



**Federal Election Commission
Washington, DC 20463**

March 28, 2007

Jay F. Malcynsky, Esq.
One Liberty Square
New Britain, CT 06051

Re: ADR 372 (MUR 5864)

Dear Mr. Malcynsky:

On November 1, 2006, the Federal Election Commission ("FEC" or "Commission") notified Johnson for Congress Committee of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to issue an admonishment, but take no further action against the Respondents Johnson for Congress Committee and John Eveleth, Treasurer. In its memorandum to the Commission, dated February 23, 2007, this office stated:

In this case, Complainant alleges that Nancy Johnson, a candidate for the Fifth Congressional District in Connecticut, and her campaign recently ran a television advertisement in Spanish without the requisite disclaimers. Respondents state that the ad was scheduled to run for a fifteen-day period and cost \$12,245. Respondents allege that it discovered the error on November 6, 2006 and immediately corrected the ad with the appropriate disclaimer. Respondents explained that they mistakenly re-used the old script from August 2002 without the tag line required by the 2002 election laws. Respondents also state that they are in the process of reviewing their internal operating procedures in order to strengthen them and avoid future errors.

Accordingly, the Commission closed its file in this matter on March 20, 2007. The Commission reminds you, however, that failing to include an adequate and appropriate disclaimer on television advertisements, is a violation of the Federal Election Campaign Act. 2 U.S.C. § 441d and 11 C.F.R. § 110.11(c)(3). You should take steps to

Deborah Ruth Kant, Director
Alternative Dispute Resolution Office
Federal Election Commission
999 E Street N.W., Washington, DC 20463
Telephone: 202.694.1661 Fax: 202 219.0613

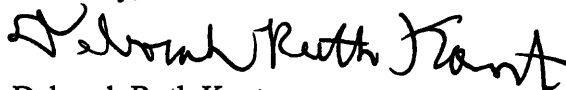
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ensure that all the Committee's public communications comply with the FECA in the future.

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.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1661.

Sincerely,



Deborah Ruth Kant

Director

Alternative Dispute Resolution Office

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