



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 3601

DATE FILMED 10/28/93 CAMERA NO. 2

CAMERAMAN MC

93040990775

August 31, 1992

VIA REGISTERED MAIL
RETURN RECEIPT REQUESTED

MUR 3601

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

92 SEP -2 PM 3:23

Dear Sir or Madam:

I attach a solicitation I received several days ago from "Bob Bennett for Senate" asking for a contribution to his campaign for the Republican nomination for a U.S. Senate seat in Utah. I believe that this solicitation is in violation of the FEC rules which prohibit candidates from using FEC lists of contributors to other candidates for solicitation without an independent connection to the potential donor.

I have never had any contact whatsoever with Mr. Bennett nor his campaign. I do not know anyone on his staff or anyone supporting his candidacy. The only means available to Mr. Bennett of obtaining my name and home address, to my knowledge, is from FEC lists showing my prior personal contributions to Senator Orrin G. Hatch. My home address is not listed in the Washington, D.C. telephone directory, for example.

As I understand from a recent Washington Post article, Mr. Bennett strives to portray himself as a man of integrity, and Washington outsider. Soliciting Senator Hatch's donors in violation of FEC rules would be, to say the least, a direct contradiction of this image. I request that the FEC fully investigate this matter and inform me of the outcome. Please call me if you require more information.

Sincerely,

Susan M. Frank
Susan M. Frank

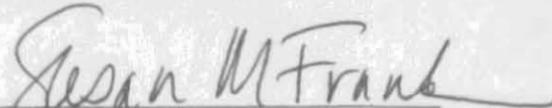
SEP 2 11 24 AM '92

RECEIVED
FEDERAL ELECTION
COMMISSION

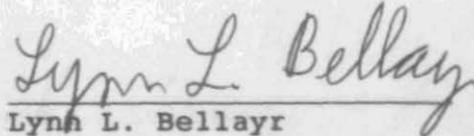
93040990776

General Counsel
Federal Election Commission
August 31, 1992
Page Two

I swear that the facts and statements contained in this letter are true to the best of my knowledge.


Susan M. Frank

Sworn before me this 31 day of August, 1992.


Lynn L. Bellayr

LYNN L. BELLAYR
Notary Public, District of Columbia
My Commission Expires February 14, 1995

2725t

93040990777

BENNETT

for Senate.

August 24, 1992

92 SEP -2 PM 3:23

Dear Susan Frank:

Utah Republicans face a crucial decision at the upcoming primary election. We must select a U.S. Senate candidate who will win in November.

Bob Bennett is that candidate!

Bob Bennett's dramatic rise, shown in the most recent Deseret News/KSL poll, demonstrates his incredible vote-winning potential. Bob's momentum is increasing. He is headed for a win and we urge you to support him!

We have personally known and worked with Bob Bennett for years. We've witnessed his exceptional business leadership; his capacity to analyze problems and find solutions; his ability to achieve consensus and bring people of differing viewpoints together.

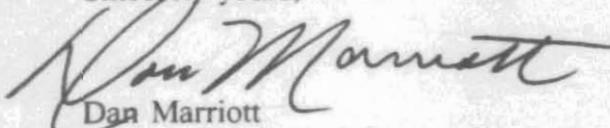
Bob needs financial support from people like us. People who share his ideals and commitment to good government. People who are willing to stand up and be counted!

We are sponsoring an Old Fashioned Western Political Dinner and Fund Raiser for Bob at Little America Hotel on September 1. Please join us. A table for 8 is only \$1,000. Individual tickets are \$125.

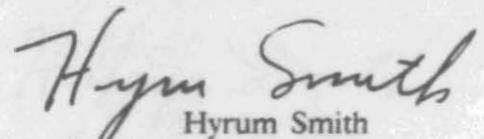
We promise you a fun, enjoyable evening, with superb western food, and great blue grass music. Of course there will be a speech or two, but we'll keep them short. The dress is western casual.

You can RSVP by the enclosed card, or by calling 521-9534 or 1-800-870-2518.

