



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20462

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SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Anthony Herman
General Counsel

Daniel A. Petalas
Associate General Counsel for Enforcement

Kathleen Guith
Deputy Associate General Counsel for Enforcement

BY: Peter G. Blumberg
Assistant General Counsel

Dominique Dillenseger
Attorney

SUBJECT: MUR 6443 (Americans for Common Sense Solutions)

CELA

2012 JUN 6 AM 10:24

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INTRODUCTION

The Commission found reason to believe that Respondent Americans for Common Sense Solutions ("ACSS") failed to file electioneering communication notices for television and radio communications in violation of 2 U.S.C. § 434(f) and that certain ads failed to include proper disclaimers in violation of 2 U.S.C. § 441d.

Attached is a proposed conciliation agreement signed by ACSS. The agreement would settle the violations resulting from ACSS's failure to timely file notices of five electioneering communications as required by 2 U.S.C. § 434(f) while acknowledging also its failure to include an adequate disclaimer in one of its radio communications as required by 2 U.S.C. § 441d.

DISCUSSION

ACSS acknowledges that it failed to report the electioneering communications and the attached agreement contains no changes with respect to the finding. The agreement contains an admission to the violations and requires payment of a \$9,000 penalty,

We recommend the Commission accept the signed agreement, as revised, and close the file.

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Therefore, we recommend that the Commission approve the revised F&LA and substitute it for the F&LA previously approved by the Commission in this matter. We further recommend that the Commission accept the signed conciliation agreement, approve the appropriate letter, and close the file.

RECOMMENDATIONS

1. Accept the attached conciliation agreement with Americans for Common Sense Solutions;
2. Approve the attached revised Factual & Legal Analysis and substitute it for the F&LA previously approved in this matter;
3. Approve the appropriate letter; and
4. Close the file.

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