

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7530  
 NRCC and Keith A. Davis in his official )  
 capacity as treasurer; Balderson for )  
 Congress and Matthew J. Yuskewich in )  
 his official capacity as treasurer; Troy )  
 Balderson )

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on September 28, 2021, 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 the NRCC and Keith A. Davis in his official capacity as treasurer violated 52 U.S.C. § 30116(a) by making an excessive in-kind contribution in connection with the television ad “Progressive”.
  - b. Find reason to believe that Balderson for Congress and Matthew Yuskewich in his official capacity as treasurer violated 52 U.S.C. § 30118(f) by knowingly accepting an excessive in-kind contribution in connection with the television ad “Progressive”.
  - c. Take no action at this time against Troy Balderson.
  - d. Approve the Factual and Legal Analysis, as recommended in the First General Counsel’s Report dated June 19, 2019.
  - e. Approve compulsory process.
  - f. Approve the appropriate letters.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

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

- a. Dismiss the allegations against the respondents pursuant to *Heckler v. Chaney*.
- b. Issue appropriate letters.
- c. Close the file.

Commissioners Cooksey, Dickerson, and Trainor voted affirmatively for the motion.

Commissioners Broussard, Walther, and Weintraub dissented.

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

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

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.



Attest:

**Vicktoria Allen** Digitally signed by Vicktoria Allen  
Date: 2021.09.30 19:04:57 -04'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission