



**Federal Election Commission
Washington, DC 20463**

April 22, 2013

Heidi Abegg
Webster, Chamberlain and Bean, LLP
1747 Pennsylvania Ave, NW, Suite 1000
Washington, DC 20006

Re: ADR 633 (P-MUR 553)

Dear Ms. Abegg:

On February 1, 2013, you filed a *sua sponte* submission notifying the Federal Election Commission ("FEC" or "Commission") of a 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 take no further action against the Respondent, American Principles in Action. In its memorandum to the Commission, dated April 9, 2013, this office stated:

Summary: On February 1, 2013, Heidi K. Abegg, Esq., filed a *sua sponte* submission on behalf of her client, American Principles in Action (Respondent), a 501(c)(4) organization that makes independent expenditures. In that submission Respondent acknowledges the failure to file a 24-Hour Notice for a \$20,207.98 radio advertisement which aired during the week of October 22, 2012.

Respondent submits that the ad was mistakenly aired because the radio station did not receive prior authorization from the organization. Respondent reserved advertising time for several weeks leading up to the election with the understanding that if advance payment was not received for the week, the station would not run the ad. This procedure was followed for five weeks, including the week of October 15, 2012, where advance payment was not made and the ad did not run. The organization did not make advance payment for the week of October 22, 2012, and did not intend for the ad to run. However, due to the unexpected absence of the sales manager responsible, the ad mistakenly ran even though advance payment had not been made. At the time of the election Respondent was still investigating how the station came to run the ad without the organization's approval and evaluating whether payment would be made for the errantly-run ad.

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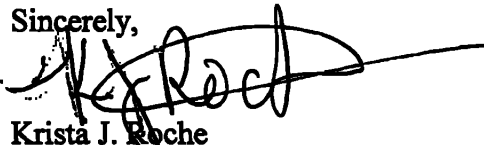
The organization has no prior reporting violations, has a history of properly reporting expenditures, and self-reported the violation in question. Due to the unintentional nature of the violation and Respondent's history, the ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985).

Accordingly, the Commission closed its file in this matter on April 18, 2013.

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 Respondent(s) 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,



Krista J. Roche
Assistant Director
Alternative Dispute Resolution Office

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