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Federal Election Commission  
Washington, DC 20463

**SENSITIVE**

**MEMORANDUM**

June 3, 2013

TO: The Commission  
THROUGH: Alec Palmer *AP*  
Staff Director  
FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Lynn M. Fraser  
Director, ADR Office *Lynn Fraser, Director*

SUBJECT: ADR 630 Americans for Prosperity  
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Send a representative to a FEC reporting seminar.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 630 (P-MUR 548). The ADR Office received this referral on March 21, 2013.

**SUMMARY:** In this case, in a *sua sponte* submission, Americans for Prosperity (Respondent) stated that it sponsored a radio advertisement satisfying the statutory definition of an electioneering communication. The ad began airing on September 27, 2012 on Pennsylvania radio stations in Harrisburg, Philadelphia, and Reading, and was scheduled to run through October 1, 2012 at a total cost of \$9,990. Due to inadvertent oversight by Respondent, the ad contained an incomplete disclaimer in that it did not state that the ad was not authorized by any candidate or candidate's committee, and that Respondent was responsible for the content of this advertising. Respondent corrected the disclaimer as soon as it realized the error on September 28, 2012.

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**RECOMMENDATIONS:**

1. Approve the attached settlement agreement of Americans for Prosperity.
2. Approve the appropriate letters.
3. Close the file on this matter.

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