$150.00
TOTAL:	\$1950.00

93040990310

Kelly Beale
KELLY BEALE
OWNER

United States Senator
Washington, D.C.

LARRY E. CRAIG
IDAHO

LEASE AGREEMENT

The Craig for Senate Committee agrees to provide the Kempthorne for Senate Committee with various office equipment items (286 Hitech computer, Sharp copier, four chairs) for the duration of the 1992 election cycle (ending December 15, 1992) in return for monthly remuneration of \$100.00, payable semi-annually upon receipt of invoice.

Julie S. Harwood . 1/6/92
Julie Harwood
Office Manager
Kempthorne for Senate

Greg Casey
Greg Casey
Chief of Staff
Senator Larry Craig

93040990311

United States Senator

HLR 3584

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

SEP 18 9 31 AM '92

STEVE SYMMS
IDAHO

September 14, 1992

Mr. Jonathan A. Bernstein
Ass't General Council
Federal Election Commission
Washington, D.C. 20463

(Delivered via FAX to 219-3923)

Dear Mr. Bernstein:

This letter is in response to your letter of August 25, 1992 which enclosed a complaint by the Idaho State Democratic Party, and a letter dated September 4, 1992 from your associate, Mr. Richard M. Zanfardino, which enclosed an addendum to the complaint.

Rather than respond separately to the complaint and the addendum, I am requesting a time extension of an additional 15 days from date of receipt of the addendum to respond to both. The amended complaint was received at my Boise campaign Post Office box on September 10, 1992.

In reviewing the addendum, I note the complainants have added new allegations to their complaint and have attached arbitrary dollar values to their accusations. It will take additional time to respond to the new and amended allegations.

Please consider this request and let me know immediately if the time extension is not approved.

Thank you for your consideration.

Sincerely,
Steve Symms

Steve Symms
U.S. Senator

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 SEP 18 AM 11:37

93040990312



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 15, 1992

The Honorable Steve Symms
United States Senator
509 Senate Hart Office Building
Washington, DC 20510

RE: MUR 3584

Dear Senator Symms:

This is in response to your facsimile dated September 14, 1992, which we received on that day, requesting an extension of 15 days to respond to the complaint in this matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 25, 1992.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. M. Zanfardino", written in a cursive style.

Richard M. Zanfardino
Staff Member

93040990313

United States Senator

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

SEP 28 12 11 PM '92

STEVE SYMMS
IDAHO

September 25, 1992

Mr. Jonathan A. Bernstein
Ass't General Council
Federal Election Commission
Washington, D.C. 20463

RE: MUR 3584

(Delivered via FAX to 219-3923)

Dear Mr. Bernstein:

This letter responds to your letter with attached complaint by Mr. Daniel E. Williams of August 25, 1992 and Mr. Richard M. Zanfardino's letter and attached complaint addendum, also by Br. Daniel E. Williams, dated September 4, 1992.

The complaint and addendum allege the Symms for Senate Committee (Symms Committee) made several in-kind contributions to the Kempthorne for Senate Committee (Kempthorne Committee) during 1991 and early 1992.

Regarding the allegation in paragraph 6 of the original complaint, the Symms Committee did not provide office space for the Kempthorne Committee. Activities in room LP 102 were Symms Committee activities until November when it was released. I understand the Kempthorne Committee subsequently rented the space.

With regard to paragraph 7 of the original complaint, the Symms Committee has no knowledge of and denies any connection with the Kempthorne Committee's use of a telefax or copy machine. Certain computer and peripheral equipment was provided to the Kempthorne Campaign in exchange for servicing, maintenance and upgrades as necessary. It is my understanding the cost of those items exceeds the value of the equipment and that those costs have been reported appropriately as required by the FEC. As to the inference that Symms bumper stickers signify ownership, that logic would put the Symms Committee in possession of hundreds, if not thousands, of automobiles.

Paragraph 9 alleges the Symms Committee provided the Kempthorne Committee with a telephone line. That is incorrect. The Symms Committee relinquished the line upon closure of the

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FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL
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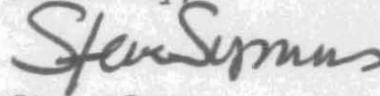
office. The telephone number appears on the fundraising letter because the Symms Committee had a large supply of letterhead, which included the former campaign number, on hand prior to my decision not to run. The Symms Committee continues to use that letterhead as needed.

The allegations in paragraph 10, 11, 12, 13, 14, 15 and 16 suggest Symms Committee staff were performing work for the Kempthorne Committee while being compensated by the Symms Committee. That is incorrect. However, although I have no direct knowledge of this, it is possible and perfectly allowable for some Symms' Committee Staff to have agreed to volunteer on their own time to help the Kempthorne Committee.

The addendum to the complaint attempts to attach dollar amounts to the prior allegations. I believe the above responses adequately address the additional allegations contained in the addendum.

