



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 MAY 25 P 1:15

SENSITIVE

MEMORANDUM

May 25, 2012

TO: The Commission

THROUGH: Alec Palmer *[Signature]*
Staff Director

FROM: Patricia Carmona *[Signature]*
Chief Compliance Officer

Lynn M. Fraser *[Signature]*
Director, ADR Office

SUBJECT: ADR 616 Frack Action USA PAC
Informational Memo on Assignment

The Reports Analysis Division (RAD) referred RAD 12L-22 on May 21, 2012, and the ADR Office designated the referral as ADR 616. We anticipate initiating communication with Respondent in ADR 616 on May 31, 2012. Please contact Lynn Fraser if you have any questions, comments or concerns before then.

Summary of Case: RAD referred Frack Action USA PAC (Respondent or Committee), an independent expenditure only committee, for failing to file five (5) 24-Hour Notices totaling \$35,987 for five (5) independent expenditures in support of one (1) federal candidate disclosed on Schedule E of the Committee's 2010 Year End Report.

Respondent contends that the 24 Hour Notices were not filed because no one provided information on how to file them. In addition, Respondent contends also that the Committee was a Super PAC set up strictly for the purpose of independent expenditures supporting the candidacy of Congressman Maurice Hinchey in 2010, has not been active since, and therefore, the Committee requested termination.

12190292738