

FEDERAL ELECTION COMMISSION

2018 DEC 17 AM 10:07

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 6915 and 6927
 John Ellis Bush; Jeb 2016, Inc. and)
 William Simon in his official capacity as)
 treasurer; Right to Rise PAC, Inc. and)
 James P. Robinson in his official)
 capacity as treasurer; Right to Rise USA)
 and Charles R. Spies in his official)
 capacity as treasurer; Michael Murphy)

CERTIFICATION

I, Laura E. Sinram, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 13, 2018, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-2 to:

- a. Find reason to believe John Ellis Bush violated 52 U.S.C. § 30102(e)(1) and 11 C.F.R. § 101.1(a) and that Jeb Bush 2016, Inc. and William Simon in his official capacity violated 52 U.S.C. §§ 30103(a) and 30104; or in the alternative, find reason to believe that Jeb Bush violated 11 C.F.R. §§ 100.72(a) and 100.131(a) and that Jeb Bush 2016, Inc. and William Simon in his official capacity violated 52 U.S.C. § 30104.
- b. Find reason to believe that Right to Rise PAC, Inc. and James P. Robinson in his official capacity as treasurer violated 52 U.S.C. § 30116(a) by making excessive in-kind contributions to John Ellis Bush and Jeb 2016, Inc.
- c. Find reason to believe that John Ellis Bush and Jeb Bush 2016, Inc. and William Simon violated 52 U.S.C. § 30116(f) by accepting excessive contributions from Right to Rise PAC.

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- d. Take no action at this time with respect to Right to Rise U.S.A. and Charles R. Spies in his official capacity as treasurer as to whether or not they violated 52 U.S.C. § 30125(e).
- e. Take no action at this time with respect to the allegation that John Ellis Bush or Michael Murphy violated 52 U.S.C. § 30125(e).
- f. Take no action at this time with respect to the allegation that Right to Rise U.S.A. and Charles R. Spies in his official capacity as treasurer violated 52 U.S.C. § 30116(a) by making excessive in-kind contributions.
- g. Take no action at this time with respect to the allegation that John Ellis Bush, Jeb Bush 2016, Inc. and William Simon in his official capacity, and Right to Rise PAC, Inc., and James P. Robinson in his official capacity as treasurer violated 52 U.S.C. § 30116(a) or (f) as a result of making contributions defined by 11 C.F.R. § 110.2(l).
- h. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated February 8, 2017, and last circulated by Commissioner Petersen's Office on December 6, 2018 at 9:49 p.m.
- i. Authorize the use of compulsory process.
- j. Approve the appropriate letters.

Commissioners Hunter and Petersen voted affirmatively for the motion. Commissioners Walther and Weintraub dissented.

2. Failed by a vote of 2-2 to:

- a. Close the file.
- b. Send the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

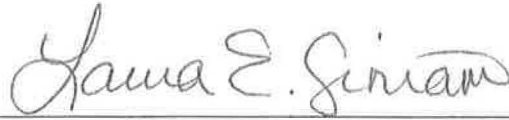
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Attest:

12/14/18

Date

A handwritten signature in dark ink, appearing to read "Laura E. Sinram", written over a horizontal line.

Laura E. Sinram

Deputy Secretary of the Commission