I trust this response will put to rest the false, and clearly politically motivated allegations from Mr. Williams. Please let me know if you require any additional information.

Sincerely,



Steve Symms

93040990315

MUR # 3584

ADDITIONAL DOCUMENTS WILL BE ADDED TO THIS FILE AS THEY
BECOME AVAILABLE. PLEASE CHECK FOR ADDITIONAL MICROFILM
LOCATIONS.

93040990316



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3584
DATE FILMED 10/28/93 CAMERA NO. 2
CAMERAMAN MC

93040990317



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

Microfilm
 Public Records
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3584.

12/10/93

93043543037

**THE READER IS REFERRED TO ADDITIONAL MICROFILM LOCATIONS
FOR THE FOLLOWING DOCUMENTS PERTINENT TO THIS CASE**

1. Memo, General Counsel to the Commission, dated September 22, 1992, Subject: Priority System Report. See Reel 354, pages 1590-94.
2. Memo, General Counsel to the Commission, dated April 14, 1993, Subject: Enforcement Priority System. See Reel 354, pages 1595-1620.
3. Certification of Commission vote, dated April 28, 1993. See Reel 354, pages 1621-22.
4. General Counsel's Report, In the Matter of Enforcement Priority, dated December 3, 1993. See Reel 354, pages 1623-1740.
5. Certification of Commission vote, dated December 9, 1993. See Reel 354, pages 1741-1746.

23043543038



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Daniel E. Williams, Esq.
Idaho State Democratic Party
P.O. Box 445
Boise, ID 83701

RE: MUR 3584

Dear Mr. Williams:

On August 19, 1992, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Dirk Kempthorne; Dirk Kempthorne Senate '92 and Sharon L. Allen, as treasurer; Steve Symms; Symms for Senate Committee and Richard L. Buxton, as treasurer; Julie Harwood; Peter Moloney; and Pat Nelson. See attached narrative. Accordingly, the Commission closed its file in this matter. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,
Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: DEC 09 1993

93043543039

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

23043543040



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

DEC 7 6 1993

The Honorable Steve Symms
P.O. Box 471
Boise, ID 83701

RE: MUR 3584
Steve Symms

Dear Senator Symms:

On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file:

DEC 6 9 1993

23043543041

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

23043543042



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

The Honorable Dirk Kempthorne
2211 Cornhusk Ct.
Boise, ID 83706

RE: MUR 3584

Dear Senator Kempthorne:

On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: _____

DEC 09 1993

23043543043

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

23043543044



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 16 1993

Dirk Kempthorne Senate '92
Sharon L. Allen, Treasurer
P.O. Box 1866
Boise, ID 83701

RE: MUR 3584
Dirk Kempthorne Senate '92 and
Sharon L. Allen, as treasurer

Dear Ms. Allen:

On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Dirk Kempthorne Senate '92 and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: _____

DEC 09 1993

23043543045

NUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

93043543046



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1992

Symms for Senate Committee
Richard L. Buxton, Treasurer
P.O. Box 471
Boise, ID 83701

RE: MUR 3584
Symms for Senate Committee and
Richard L. Buxton, as treasurer

Dear Mr. Buxton:

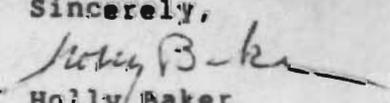
On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Symms for Senate Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,


Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file:

DEC 09 1993

23043543047

MUR 3584
DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

93043543048



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1992

Bart W. Harwood, Esq.
8723 San Marino Drive
Boise, ID 83712

RE: MUR 3584
Julie Harwood

Dear Mr. Harwood:

On August 25, 1992, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

DEC 09 1992

Date the Commission voted to close the file: _____

23043543049

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

23043543050



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Pat Nelson
3349 Chickory Way
Boise, ID 83706

DEC 10 1993

RE: MUR 3584
Pat Nelson

Dear Ms. Nelson:

On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file: _____

DEC 09 1993

23043543051

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

2 3 0 4 3 5 4 3 0 5 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1992

Peter Moloney
4931 Sorrento
Boise, ID 83704

RE: MUR 3584
Peter Moloney

Dear Mr. Moloney:

On August 25, 1992, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Holly Baker
Holly Baker
Attorney

Attachment
Narrative

Date the Commission voted to close the file:

DEC 09 1992

23043543053

MUR 3584

DIRK KEMPTHORNE SENATE '92

This complaint made by the Idaho State Democratic Party alleges that the Symms for Senate Committee made excessive in-kind contributions to the Kempthorne campaign which in turn failed to report them. The two committees admit only to the Kempthorne committee's use of the Symms' computer system, but maintain that the computer system was of minimal value.

The case involves no significant issue relative to the other issues pending before the Commission, there is no indication of any serious intent by Respondents to violate the FECA, and no substantial amounts of money are involved.

23043543054