



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION

2016 JUN -7 PM 4: 06

SENSITIVE

CELA

MEMORANDUM

1
2
3 **TO:** The Commission
4
5 **FROM:** Kathleen Guith
6 Acting Associate General Counsel for Enforcement
7
8 **BY:** Mark Shonkwiler *MS*
9 Assistant General Counsel
10
11 Jin Lee *JL*
12 Attorney
13
14 **SUBJECT:** MUR 6816 (American Future Fund)
15 Pre-Probable Cause Conciliation
16
17

2016 JUN -7 PM 4: 20

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAL

18 Attached is a proposed conciliation agreement that resolves the Commission's prior
19 finding that there was reason to believe that American Future Fund ("AFF") violated 52 U.S.C.
20 § 30104(c)(2)(C) and 11 C.F.R. § 109.10(e)(1)(vi) by failing to disclose that the Center to
21 Protect Patient Rights ("CPPR") provided funds for the purpose of furthering independent
22 expenditures. See Certification, MUR 6816 (AFF) (June 23, 2015).¹ We recommend that the
23 Commission accept the negotiated agreement and close the file as to AFF.
24
25
26
27
28
29
30
31
32
33
34
35

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.

160047MON71527

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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.