



**Federal Election Commission
Washington, DC 20463**

August 24, 2004

Robert L. Hess, II, Esq.
Husch & Eppenger, LLC
235 East High Street, Suite 200
Jefferson City, MO 65101

Re: ADR 183 (MUR 5450)

Dear Mr. Hess:

On May 18, 2004, the Federal Election Commission ("Commission") notified the Missouri Republican State Committee of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents, Missouri Republican State Committee and Harvey M. Tettlebaum, Treasurer. In its memorandum to the Commission, dated August 17, 2004, this office stated:

ADR 183/MUR 5450: The Complainant alleges that he was told by the webmaster for the Missouri Republican State Committee ("MRSC") that MRSC refused to list Republican challengers to Republican incumbents on the MRSC website. Complainant contends that his \$100 filing fee entitled him to be listed on the MRSC website. Respondent MRSC contends that it does not believe any violation of the FECA occurred, and that the individual who Complainant identifies as the MRSC webmaster is unknown to MRSC.

Accordingly, the Commission closed its file in this matter on August 20, 2004.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and this office, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

If you have any questions regarding this matter, please be in touch. My telephone number is 202-694-1665.

Sincerely,

Lynn M. Fraser
Assistant Director, ADR Office