



Federal Election Commission
Washington, DC 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

June 26, 2007 .

Randolph H. Bates
P.O. Box 2442
Beaufort, SC 29901

Re: ADR 396 (MUR 5894)

Dear Mr. Bates:

On December 21, 2006, 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 issue an admonishment take no action against the Respondents, Beaufort County Democratic Party and Allan Yard, Treasurer. In its memorandum to the Commission, dated June 13, 2007, this office stated:

Summary: Complainant makes the same allegations as in ADRs 394, 395, and also contends that BCDP and its Treasurer Allan Yard distributed flyers the day before the election in a similar format to the newspaper ads. In addition, Complainant contends that BCDP made a contribution to Michael Ellisor from its state account. Respondents assert that the cost of the advertisements and flyers attributable to the federal candidate was less than \$100, well below the \$1000 threshold for registering with the Commission and filing FEC reports. The ADRO notes that an attachment to the complaint reflects a contribution of \$250 to Michael Ellisor.

Accordingly, the Commission closed its file in this matter on June 20, 2007.

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

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,



Deborah Ruth Kant, Director
Alternative Dispute Resolution Office

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