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Federal Election Commission  
Washington, DC 20463

**MEMORANDUM**

April 10, 2013

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrnck *PCO*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Director, ADR Office

SUBJECT: ADR 630 Americans for Prosperity  
Informational Memo on Assignment

The Office of General Counsel referred PMUR 548 on March 21, 2013, and the ADR Office designated the referral as ADR 630. We included a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 630 on April 12, 2013. Please contact Lynn Fraser if you have any questions, comments or concerns before then.

**Summary of Case:** On September 28, 2012, counsel for Americans for Prosperity filed a *sua sponte* submission on behalf of their client, Americans for Prosperity (Respondent), a 501(c)(4) organization that makes independent expenditures. In that submission Respondent acknowledges that Respondent sponsored a radio advertisement satisfying the statutory definition of an "electioneering communication." The advertisement contained an incomplete disclaimer.

Respondent contends that the ad began airing on September 27, 2012 on Harrisburg, Philadelphia, and Reading, Pennsylvania radio stations, and was scheduled to run through October 1, 2012 at a total cost of \$9,990. Respondent further contends the correct disclaimer language was added on September 28, 2012.

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