



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUL 18 2006

Edward M. Brennan, Esquire

Pottsville, PA 17901

RE: MUR 5380

Dear Mr. Brennan:

This is in reference to the complaint you filed with the Federal Election Commission on August 6, 2003, concerning Congressman Tom DeLay. Based on that complaint, on August 17, 2004, the Commission found that there was reason to believe the National Republican Congressional Committee and Christopher J. Ward, as treasurer ("NRCC"), violated 2 U.S.C. § 441d(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"), and instituted an investigation of this matter. On that same date, the Commission also found no reason to believe that Congressman Tom DeLay and the Tom DeLay Congressional Committee and Dana Benoit, as treasurer, violated 2 U.S.C. § 441d(a). After considering the circumstances of this matter, the Commission determined to take no further action as to the NRCC, and closed the file in this matter on June 22, 2006. At the same time, the Commission admonished the NRCC that disclaimers are required whenever a political committee makes a disbursement for financing any communication through a telephone bank and whenever any person solicits any contribution through the use of a telephone bank, and that the failure to include appropriate disclaimers is a violation of section 441d(a) of the Act.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Copies of the dispositive General Counsel's Reports are enclosed for your information.

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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).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ana J. Peña-Wallace'.

Ana J. Peña-Wallace
Attorney

Enclosures
General Counsel's Reports

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