



Federal Election Commission  
Washington, DC 20463

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

September 18, 2006

Juan F. Diaz  
8801SW 85<sup>th</sup> Street  
Miami, FL 33173

Re: ADR 336 (MUR 5717)

Dear Mr. Diaz:

On March 14, 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 to take no action against the Respondents, Gonzalez for Congress, Brian C. Bustamante, Treasurer and Francisco "Frank" Jose Gonzalez-Soldevilla. In its memorandum to the Commission, dated August 29, 2006, this office stated:

**Summary:** Complainant alleges that Gonzalez for Congress, Brian Bustamante, Treasurer, and Francisco "Frank" Jose Gonzalez-Soldevilla (collectively "Respondents") are promoting the candidate's personal business on his campaign website. The complaint includes a statement copied from the Gonzalez for Congress (the "Committee") website, which informs the readers that they may contact the candidate regarding mortgage loans. Complainant also alleges that Gonzalez's campaign committee failed to file any disclosure reports after October 2004. Respondents contend that there was no intentional violation of the Act. Respondents contend that after losing the 2004 General Election, the Candidate informed the Treasurer he did not intend to run again on the Libertarian ticket, and would be winding down the Committee. The Treasurer asserts that he had no campaign records, and did not realize there had been no termination report filed, until the candidate contacted him in the fall of 2005. The Treasurer contends he filed all past reports by May 22, 2006.

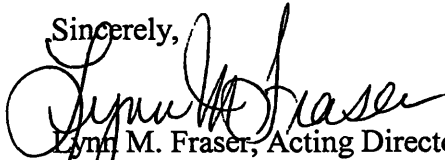
Accordingly, the Commission closed its file in this matter on September 5, 2006.

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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, Acting Director  
Alternative Dispute Resolution Office

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