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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Chris Nwasike for Congress and Marcus )  
Brooks, in his official capacity as )  
treasurer; Biblical Concepts Ministries, ) MUR 6345  
Inc.; Chukwuemeka Christian "Chris" )  
Nwasike; Marianne "Jorgine" Fields; )  
Joseph "Jay" Fields )

AMENDED CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 16, 2011, the Commission took the following actions in the above-captioned matter:

1. Decided by a vote of 6-0 to:
  - a. Find no reason to believe that Chukwuemeka Christian Nwasike and Chris Nwasike for Congress and Marcus Brooks, in his official capacity as treasurer, violated 2 U.S.C. § 441i(d)(1).
  - b. Find no reason to believe that Biblical Concepts Ministries, Inc violated 2 U.S.C. § 441i(d)(1).
  - c. Find no reason to believe that Joseph "Jay" Fields violated 2 U.S.C. § 441i(d)(1).
  - d. Find no reason to believe that Marianne "Jorgine" Fields violated 2 U.S.C. § 441i(d)(1).
  - e. Approve the appropriate Factual and Legal Analysis as recommended in the First General Counsel's Report dated December 23, 2010 but amended to support these conclusions.

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- f. 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 Chukwuemeka Christian Nwasike violated 2 U.S.C. §§ 441b(a), 441f, and 11 C.F.R. § 110.4(b)(1)(iii).
- b. Find reason to believe that Chris Nwasike for Congress and Marcus Brooks, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b and 441f.
- c. Authorize pre-probable cause conciliation with Chukwuemeka Christian Nwasike and Chris Nwasike for Congress and Marcus Brooks, in his official capacity as treasurer.
- d. Approve the conciliation agreement as recommended in the First General Counsel's Report dated December 23, 2010 with an amended civil penalty of
- e. 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. Dismiss on the grounds of prosecutorial discretion under Heckler v. Chaney, 470 U.S. 821 (1985) potential violations under 2 U.S.C. §§ 441f, 441b(a), and 11 C.F.R. § 110.4(b)(1)(iii) with respect to Biblical Concepts Ministries, Inc., Joseph "Jay" Fields, and Marianne "Jorgine" Fields.
- b. Approve the appropriate Factual and Legal Analysis.
- c. Close the file.
- d. Send the appropriate letters.

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

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4. Decided by a vote of 5-1 to:

- a. Dismiss, on the basis of prosecutorial discretion pursuant to Heckler v. Chaney, 470 U.S. 821 (1985), the allegation that Chukwuemeka Christian Nwasike violated 2 U.S.C. §§ 441b(a), 441f, and 11 C.F.R. § 110.4(b)(1)(iii).
- b. Dismiss, on the basis of prosecutorial discretion pursuant to Heckler v. Chaney, 470 U.S. 821 (1985), the allegation that Chris Nwasike for Congress and Marcus Brooks, in his official capacity as treasurer, violated 2 U.S.C. §§ 441b and 441f.
- c. Close the file.
- d. Send the appropriate letters.

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

Attest:

March 4, 2011  
Date

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

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