



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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MEMORANDUM

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3 **TO:** The Commission
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5 **FROM:** Kathleen Guith
6 Acting Associate General Counsel for Enforcement
7
8 **BY:** Mark Shonkwiler *MS*
9 Assistant General Counsel
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11 Jin Lee *JL*
12 Attorney
13
14 **SUBJECT:** MUR 6816 (American Future Fund)
15 Pre-Probable Cause Conciliation
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Attached is a proposed conciliation agreement that resolves the Commission's prior finding that there was reason to believe that American Future Fund ("AFF") violated 52 U.S.C. § 30104(c)(2)(C) and 11 C.F.R. § 109.10(e)(1)(vi) by failing to disclose that the Center to Protect Patient Rights ("CPPR") provided funds for the purpose of furthering independent expenditures. See Certification, MUR 6816 (AFF) (June 23, 2015).¹ We recommend that the Commission accept the negotiated agreement and close the file as to AFF.

¹ The Commission also found reason to believe that AFF violated 52 U.S.C. § 30104(f)(2) and 11 C.F.R. § 104.20(c)(9) by failing to disclose CPPR as a donor in AFF's electioneering communications reports. AFF has informed us, however, that each of the CPPR-funded communications at issue in this matter were independent expenditures. See Second General Counsel's Report, MUR 6816 at 2. Accordingly, the negotiated conciliation agreement only addresses the allegations relating to AFF's independent expenditure reports.

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Accordingly, we recommend that the Commission accept the negotiated conciliation agreement and close the file as to AFF.

RECOMMENDATIONS:

1. Accept the attached conciliation agreement.
2. Approve the appropriate letter.
3. Close the file as to American Future Fund.