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FEDERAL ELECTION
COMMISSION
2015 DEC 11 AM 10:24

BEFORE THE FEDERAL ELECTION COMMISSION CELA

In the Matter of)
) MURs 6470, 6482 and 6484
Mitt Romney; Romney for President, Inc.)
(f/k/a Romney for President Exploratory)
Committee, Inc.) and Darrell Crate, in his)
official capacity as treasurer; Free and)
Strong America PAC, Inc. and Darrell)
Crate in his official capacity as treasurer;)
The Commonwealth PAC - Alabama)
(f/k/a Free and Strong America PAC -)
Alabama), and Shauna Polk in her)
official capacity as treasurer; The)
Commonwealth PAC - Iowa (f/k/a Free)
and Strong America PAC - Iowa), and)
Shauna Polk in her official capacity as)
treasurer; The Commonwealth PAC -)
Michigan (f/k/a Free and Strong America)
PAC - Michigan), and Shauna Polk in her)
official capacity as treasurer; The)
Commonwealth PAC - New Hampshire)
(f/k/a Free and Strong America PAC -)
New Hampshire), and Shauna Polk in her)
official capacity as treasurer; The)
Commonwealth PAC - South Carolina)
(f/k/a Free and Strong America PAC -)
South Carolina), and Shauna Polk in her)
official capacity as treasurer)

AMENDED CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on November 19, 2015, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
 - a. Find reason to believe that Free and Strong America violated 52 U.S.C. § 30116(a)(2)(A) by making excessive in-kind contributions to Romney and Romney for President for testing-the-waters activity.
 - b. Find reason to believe that Romney and Romney for President violated 52 U.S.C. § 30116(f) by knowingly accepting excessive in-kind contributions for testing-the-waters activity from Free and Strong America.
 - c. Find reason to believe that Romney for President violated 52 U.S.C. § 30104, 11 C.F.R. § 103.3, and 11 C.F.R. §§ 100.72, 100.131 by failing to report Romney's testing-the-waters activity.
 - d. Find no reason to believe that Free and Strong America violated 52 U.S.C. § 30116(a)(2)(A) by making excessive in-kind contributions to Romney and Romney for President under 11 C.F.R. 110.2(f).
 - e. Find reason to believe that the State PACs violated 52 U.S.C. § 30116(a)(1)(A) by making excessive in-kind contributions to Romney and Romney for President.
 - f. Find reason to believe that the State PACs, Free and Strong America, or Romney for President violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions from donors to the State PACs.
 - g. Do a targeted investigation to determine whether the State PACs may have made excessive in-kind contributions and therefore whether Free and Strong America or Romney for President may have knowingly accepted excessive contributions from the donors to the State PACs.
 - h. Take no action at this time on Complainants' allegation that Romney violated 52 U.S.C. § 30125(e) if the State PACs received or spent non-federal funds after Romney became a presidential candidate.
 - i. Authorize the use of compulsory process.
 - j. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated April 28, 2014:
 - i. to the extent that they support the recommendations; and
 - ii. direct the Office of General Counsel to draft amended Factual and Legal Analyses with respect to the State PACs.
 - k. Approve the appropriate letters.

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

Commissioners Goodman, Hunter, and Petersen dissented.

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

- a. Close the file.
- b. Approve the appropriate letters pursuant to the email from the Office of General Counsel dated November 23, 2015.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 1, 2015
Date

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