FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3983

DATE FILMED 10-25-94 CAMERA NO. 4

CAMERAMAN JM H

9404359159

HELEN CHENOWETH
★ ★ ★ U.S. CONGRESS

OGC 1276

May 5, 1994

Federal Elections Commission
999 E Street, NW
Washington, D.C. 20463

RECEIVED FEDERAL ELECTION COMMISSION OFFICE OF GENERAL COUNSEL
MAY 10 10:17 AM '94

Re: Use of Chenoweth for Congress fundraising list, by Leroy for Idaho campaign committee.

To whom it may Concern:

This is a complaint to the Commission on behalf of the Chenoweth for Congress Committee, as the committee has reasonable cause to believe that the Leroy for Idaho committee has used the Chenoweth for Congress donors list, as filed with the Commission, for commercial purposes and funds solicitation purposes. A copy of that letter is attached for your review.

The attached letter was postmarked 23 April 1994, and was received by donors to the Chenoweth for Congress Committee within a few days thereafter. This campaign received several calls from donors after they received the letter from David Leroy. As you can read in the letter, the theme of the letter was to people who have supported other candidates. On the Chenoweth donor list, there is the name and address of donors Leo and Lois Van Hoover, 5677 Confederate Lane, Boise, Idaho, 83703. That is the address of Lois Van Hoover's mother, and that address has only been used once: as the return address for a donation from Lois Van Hoover to the Chenoweth for congress campaign. Ms. Van Hoover has informed the committee that she has used that address only once, when donating to the Chenoweth for Congress campaign. Other Chenoweth supporters listed on the report have received the same solicitation letter. This includes officers of the Chenoweth for Congress campaign.

Therefore, based upon the foregoing information and the attached letter, the campaign committee is filing this formal complaint pursuant to the statutes and rules governing the Federal Elections Commission. Thank you for your consideration of this matter.

Sincerely,

Wayne Crow
Treasurer

WC/mg

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Former Idaho Lt Governor

David H. Leroy

Dear Les & Lois,

As you may know, I have announced my candidacy to become your next Congressman. Since that time we have had an overwhelming response across the District. Thousands of people have written, called and donated in just the last several months. My message is simple: we must replace the liberal incumbent and it will take the strongest possible candidate to do it.

For years I have fought for Idaho to preserve our jobs, cherish our rights and narrowly focus our government. While County Prosecuting Attorney, I supervised the prosecution of 18,542 criminal cases and increased major crime convictions by 300%.

While your Attorney General, I consolidated state legal services and aggressively defended our constitutional and state's rights, right up to the U.S. Supreme Court, against an ever aggressive Federal bureaucracy.

As your Lt. Governor, I made state government more accountable by creating open meeting laws while presiding over a legislative body which labored under a mandate to produce 4 consecutive balanced budgets.

When the President asked me to head a federal agency, I operated it at more than a third under budget. Even though I had the impossible task of finding nuclear waste sites, one of my volunteer jurisdictions' actually began signing up utilities to build a disposal facility!

In 1986, I was your nominee for Governor and together we came within less than one percent of fulfilling the Republican challenge of capturing the Governor's office against the Democrat's strongest candidate in history.

Today I am thoroughly prepared to serve with distinction in the House and to be an aggressive, well informed candidate for Congress. I am ready to run and I am ready to win!

The genuine enthusiasm shown by people calling us, shaking my hand, handing me checks, and taking our literature is also reflected in a recent poll that shows me running neck and neck with the incumbent congressman. Amazingly this poll was conducted before I had actually announced for the race!

I am the only one of the four GOP primary candidates who has successfully run for office, let alone conducted three state-wide races. I am the only candidate who has previous donors. Behind me are 4,400 Idahoans who collectively donated nearly 1 million dollars in 1986. I am the Republican candidate who has the total resources necessary to win this race against the incumbent, who is raking in PAC contributions at an alarming rate.

(over)

P.O. Box 193 • Boise, ID 83701 • 342-0000

I understand that you may have already assisted another candidate in this race. As I hope you will do, I pledge my undivided and enthusiastic support to the Republican nominee, even if it's not me. The momentum, polls, and fundraising response give me a commanding lead in this race, however.

Please take a long, serious look at this primary race. With just one month to go I am the only candidate who has more than 11% support from Republican primary voters. The same survey gave me a 37% plurality, twice as much strength as all the other candidates combined. I want and need your support both before and after the primary. If I can also win your endorsement and help earlier than May 24th, it would be doubly valuable. Please drop me a note with your thoughts on this.