Sincerely yours,



Dan Marriott
Former Member of Congress
Campaign Chairman



Hyrum Smith
Chairman of the Board, Franklin Quest
Dinner Chairman

HYRUM W. SMITH, CHAIRMAN ■ JOHN BAIRD, TREASURER

P.O. BOX 2534 ■ SALT LAKE CITY, UTAH 84110 ■ (801) 521-9534 FAX: 801 521-9547

93040990778



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

September 8, 1992

RE: MUR 3601

Dear Ms. Frank:

This letter acknowledges receipt on September 2, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Bennett for Senate, and John K. Baird, as treasurer, Robert F. Bennett, David D. Marriott, and Hyrum W. Smith, Chairman of the Board, Franklin Quest. 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 3601. 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,

Lisa E Klein (BJKM)

Lisa E. Klein
Assistant General Counsel

Enclosure
Procedures

93040990779



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 8, 1992

Hyrum W. Smith
Chairman of the Board, Franklin Quest
230 East Broadway
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Smith:

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 3601. 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.

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.

93040990780

Hyrum W. Smith
Page 2

If you have any questions, please contact Noriega E. James, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein (Bjxm)

Lisa E. Klein
Assistant General Counsel

Enclosures

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

93040990781



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

September 8, 1992

David D. Marriott
139 E South Temple
Suite 1015
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Marriott:

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 3601. 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.

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.

93040990782

David D. Marriott
Page 2

If you have any questions, please contact Noriega E. James, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein (BXM)

Lisa E. Klein
Assistant General Counsel

Enclosures

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

93040990783



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 8, 1992

John K. Baird, Treasurer
Bennett for Senate
215 South State Street
Suite 800
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Baird:

The Federal Election Commission received a complaint which indicates that Bennett for Senate ("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 3601. 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.

93040990784

John K. Baird, Treasurer
Bennett for Senate
Page 2

If you have any questions, please contact Noriega E. James, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E Klein (Bjxm)

Lisa E. Klein
Assistant General Counsel

Enclosures

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

cc: Robert F. Bennett

93040990785

CORBRIDGE BAIRD & CHRISTENSEN

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
215 SOUTH STATE
SUITE 800
SALT LAKE CITY, UTAH 84111

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE ROOM

Oct 29 06 AM '92

LAWRENCE E. CORBRIDGE
JOHN KNAPP BAIRD
JAMES L. CHRISTENSEN
RICHARD C. TERRY
MARK J. MORRISSE
WALLACE J. CALDER

TELEPHONE
(801) 534-0900
TELECOPIER
(801) 534-1948

OF COUNSEL
JAMES G. SWENSEN, JR.

September 28, 1992

Noriega A. James
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3601

Dear Mr. James:

This letter will confirm our conversation of Monday, September 28, 1992.

Lisa E. Klein's letter of September 8, 1992, to my attention as treasurer of the BENNETT FOR SENATE campaign committee, was stamped "received" in my office on September 14, 1992. Our fifteen day period for providing you with a written response ends September 29, 1992.

At my request, you have provided an additional twenty days in which to complete our investigation and submit our written response. We have calendared our deadline for Monday, October 19, 1992.

Please advise me if this is not according to your understanding.

Thank you again for your courtesy in this matter.

Respectfully,

CORBRIDGE BAIRD & CHRISTENSEN

By:

John Knapp Baird

JKB/lag
cc: Mike Tullis
Bob Bennett

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE
92 OCT -2 AM 10:47

93040990786



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 5, 1992

John K. Baird, Treasurer
Bennett for Senate
215 South State Street
Suite 800
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Baird:

This is in response to your letter dated September 28, 1992, that refers to our conversation on the same date. During that conversation you explained the need for an extension of time to respond to the complaint filed in this matter. In your letter, you request an extension until October 19, 1992. After considering the circumstances you presented during our conversation, the Office of the General Counsel has granted a twenty day extension. Accordingly, your response is due by the close of business on October 19, 1992.

