

2016 DEC -9 PM 4: 47

BEFORE THE FEDERAL ELECTION COMMISSION

CFLA

In the Matter of )  
 ) MUR 6920  
 American Conservative Union; Now or )  
 Never PAC and James C. Thomas in his )  
 official capacity as treasurer; Unknown )  
 Respondent )

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 06, 2016, 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 American Conservative Union violated 52 U.S.C. § 30122.
  - b. Find reason to believe that Unknown Respondent violated 52 U.S.C. § 30122.
  - c. Take no action at this time as to Now or Never PAC and James C. Thomas III in his official capacity as treasurer.
  - d. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated January 20, 2016 and as edited by Commissioner Goodman's Office on November 10, 2016 at 11:16 P.M.
  - e. Approve the use of compulsory process as necessary.
  - f. Approve the appropriate letters.

Commissioners Goodman, Hunter, and Petersen voted affirmatively for the motion.

Commissioners Ravel, Walther, and Weintraub dissented.

17044434421

2. Failed by a vote of 3-0 to:
- a. Find reason to believe that ACU violated 52 U.S.C. § 30122.
  - b. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30122.
  - c. Take no action at this time as to Now or Never PAC and James C. Thomas III in his official capacity as treasurer.
  - d. Approve the use of compulsory process as necessary.

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

Commissioners Goodman, Hunter, and Petersen abstained.

Attest:

December 8, 2016  
Date

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