

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 ) MUR 4982  
Bush for President, Inc., and )  
David Herndon, as treasurer; )  
Republicans for Clean Air; )  
Sam Wyly; )  
Charles Wyly; )  
Lydia Meuret; )  
Jeb Hensarling )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on January 23, 2002, do hereby certify that the Commission took the following actions with respect to MUR 4982:

A. Failed by a vote of 3-3, on an amended pre-meeting tally, to:

1. Find no reason to believe that Charles Wyly violated 2 U.S.C. § 441a(a)(1)(A) and (a)(3).
2. Find no reason to believe that Sam Wyly violated 2 U.S.C. § 441a(a)(1)(A) and (a)(3).
3. Find no reason to believe that Republicans for Clean Air violated 2 U.S.C. § 441a(a)(1)(A).

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4. Find no reason to believe that Bush for President, Inc., and David Herndon, as treasurer, violated 2 U.S.C. §§ 434 and 441a(f).
5. Find no reason to believe that Lydia Meuret violated the Act.
6. Find no reason to believe that Jeb Hensarling violated the Act.
7. Find no reason to believe that Republicans for Clean Air violated 2 U.S.C. § 434(c)(1).
8. Approve the appropriate letters, as recommended in the General Counsel's Report dated December 20, 2001.
9. Close the file.

Commissioners Mason, Smith, and Wold voted affirmatively for the decision. Commissioners McDonald, Sandstrom, and Thomas dissented.

**B. Failed by a vote of 3-3 to pass a motion to:**

1. Find reason to believe that Charles Wyly and Sam Wyly violated 2 U.S.C. §§ 441a(a) and 441d.

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2. Find reason to believe that  
Republicans for Clean Air  
violated 2 U.S.C. §§ 433,  
434, 441a(a), 441a(f), and  
441d.
3. Find reason to believe that  
Bush for President, Inc., and  
David Herndon, as treasurer,  
violated 2 U.S.C. § 441a(f).

Commissioners McDonald, Sandstrom, and Thomas voted  
affirmatively for the decision. Commissioners Mason, Smith,  
and Wold dissented.

C. Decided by a vote of 6-0 to:

1. Find no reason to believe that  
Lydia Meuret violated the Act.
2. Find no reason to believe that  
Jeb Hensarling violated the Act.
3. Take no further action with  
respect to all other respondents.
4. Approve the appropriate letters,  
as recommended in the General  
Counsel's Report dated  
December 20, 2001.
5. Close the file.

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Commissioners Mason, McDonald, Sandstrom, Smith,  
Thomas, and Wold voted affirmatively for the decision.

Attest:

January 23, 2002  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of  
the Commission

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