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

Sincerely,

A handwritten signature in cursive script that reads "Noriega E. James".

Noriega E. James
Paralegal

93040990787

CRN 2000

October 16, 1992

MUR 3601

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

Dear Sir:

I filed a complaint regarding Bob Bennett for Senate on August 31, 1992. I attach a copy.

I hereby withdraw the complaint. Please call me with any questions.

Sincerely,

Susan M Frank
Susan M. Frank

SMF:llb
Enclosure

92 OCT 19 PM 3:51

93040990788

2820t



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1992

RE: MUR 3601

Dear Ms. Frank:

This is in reference to your letter dated October 16, 1992, requesting that the complaint you filed against Bennett for Senate, and John K. Baird, as treasurer, Robert F. Bennett, David D. Marriott, and Hyrum W. Smith, Chairman of the Board, Franklin Quest, be withdrawn.

Under 2 U.S.C. § 437g, the Federal Election Commission is empowered to review a complaint properly filed with it and to take action which it deems appropriate under the Federal Election Campaign Act of 1971, as amended ("the Act"). A request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act. Your request will become part of the public record within 30 days after the entire file is closed.

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

Sincerely,

Noriega E. James
Paralegal

93040990789

CORBRIDGE BAIRD & CHRISTENSEN

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

215 SOUTH STATE

SUITE 800

SALT LAKE CITY, UTAH 84111

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIN COPY ROOM

Oct 26 11 38 AM '92

LAWRENCE E. CORBRIDGE
JOHN KNAPP BAIRD
JAMES L. CHRISTENSEN
RICHARD C. TERRY
MARK J. MORRISSE
WALLACE J. CALDER

TELEPHONE
(801) 534-0909

TELECOPIER
(801) 534-1948

OF COUNSEL.
JAMES G. SWENSEN, JR.

October 23, 1992

ATTN: Noriega A. James
Lisa E. Klein
Assistant General Counsel
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 3601

Dear Ms. Klein:

I am in receipt of your correspondence dated September 8, 1992, to JOHN K. BAIRD, TREASURER, BENNETT FOR SENATE. I have been in contact with Mr. Noriega James regarding this matter on several occasions. He has been most helpful in providing us with procedural guidance and sufficient time to fashion a response.

The Bennett For Senate Campaign ("Bennett Campaign") has made inquiry into the circumstances surrounding the complaint raised in the August 31, 1992 letter from Ms. Susan M. Frank to the FEDERAL ELECTION COMMISSION ("FEC"). Specifically, Ms. Frank received a mailing from the Bennett Campaign inviting her to attend a fund raising dinner for Mr. Bennett. Ms. Frank explains in her letter that she had no prior contact with Mr. Bennett. She also suggests the possibility that her name and address were obtained from FEC reports filed on behalf of Senator Orrin G. Hatch.

Although there remains some uncertainty regarding the matter, it does appear that a computer generated list provided to the Bennett Campaign and used for the fund raising dinner may have been based, in part, on information connected with lists of prior contributors to Senator Hatch.

The Bennett Campaign purchased the list used for this mailing from a local data processing service (Computer Hub, Inc.). There were several sources for the raw data and information provided to Computer Hub. These sources included mailing lists, names and addresses from prior fund raising activities of the Bennett Campaign (generated exclusively by the Bennett Campaign), commercial mailing lists purchased by the Bennett Campaign, and

RECEIVED
FEDERAL ELECTION COMMISSION
92 OCT 26 PM 4:10

23040990790

Lisa E. Klein
October 23, 1992
Page 2

information and mailing lists brought to the Bennett Campaign by volunteers previously associated with other Utah candidacies.

The Bennett Campaign believes that Ms. Frank's name and address were included in information brought to the Bennett Campaign by volunteers from other Utah candidacies. The Bennett Campaign is unsure whether or not Ms. Frank's name was originally taken from an FEC filing for Senator Hatch or simply taken from contribution lists in the possession of volunteers for Senator Hatch.

