



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
VIA FIRST CLASS MAIL

MAR 20 2007

Robert D. Tuke, Chairman
Tennessee Democratic Party
223 8th Avenue North, Suite 200
Nashville, TN 37203

RE: MUR 5790
Bob Corker for Senate and
Kim Kaegi, in her official capacity
as treasurer
Robert P. Corker, Jr.

Dear Mr. Tuke:

On March 6, 2007, the Federal Election Commission reviewed the allegations in your complaint dated August 7, 2006, and found that on the basis of the information provided in your complaint, and information provided by the Respondents, there is no reason to believe that Bob Corker for Senate and Kim Kaegi, in her official capacity as treasurer, violated 2 U.S.C. § 434(a)(6)(B) and 11 C.F.R. § 400.22(a) with respect to the Form 10 that was sent by overnight mail to the Secretary of the Senate and irradiated, and 2 U.S.C. § 434(a)(6)(A) with respect to two candidate loans that were received after the 20th day, but more than 48 hours before, the 2006 primary election. The Commission also found no reason to believe that Robert P. Corker, Jr. violated 2 U.S.C. § 434(a)(6)(B) and 11 C.F.R. § 400.22(a). Additionally, in an exercise of prosecutorial discretion, the Commission dismissed the allegations that Bob Corker for Senate and Kim Kaegi, in her official capacity as treasurer, violated 2 U.S.C. § 434(a)(6)(B) and 11 C.F.R. § 400.21(a) with respect to the Form 10 that was filed one day late, and 2 U.S.C. § 434(a)(6)(A) by failing to timely file three 48-hour notices for contributions totaling \$33,700. The Commission also exercised its prosecutorial discretion by dismissing the allegations that Robert P. Corker, Jr. violated 2 U.S.C. § 434(a)(6)(B) and 11 C.F.R. § 400.21(a). *See Heckler v. Chaney*, 470 U.S. 821 (1985). With respect to the dismissals, the Commission admonished the respondents. Accordingly, the Commission closed its file in this matter.

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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). A copy of the Factual and Legal Analyses explaining the Commission's decision is enclosed for your information.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal in this matter. *See* 2 U.S.C. § 437g(a)(8).

Sincerely,

Thomasenia P. Duncan
Acting General Counsel



BY: Rhonda J. Vosdigh
Associate General Counsel
for Enforcement

Enclosures

Factual and Legal Analysis for Robert P. Corker Jr.

Factual and Legal Analysis for Bob Corker for Senate and Kim Kaegi, in her official capacity as treasurer

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