There is nothing wrong with Idaho or America that you and I can't fix on election day. If you really believe it is time to "sack" LaRocco, please join me in putting Idaho's First District first again!

Sincerely,

Dave Leroy
Idaho's Next Congressman

Regards to you!

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P.O. Box 193 • Boise, ID 83701 • 342-0000

SCHEDULE A

ITEM[illegible] RECEIPTS

Use separate schedule(s) [illegible]ch category of the [illegible]ed Summary Page

PAGE 3 OF 3

FOR LINE NUMBER 11(a)(i)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

CHENOWETH FOR CONGRESS COMMITTEE

Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt this Period
A. Claude Marcus Marie Marcus 3603 Crescent Rim Dr. Boise, ID 83706 Receipt For: [X] Primary [ ] General [ ] Other (specify):	Self Occupation: Attorney Aggregate Year-to-Date > $ 250.00	03-23-94	250.00
B. Gary Chipman Margaret Chipman 1975 Chipman Ln. Weiser, ID 83672 Receipt For: [X] Primary [ ] General [ ] Other (specify):	Self Occupation: Cattle Feeder Aggregate Year-to-Date > $ 200.00	03-25-94	200.00
C. Leo Vanhoover Lois Vanhoover 5677 Confederate Lane Boise, ID 83703 Receipt For: [X] Primary [ ] General [ ] Other (specify):	Name of Employer: Occupation: Retired Aggregate Year-to-Date > $ 1219.00	03-15-94	1219.00 * In Kind *
D. Full Name, Mailing Address and ZIP Code Receipt For: [ ] Primary [ ] General [ ] Other (specify):	Name of Employer: Occupation: Aggregate Year-to-Date > $	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: [ ] Primary [ ] General [ ] Other (specify):	Name of Employer: Occupation: Aggregate Year-to-Date > $	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: [ ] Primary [ ] General [ ] Other (specify):	Name of Employer: Occupation: Aggregate Year-to-Date > $	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: [ ] Primary [ ] General [ ] Other (specify):	Name of Employer: Occupation: Aggregate Year-to-Date > $	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional) > 1,669.00

TOTAL this Period (last page this line number only) > 7,319.00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 11, 1994

Wayne Crow, Treasurer
Chenoweth for Congress Committee
P.O. Box 897
Boise, Idaho 83701-0897

Dear Mr. Crow:

This is to acknowledge receipt on May 10, 1994, of your letter dated May 5, 1994. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this _____ day of _____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Leroy for Idaho Committee

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HELEN CHENOWETH
★ ★ ★ U.S. CONGRESS

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 26 9 26 AM '94

May 13, 1994

Federal Elections Commission
999 E Street, NW
Washington, D.C. 20463

MUR 3983

Re: Use of Chenoweth for Congress fundraising list, by Leroy for Idaho campaign committee.

To whom it may Concern:

This is a complaint to the Commission on behalf of the Chenoweth for Congress Committee, as the committee has reasonable cause to believe that the Leroy for Idaho committee has used the Chenoweth for Congress donors list, as filed with the Commission, for promotion and funds solicitation purposes. A copy of that letter is attached for your review.

The attached letter was postmarked 23 April 1994, and was received by donors to the Chenoweth for Congress Committee within a few days thereafter. This campaign received several calls from donors after they received the letter from David Leroy. The letter was to people who have supported other candidates.

On the Chenoweth donor list, there is the name and address of donors Leo and Lois Van Hoover, 5677 Confederate Lane, Boise, Idaho, 83703. That is the address of Lois Van Hoover's mother, and that address has only been used once: as the return address for a donation from Lois Van Hoover to the Chenoweth for Congress Campaign. Other Chenoweth supporters listed on the report have received the same solicitation letter. This Includes officers of the Chenoweth for Congress Campaign.

Therefore, based upon the foregoing information and the attached letter, the campaign committee is filing this formal complaint pursuant to the statutes and rules governing the federal Elections Commission. Thank you for your consideration of this matter.

Sincerely,

Wayne Crow
Treasurer

Subscribed and sworn to before me, on this 13th day of May, 1994, a Notary public in and for Canyon County.

Notary Public for Idaho
Residing at: Nampa
My Commission Expires: Jan. 1998

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMIN
MAY 26 9 03 AM '94

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 27, 1994

Wayne Crow, Treasurer
Chenoweth for Congress Committee
P.O. Box 897
Boise, Idaho 83701-0897

RE: MUR 3983

Dear Mr. Crow:

This letter acknowledges receipt on May 26, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 3983. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

9404359156 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 27, 1994

Richard A. Howard, Treasurer
Leroy for Idaho
1130 East State Street
Boise, Idaho 83712

RE: MUR 3983

Dear Mr. Howard:

The Federal Election Commission received a complaint which indicates that Leroy for Idaho ("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 3983. 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.

