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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6289 and MUR 6362
Jeff Denham; Denham for Congress and)
David Bauer, in his official capacity as)
treasurer; Picayune Ranaheria of the)
Chukchansi Indians/Chukchansi Tribal)
Government; Remembering the Brave)
Foundation; Californians for Fiscally)
Conservative Leadership; Gillard,)
Blanning & Associates, Inc. (Dave)
Gillard & Carlos Rodriguez); Jeff)
Denham for State Senate and David)
Bauer, in his official capacity as treasurer)

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on August 02, 2011, the Commission took the following actions in the above-captioned matters:

1. Decided by a vote of 6-0 to:
 - a. Merge MUR 6289 into MUR 6362.
 - b. Find no reason to believe that Remembering the Brave Foundation made prohibited in-kind corporate contributions resulting from coordinated communications in violation of 2 U.S.C. § 441b(a).
 - c. Find no reason to believe that Representative Jeff Denham accepted and received prohibited in-kind contributions resulting from coordinated communications in violation of 2 U.S.C. § 441b(a).

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- d. Find no reason to believe that Denham for Congress and David Bauer, in his official capacity as treasurer, accepted and received prohibited in-kind contributions resulting from coordinated communications in violation of 2 U.S.C. § 441b(a).
- e. Find no reason to believe that Denham for Congress and David Bauer, in his official capacity as treasurer, failed to report in-kind contributions resulting from coordinated communications in violation of 2 U.S.C. § 434(b).
- f. Find no reason to believe that the Picayune Rancheria of the Chukchansi Indians/Chukchansi Tribal Government, Californians for Fiscally Conservative Leadership, Gilliard, Blanning & Associates, Inc., David Gilliard, and Carlos Rodriguez violated any provisions of the Act or regulations in connection with the allegations in these matters.
- g. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated April 13, 2011, as they apply to the above actions.
- h. Approve the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

2. Failed on a vote of 3-3 to:

- a. Find reason to believe that Remembering the Brave Foundation failed to report electioneering communications in violation of 2 U.S.C. § 434(f).
- b. Find reason to believe that Remembering the Brave Foundation violated 2 U.S.C. § 441d by failing to include proper disclaimers on its radio and television advertisements.
- c. Find reason to believe that Jeff Denham, Jeff Denham for State Senate and David Bauer, in his official capacity as treasurer, and Denham for Congress and David Bauer, in his official capacity as treasurer, violated 2 U.S.C. § 441i(e)(1)(A) and 11 C.F.R. § 110.3(d).
- d. Authorize the use of compulsory process as to all Respondents and witnesses in this matter, including the issuance of appropriate interrogatories, document subpoenas, and deposition subpoenas, as necessary.

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- e. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated April 13, 2011, as they apply to the above actions.
- f. Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

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

- a. Close the file.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

August 4, 2011
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary of the Commission

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