In any event, the mailing list in question has been removed from circulation by the Bennett Campaign to prevent any further use by campaign volunteers.

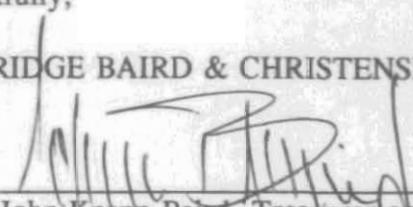
In the meantime, the Bennett Campaign is continuing to ascertain the original source from which Ms. Frank's name was obtained. We will supplement this response with additional information we receive.

Finally, the signatures of Dan Marriott and Hyrum Smith appear on the invitation letter to Ms. Frank. These are individuals who, because of their association with Mr. Bennett, agreed to host the dinner. They had no connection, whatsoever, with the preparation of mailing lists or the actual mailing of the invitations.

Respectfully,

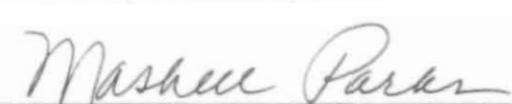
CORBRIDGE BAIRD & CHRISTENSEN

By:


John Knapp Baird, Treasurer and
Legal Counsel for the Bennett Campaign

JKB:mrp

Sworn to and subscribed before me
this 23rd day of October, 1992.


Notary Public
My Commission Expires:



93040990791

MUR # 3601

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

93040990792



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3601

DATE FILMED 10/28/93 CAMERA NO. 2

CAMERAMAN MC

93040990793



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

- Microfilm
- Public Records
- Press

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3601.

12/10/93

93043543165

**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.

93043543166



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Susan M. Frank
3405 Lowell Street, N.W.
Washington, DC 20016

RE: MUR 3601

Dear Ms. Frank:

On September 2, 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 Bennett for Senate and John K. Baird, as treasurer, the Honorable Robert F. Bennett, David D. Marriott, and Hyrum W. Smith, Chairman of the Board, Franklin Quest. 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,

Noriega E. James
Paralegal Specialist

Attachment
Narrative

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

93043543167

MUR 3601
BOB BENNETT FOR SENATE

The complainant, Susan M. Frank, alleges that Bennett for Senate and John K. Baird, as treasurer, and others may have used reports filed with the Commission to obtain her name and address for the purpose of soliciting a contribution. Respondents are unsure how Ms. Frank's name and address were obtained but decided to stop using the mailing list which contains that information. The solicitation list that included Ms. Frank's name came from various mailing lists: from prior fundraising activities of the Bennett Campaign; a commercial mailing list purchased by the Bennett Campaign and, information and mailing lists brought to the Bennett campaign by volunteers previously associated with other Utah candidacies. Ms. Frank subsequently requested that her complaint be withdrawn.

This case does not involve any significant issues relative to the other issues pending before the Commission or substantial amounts of money, and apparently had no impact on the process. Moreover, there is no indication of any serious intent by Respondents to violate the law and remedial action has been taken.

9 3 0 4 3 5 4 3 1 6 8



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

DEC 10 1993

John K. Baird, Treasurer
Bennett for Senate
215 South State Street, Suite 800
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Baird:

On September 8, 1992, the Federal Election Commission notified Bennett for Senate and you, as treasurer, 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 Bennett for Senate 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,

Noriega E. James
Paralegal Specialist

Attachment
Narrative

Date the Commission voted to close the file: _____

93043543169

MUR 3601
BOB BENNETT FOR SENATE

The complainant, Susan M. Frank, alleges that Bennett for Senate and John K. Baird, as treasurer, and others may have used reports filed with the Commission to obtain her name and address for the purpose of soliciting a contribution. Respondents are unsure how Ms. Frank's name and address were obtained but decided to stop using the mailing list which contains that information. The solicitation list that included Ms. Frank's name came from various mailing lists: from prior fundraising activities of the Bennett Campaign; a commercial mailing list purchased by the Bennett Campaign and, information and mailing lists brought to the Bennett campaign by volunteers previously associated with other Utah candidacies. Ms. Frank subsequently requested that her complaint be withdrawn.