9404359156 7

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

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

9404359156 8

David Leroy
CONGRESS

Office of General Counsel
FEC
6-13-94

Re: MUR 3983

Gentlemen:

Enclosed please find a responsive affidavit to the above complaint.

Sincerely,
Dave Leroy

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUN 20 10 27 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATION
JUN 20 9 32 AM '94

P.O. BOX 193 • BOISE, IDAHO 83701 • (208) 342-0000

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AFFIDAVIT
OF DAVID M. CALLISTER,
CAMPAIGN MANAGER,
LEROY FOR IDAHO COMMITTEE

Re: Federal Election Commission MUR 3983

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Jun 20 10 27 AM '94

State of Idaho)
) ss
County of Ada)

COMES NOW DAVID CALLISTER, first being duly sworn deposes and says as follows:

1. Correspondence from the Federal Election Commission dated May 27, 1994 directed to Richard A. Howard, Treasurer of the Leroy for Idaho Campaign requesting response to the General Counsel's Office on MUR 3983 has been directed to me, as Campaign Manager for the Committee.

2. The letter about which the complaint was filed complies with FEC regulations in that it does not "solicit funds" nor was it designed to be a fundraising device.

3. Candidate David H. Leroy was one of the Republicans in a six-way primary race for the First District Congressional seat in Idaho. In an attempt to encourage the keeping of party unity intact after the May 24, 1994 primary, candidate Leroy sent out letters pledging to support the eventual nominee to supporters and reported in-state donors of all of his opponents. The letter identified in the complaint is a letter issued for this purpose.

4. In drafting the letter, the campaign committee referred to Federal Election Commission regulations as detailed in the "Campaign Guide" Chapter 11, item #4. We noted the provisions which prohibited the solicitation of funds and drafted text which did not do so.

5. The campaign established a return mailing account with the U.S. Post office and created a return mail envelope which was utilized in every single funds solicitation drive by the committee. The mailing in question did NOT contain a return mail fundraising envelope.

6. The committee sent out over 30 thousand pieces of fundraising mail, each of which was a very direct and aggressive solicitation of funds. By contrast, the committee sent out approximately 200 of these party unity letters, none of which solicited funds.

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7. I am advised that Chenoweth for Congress Committee has considered withdrawing this complaint and hereby request that the Federal Election Commission contact them on this point.

FURTHER YOUR AFFIANT sayeth not,

6-13-94

David M. Callister, Campaign Manager

STATE OF IDAHO)
) ss
County of Ada)

On this 13 day of June, 1994 before me, the undersigned, and Notary Public in and for said County and State, personally appeared David M. Callister, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he/she 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.

Sara Barham
Notary Public

Residing in Boise, ID

My Commission expires in 1999

24043591571

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
SEP 22 9 43 AM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) Enforcement Priority
)
)

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

This report is the first Enforcement Priority System Monthly Report.[1] The purpose of this August Monthly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission approved criteria

By closing such cases the Commission is

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1. Prior to this report, Enforcement Priority System reports were done on a quarterly basis. However, on July 19, 1994, the Commission decided to change the reporting frequency from quarterly to monthly. Because this Office needed sufficient time to implement the change in reporting frequency, the August Monthly Report includes cases for July and August. In the future, the Monthly Report will reflect one month's activity.

Additionally, this Office previously indicated to the Commission that at the end of each quarter, we will provide a statistical recap for the activity that occurred during the quarter. Sometime in early October, this Office will provide a report for third quarter activity.

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able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 16 cases which do not warrant further pursuit relative to the other pending cases.[2] A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-16. For the Commission's convenience, the narratives for externally-generated matters are immediately followed by the complaint and response(s) and the narratives for internally-generated matters are immediately followed by the referral or sua sponte submission.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 5 cases that

do not

2. These matters are: MUR 3963; MUR 3981; MUR 3982; MUR 3983; MUR 3989; MUR 3992; MUR 3993; MUR 3994; MUR 4006; MUR 4011; MUR 4015; MUR 4017; MUR 4020; MUR 4021; and PM 300.

9 4 0 4 3 5 9 1 5 7 3

warrant further investment of significant Commission resources.[3] Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. However, for the externally-generated matters, the complaint and response(s) are attached to the report and for internally-generated matters, the referral is attached. See Attachments 17-21.

