



Federal Election Commission
Washington, DC 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

November 25, 2008

Brian Wolff
Executive Director
Democratic Congressional Campaign Committee
430 South Capitol St., SE
Washington, DC 20003

Re: ADR 465 (MUR 5986)

Dear Mr. Wolff:

On March 31, 2008 the Federal Election Commission (FEC/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 take no action against the Respondents, Lou Barletta for Congress and Francis J. Barletta, Treasurer. In its memorandum to the Commission, dated July 23, 2008, this office stated:

Summary: This complaint should be dismissed because the applicable statute of limitations period expired, and there is no evidence of a loan that was not made in the ordinary course of business, nor improper reporting of the loan in question. The Democratic Congressional Campaign Committee alleges that Barletta for Congress and Francis J. Barletta, [former] Treasurer (Committee or Respondents) violated the FECA by making a loan with Legacy Bank of Harrisburg for \$65,000 on December 18, 2002 that was not made in accordance with applicable banking laws and regulations, or in the ordinary course of business.

Respondents contend that the loan was first referenced in the Committee's 2002 Year End Report filed on January 31, 2003. Respondents further contend that the written loan documents, filed with the Commission, disclose that a \$100,000 line-of-credit loan, made to Louis and Mary Grace Barletta on December 18, 2002, carried an interest rate of 5.25% (the Wall Street Journal Prime plus 1.0%). The

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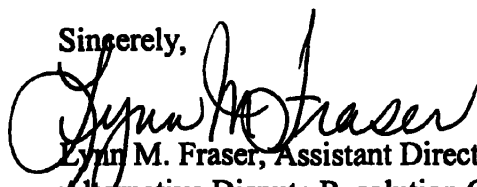
documentation also discloses that the loan, payable on demand, was secured with commercial real estate with a value of \$800,000. The borrowers drew upon the line-of-credit in the amount of \$65,000 for the Committee.

Accordingly, the Commission closed its file in this matter on November 19, 2008.

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,


Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office