



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 20, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bryan P. Tyson, Esq.
Strickland Brockington Lewis LLP
1170 Peachtree Street, NE, Suite 2200
Atlanta, GA 30309

RE: Advisory Opinion Request 2012-37

Dear Mr. Tyson:

This letter responds to your letter received on November 5, 2012, requesting an advisory opinion on behalf of Yamaha Motor Corporation U.S.A. The purpose of this letter is to inform you that the Commission has concluded its consideration of your advisory opinion request without issuing an advisory opinion.

On December 3, 2012, the Commission released for public comment Agenda Document No. 12-84, which contains two alternative draft advisory opinions responding to your request, Draft A and Draft B.

At its Open Sessions of December 6 and 20, 2012, the Commission considered but did not approve either of these drafts. Under the Federal Election Campaign Act of 1971, as amended, the affirmative vote of four members of the Commission is required in order for the Commission to render an advisory opinion. *See* 2 U.S.C. 437c(c), 437d(a)(7); *see also* 11 CFR 112.4(a). The Commission did not vote on Draft A. The Commission voted 3-3 on Draft B. Thus, the Commission was unable to render an opinion in this matter.

Agenda Document No. 12-84, containing Drafts A and B, is enclosed for your convenience. Please keep in mind that neither draft should be considered to be an advisory opinion under the Federal Election Campaign Act, because neither draft was approved by the affirmative vote of at least four Commissioners.

Letter to Bryan P. Tyson, Esq.
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If you have any questions, please contact Tony Buckley, an attorney in this Office, at 202-694-1650.

Sincerely,

(signed)
Kevin Deeley
Acting Associate General Counsel

Enclosure