9 4 0 4 3 5 9 1 5 7 4

3. These matters are: MUR 3784; MUR 3788; RAD 93L-52, RAD 93NF-23, and PM 287.

IV. RECOMMENDATIONS

A. Decline to open a MUR, close the file, and approve the appropriate letter in the following matters:

1) RAD 93L-52
2) RAD 93NF-23

4) PM 287
5) PM 300

B. Take no action, close the file, and approve the appropriate letter in the following matters:

1) MUR 3784
2) MUR 3788
3) MUR 3963
4) MUR 3981
5) MUR 3982
6) MUR 3983
7) MUR 3989
8) MUR 3992
9) MUR 3993
10) MUR 3994
11) MUR 4006
12) MUR 4011
13) MUR 4015
14) MUR 4017
15) MUR 4020
16) MUR 4021

9-21-94
Date

L.M. Noble (SRZ)
Lawrence M. Noble
General Counsel

9404359155

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	Agenda Document
Enforcement Priority	)	#X94-94

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 27, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

A. Decline to open a MUR, close the file, and approve the appropriate letter in the following matters:

1) RAD 93L-52;
2) RAD 93NF-23;
3) PM 287;
4) PM 300.

B. Take no action, close the file, and approve the appropriate letter in the following matters:

1) MUR 3784;
2) MUR 3788;
3) MUR 3963;
4) MUR 3981;
5) MUR 3982;
6) MUR 3983;
7) MUR 3989;

(continued)

9404359156

8) MUR 3992;
9) MUR 3993;
10) MUR 3994;
11) MUR 4006;
12) MUR 4011;
13) MUR 4015;
14) MUR 4017;
15) MUR 4020;
16) MUR 4021.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

9-29-94
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

9404359157 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Richard A. Howard, Treasurer
Leroy For Idaho
1130 East State Street
Boise, Idaho 83712

RE: MUR 3983

Dear Mr. Howard:

On May 27, 1994, 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 Leroy For Idaho 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 Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file: SEP 27 1994

9404359158

MUR 3983
LEROY FOR IDAHO COMMITTEE

The complaint, filed by the Chenoweth for Congress Committee, alleges that the Leroy for Idaho Committee used contributor names and addresses from Chenoweth Committee's reports for solicitation purposes. The complainant states that the Leroy Committee used Lois Van Hoover's address and other contributor addresses, as they appeared in Chenoweth Committee reports, to send solicitation letters from the Leroy Committee.

In response to the complaint, David Leroy provided an affidavit from David M. Callister, Campaign Manager, which states that the letter in question was not a solicitation letter and therefore complies with Commission regulations. Mr. Callister states that the letter was sent to all in-state contributors of primary opponents for the purpose of promoting party unity, not for the purpose of soliciting funds, and for pledging support to the eventual primary winner. Mr. Callister states that there was no solicitation of funds in the letter and no return mail fundraising envelopes were included in the 200 letters that were sent out.

The matter involves insubstantial amounts of money, a state candidate inexperienced in federal elections, and less significant issues relative to the other issues pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Wayne Crow, Treasurer
Chenoweth for Congress Committee
P.O. Box 897
Boise, Idaho 83701-0897

RE: MUR 3983

Dear Mr. Crow:

On May 26, 1994, 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 the respondents. 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,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file: SEP 27 1994

9404359153 0

MUR 3983
LEROY FOR IDAHO COMMITTEE

The complaint, filed by the Chenoweth for Congress Committee, alleges that the Leroy for Idaho Committee used contributor names and addresses from Chenoweth Committee's reports for solicitation purposes. The complainant states that the Leroy Committee used Lois Van Hoover's address and other contributor addresses, as they appeared in Chenoweth Committee reports, to send solicitation letters from the Leroy Committee.

In response to the complaint, David Leroy provided an affidavit from David M. Callister, Campaign Manager, which states that the letter in question was not a solicitation letter and therefore complies with Commission regulations. Mr. Callister states that the letter was sent to all in-state contributors of primary opponents for the purpose of promoting party unity, not for the purpose of soliciting funds, and for pledging support to the eventual primary winner. Mr. Callister states that there was no solicitation of funds in the letter and no return mail fundraising envelopes were included in the 200 letters that were sent out.

The matter involves insubstantial amounts of money, a state candidate inexperienced in federal elections, and less significant issues relative to the other issues pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

THIS IS THE END OF MUR # 3983

DATE FILMED 10-25-94 CAMERA NO. 4

CAMERAMAN JMN

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