



Federal Election Commission  
Washington, DC 20463

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

June 8, 2005

Chuck Floyd  
PO Box 70882  
Chevy Chase, MD 20813

Re: ADR 229 (MUR 5477)

Dear Mr. Floyd:

On July 6, 2004, the Federal Election Commission ("FEC" or "Commission") received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents, Van Hollen for Congress and Jennifer Lewis Smith, Treasurer. In its memorandum to the Commission, dated June 1, 2005, this office stated:

Complainant alleges that Respondents Van Hollen for Congress and Jennifer Lewis Smith, Treasurer ("Respondents") violated the FECA by using his congressional staff and the federal government email system for campaign purposes. Respondents state that the activities involved in Complainant's allegations, an official Community Office Hours gathering for the Congressman, were congressional activities and not campaign activities. Based on the allegations and responses in this matter, there appears to be no violation of the FECA.

Accordingly, the Commission closed its file in this matter on June 6, 2005.

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 the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies

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of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

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,

Lynn M. Fraser  
Assistant Director, ADR Office

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