



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

**TO: THE COMMISSION
ACTING STAFF DIRECTOR
ACTING GENERAL COUNSEL
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE**

FROM: OFFICE OF THE COMMISSION SECRETARY *[Signature]*

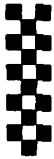
DATE: June 14, 2011

**SUBJECT: Comment on Draft AO 2011-09
(Facebook)**

Transmitted herewith is a timely submitted comment from AOL, Inc. by John J. Duffy regarding the above-captioned matter.

Draft Advisory Opinion 2011-09 is on the agenda for Wednesday, June 15, 2011.

Attachment



STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

BEIJING, CHINA
FACSIMILE: 011.86.10.5989.6099
MAIN NUMBER: 011.86.10.5834.1009

BRUSSELS, BELGIUM
FACSIMILE: 011.322.628.0510
VERIFICATION: 011.322.628.0500

CENTURY CITY, CALIFORNIA
FACSIMILE 310.734.3300
VERIFICATION: 310.734.3288

1330 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-1795
FACSIMILE: 202.429.3902
VERIFICATION: 202-429-8045
MAIN NUMBER: 202.429.3000
www.steptoelaw.com

CHICAGO, ILLINOIS
FACSIMILE 312.577.1370
VERIFICATION: 312.577.1300

LONDON, ENGLAND
FACSIMILE: 011.44.207.367.8001
VERIFICATION: 011.44.207.367.8000

LOS ANGELES, CALIFORNIA
FACSIMILE 213.439.9599
VERIFICATION: 213.439.9400

NEW YORK, NEW YORK
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FROM:

NAME: **JOHN J. DUFFY**

REQUEST MADE ON

DATE: **6/14/11**

TIME: **11:24 AM**

COMPLETION REQUIRED BY

DATE: **6/14/11**

TIME: **ASAP**

SPECIAL INSTRUCTIONS:

TIME SENSITIVE ATTACHMENT
PLEASE DELIVER IMMEDIATELY.
THANK YOU.

STEPTOE & JOHNSON LLP
ATTORNEYS AT LAW

John J. Duffy
202.429.8020
jduffy@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Tel 202.429.3000
Fax 202.429.3902
steptoe.com

June 14, 2011

VIA FACSIMILE

Christopher Hughey, Esq.
General Counsel
Federal Elections Commission
999 E Street N.W.
Washington, D.C. 20463

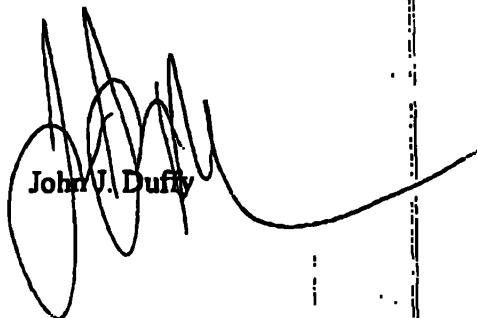
Re: Comments on Draft Advisory B of AO 2011-09 (Facebook)

Dear Mr. Hughey:

AOL Inc., through its attorneys, submits these comments on Draft B of Advisory Opinion 2011-09.

AOL supports the comments expressed in Draft B and believes that these small, character-limited advertisements should qualify for the "impracticable" exception to the disclaimer requirements at 11 CFR 110.11(f)(1)(ii). This is especially so for ads designed to be shown on small wireless devices such as smartphones and tablet computers. By recognizing the inherent impracticability of including a full disclaimer on character-limited advertisements, the Federal Election Commission will do more than implement that exception; it will also help encourage robust participation in the political process, especially on the part of wireless device users, who might otherwise partake to a much lesser extent of an important part of the political discourse.

Respectfully submitted,


John J. Duffy