

In the Matter of )  
 )  
 )  
Bush-Cheney 2000, Inc. and ) MUR 5199  
David Herndon, as Treasurer )

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on March 20, 2003, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to MUR 5199:

1. Find reason to believe Bush-Cheney 2000, Inc. and David Herndon, as Treasurer, violated 2 U.S.C. § 434(b)(2)(J) and 2 U.S.C. § 434(b)(4)(G) and (I).
2. Find reason to believe Bush-Cheney 2000, Inc. and David Herndon, as Treasurer, violated 2 U.S.C. § 434(b)(3)(G) and 2 U.S.C. § 434(b)(6)(A).
3. Enter into conciliation with Bush-Cheney 2000, Inc. and David Herndon, as Treasurer, prior to a finding of probable cause to believe.

(continued)

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4. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated March 10, 2003; subject to the following revisions:

- a) Delete "election cycle" and substitute "calendar year in 2000, and within the election cycle beginning in 2001" in lieu thereof, where appropriate.
- b) Attachment 1, Page 6, delete the paragraph beginning on Line 4 through "In any event," on Line 12.

5. Approve the Conciliation Agreement, as recommended in the General Counsel's Report dated March 10, 2003

6. Approve the appropriate letter.

(continued)

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Commissioners Mason, McDonald, Smith, Thomas, and  
Weintraub voted affirmatively for the decision.  
Commissioner Toner recused himself with respect to this  
matter; he was not present and did not vote.

Attest:

March 20, 2003  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of  
the Commission