



Federal Election Commission
Washington, DC 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

July 31, 2006

Vance D. Day, Chairman
Oregon Republican Party
P.O. Box 789
Salem, OR 97308-0789

Re: ADR 320 (MUR 5692)

Dear Mr. Day:

On December 5, 2005, 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, DeFazio for Congress and Robert Ackerman, Treasurer. In its memorandum to the Commission, dated July 20, 2006, this office stated:

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.

Accordingly, the Commission closed its file in this matter on July 26, 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
ADR Office

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