This case does not involve any significant issues relative to the other issues pending before the Commission or substantial amounts of money, and apparently had no impact on the process. Moreover, there is no indication of any serious intent by Respondents to violate the law and remedial action has been taken.

93043543170



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

DEC 10 1993

The Honorable Robert F. Bennett
United States Senate
Washington, DC 20510

RE: MUR 3601

Dear Senator Bennett:

On September 8, 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,

Noriega E. James
Paralegal Specialist

Attachment
Narrative

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

93043543171

MUR 3601
BOB BENNETT FOR SENATE

The complainant, Susan M. Frank, alleges that Bennett for Senate and John K. Baird, as treasurer, and others may have used reports filed with the Commission to obtain her name and address for the purpose of soliciting a contribution. Respondents are unsure how Ms. Frank's name and address were obtained but decided to stop using the mailing list which contains that information. The solicitation list that included Ms. Frank's name came from various mailing lists: from prior fundraising activities of the Bennett Campaign; a commercial mailing list purchased by the Bennett Campaign and, information and mailing lists brought to the Bennett campaign by volunteers previously associated with other Utah candidacies. Ms. Frank subsequently requested that her complaint be withdrawn.

This case does not involve any significant issues relative to the other issues pending before the Commission or substantial amounts of money, and apparently had no impact on the process. Moreover, there is no indication of any serious intent by Respondents to violate the law and remedial action has been taken.

9 3 0 4 3 5 4 3 1 7 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

David D. Marriott
139 E South Temple
Suite 1015
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Marriott:

On September 8, 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,

Noriega E. James
Paralegal Specialist

Attachment
Narrative

Date the Commission voted to close the file: DEC 9 1993

93043543173

MUR 3601
BOB BENNETT FOR SENATE

The complainant, Susan M. Frank, alleges that Bennett for Senate and John K. Baird, as treasurer, and others may have used reports filed with the Commission to obtain her name and address for the purpose of soliciting a contribution. Respondents are unsure how Ms. Frank's name and address were obtained but decided to stop using the mailing list which contains that information. The solicitation list that included Ms. Frank's name came from various mailing lists: from prior fundraising activities of the Bennett Campaign; a commercial mailing list purchased by the Bennett Campaign and, information and mailing lists brought to the Bennett campaign by volunteers previously associated with other Utah candidacies. Ms. Frank subsequently requested that her complaint be withdrawn.

This case does not involve any significant issues relative to the other issues pending before the Commission or substantial amounts of money, and apparently had no impact on the process. Moreover, there is no indication of any serious intent by Respondents to violate the law and remedial action has been taken.

9 3 0 4 3 5 4 3 1 7 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 1993

Hyrum W. Smith
Chairman of the Board
Franklin Quest
230 East Broadway
Salt Lake City, UT 84111

RE: MUR 3601

Dear Mr. Hyrum:

On September 8, 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,

Noriega E. James
Paralegal Specialist

Attachment
Narrative

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

930435431715

MUR 3601
BOB BENNETT FOR SENATE

The complainant, Susan M. Frank, alleges that Bennett for Senate and John K. Baird, as treasurer, and others may have used reports filed with the Commission to obtain her name and address for the purpose of soliciting a contribution. Respondents are unsure how Ms. Frank's name and address were obtained but decided to stop using the mailing list which contains that information. The solicitation list that included Ms. Frank's name came from various mailing lists: from prior fundraising activities of the Bennett Campaign; a commercial mailing list purchased by the Bennett Campaign and, information and mailing lists brought to the Bennett campaign by volunteers previously associated with other Utah candidacies. Ms. Frank subsequently requested that her complaint be withdrawn.

This case does not involve any significant issues relative to the other issues pending before the Commission or substantial amounts of money, and apparently had no impact on the process. Moreover, there is no indication of any serious intent by Respondents to violate the law and remedial action has been taken.

9 3 0 4 3 5 4 3 1 7 6