



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

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MEMORANDUM

July 20, 2006

SENSITIVE

TO: The Commission

THROUGH: Patrina M. Clark *PMC*
Staff Director

FROM: Lynn M. Fraser *LMF*
Alternative Dispute Resolution Office

SUBJECT: ADR 320 DeFazio for Congress Committee and Robert Ackerman, Treasurer,
Recommendation to Dismiss with Admonishment

This matter was received by the Commission on December 5, 2005, and, following review by the Commission, assigned to the ADR Office on June 20, 2006. Based on the discussion with the Commission on June 20, 2006, we recommend that the case be closed, and a letter of admonishment sent. Following the procedures approved by the Commission on March 3, 2003, this matter will be closed by the ADR Office if the Commission approves the recommendation in this Memorandum.

SUMMARY: Complainant, the Oregon Republican Party, alleges that the DeFazio for Congress Committee and Robert Ackerman, Treasurer ("Respondents" or the "Committee") failed to include an adequate disclaimer notice on a fundraising letter signed by the Congressman, and distributed in October 2005. Specifically, the disclaimer was typed using a small font size, and there was no box surrounding the disclaimer on the letter.

Respondents contend that they failed to note the revisions to the disclaimer requirements, including the need for the larger font size and a box around the disclaimer on printed materials such as the letter at issue in the complaint. Respondents assert that the Committee revised their disclaimers on all communications to comply with the requirements of the FECA.

RECOMMENDATIONS:

1. Dismiss ADR 320/MUR 5692 and close the file as to all Respondents.
2. Approve the appropriate letters and close the file.

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