



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

AUG 18 2004

Glenn M. Willard, Esq.
Patton Boggs LLP
2550 M Street, N.W.
Washington, DC 20037

RE: MURs 5112 and 5383
Federer for Congress Committee
and Thomas M. Busken, as treasurer

Dear Mr. Willard:

On August 27, 2003, your clients, Federer for Congress Committee and Thomas M. Busken, as treasurer ("the Committee"), were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 434(b) by failing to adequately describe the purpose of certain disbursements and 2 U.S.C. § 441b(a) by accepting a prohibited contribution in the form of an advance. The advance was made by a corporation operated by the Committee's campaign manager to purchase books that the Committee intended to give as gifts to contributors. At that time, prior to a finding of probable cause, the Commission also decided to enter into conciliation with the Committee.

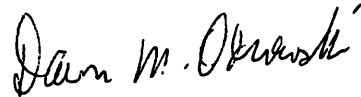
the Office of General Counsel conducted an investigation and subsequently sent your clients a Brief indicating that we were prepared to recommend that there was probable cause to believe they violated 2 U.S.C. §§ 441b(a) and 434(b). You submitted a response to the Brief on their behalf on June 17, 2004. After considering all of the circumstances of these matters, including information obtained following receipt of your response, the Commission determined on August 5, 2004 to take no further action against your clients and closed the files in these matters.

The Commission reminds your clients that failing to adequately describe the purpose of disbursements is a violation of 2 U.S.C. § 434(b) and that accepting an advance from a corporation to purchase items for use by a political committee is a violation of 2 U.S.C. § 441b(a). Your clients should take steps to ensure that this activity does not occur in the future.

Documents related to the cases 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). A copy of the dispositive General Counsel's Report is enclosed for your information.

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

Sincerely,



Dawn M. Odrowski
Attorney

Enclosure
General Counsel's Report #2