FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, DC 20463

July 19, 2005

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

Mr. David C. Rhine
P.O. Box 2239
Silverdale, WA 98383

Re: ADR 267/MUR 5558

Dear Mr. Rhine:

On October 8, 2004 the Federal Election 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 respondent, Jene Witte. In its memorandum to the Commission, dated July 11, 2005, this office stated:

> Complainant contends that the Respondent, Jene Witte, sent out a mass mailing supporting the candidacy of Senator John Kerry without including the required disclaimer notice. Complainant further contends that the mailing, which he speculates exceeded a thousand dollars in costs, represented an undisclosed campaign contribution. The letter in question, which included a mail-in voter registration form, encouraged recipients to register and to vote for Kerry. Respondent acknowledged sending out the referenced letters urging recipients to register and vote for John Kerry. Respondent asserts that she sent out five letters to women in Washington state, adding that she was part of a group of seven, including herself, who together sent out approximately 60 letters urging recipients to register and vote for Kerry. All letters were reportedly sent at the senders' expense....Given the lack of evidence of a mass mailing as speculated by the Complainant, the recommendation is that this matter be dismissed.

Accordingly, the Commission closed its file on this matter on July 15, 2005. A copy of the Commission's certification is enclosed.

Pertinent copies of the file will be placed, within 30 days, on the pubic record. 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,

Allan D. Silberman,
Director, ADR Office

Enclosure as stated