

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Unknown of Respondents ) MURs 7532 and 7537  
)

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on September 30, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:
  - a. Dismiss the allegations in MUR 7537 that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Hawley mailers.
  - b. Dismiss the allegations in MUR 7537 that Unknown Respondents violated 52 U.S.C. § 30104(b), (c), and (g) with regard to the Hawley mailers.
  - c. Merge the allegations regarding the Wagner communications in MUR 7537 into MUR 7532.
  - d. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30120(a), with regard to the Paulsen and Wagner mailers and internet video ads.
  - e. Take no action at this time as to the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Paulsen and Wagner mailers and internet video ads.
  - f. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Paulsen and Wagner mailers and internet video ads.
  - g. Authorize the use of compulsory process, as necessary.

- h. Direct the Office of General Counsel to draft a revised Factual and Legal Analysis to be considered and circulated to the Commission for approval.
- i. Approve the appropriate letters.

Commissioners Dickerson and Trainor voted affirmatively for the motion.

Commissioners Broussard, Walther, and Weintraub dissented. Commissioner Cooksey was recused and did not vote.

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

- a. Take no action at this time regarding the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Hawley mailers.
- b. Take no action at this time regarding the possibility that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Hawley mailers.

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

Commissioners Dickerson and Trainor dissented. Commissioner Cooksey was recused and did not vote.

3. Failed by a vote of 3-1 to:

- a. Merge MUR 7532 into MUR 7537.
- b. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30120(a), with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
- c. Take no action at this time as to the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the sponsor may have been a political committee.
- d. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Paulsen and

Wagner mailers and internet video ads on the basis that the communications contained express advocacy.

- e. Take no action at this time regarding the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Hawley mailers on the basis that the sponsor may have been a political committee.
- f. Take no action at this time regarding the possibility that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Hawley mailers on the basis that the sponsor may have been a political committee.
- g. Authorize the use of compulsory process, as necessary.
- h. Approve the relevant portions of the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated October 21, 2019.
- i. Approve the appropriate letters.

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

Commissioner Trainor dissented. Commissioner Weintraub abstained. Commissioner Cooksey was recused and did not vote.

4. Decided by a vote of 4-0 to:
  - a. Merge MUR 7532 into MUR 7537.
  - b. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30120(a), with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
  - c. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
  - d. Authorize the use of compulsory process, as necessary.

- e. Approve the relevant portions of the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated October 21, 2019.
- f. Approve the appropriate letters.

Commissioners Broussard, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioner Dickerson abstained. Commissioner Cooksey was recused and did not vote.

5. Decided by a vote of 5-0 to:

Reconsider motion #4.

Commissioners Broussard, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioner Cooksey was recused and did not vote.

6. Failed by a vote of 3-1 to:

- a. Merge MUR 7532 into MUR 7537.
- b. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30120(a), with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
- c. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
- d. Authorize the use of compulsory process, as necessary.
- e. Approve the relevant portions of the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated October 21, 2019.
- f. Approve the appropriate letters.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion. Commissioner Trainor dissented. Commissioner Dickerson abstained. Commissioner Cooksey was recused and did not vote.

7. Decided by a vote of 5-0 to:

Reconsider motion #3.

Commissioners Broussard, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioner Cooksey was recused and did not vote.

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

- a. Merge MUR 7532 into MUR 7537.
- b. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30120(a), with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
- c. Take no action at this time as to the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the sponsor may have been a political committee.
- d. Find reason to believe that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Paulsen and Wagner mailers and internet video ads on the basis that the communications contained express advocacy.
- e. Take no action at this time regarding the allegations that Unknown Respondents violated 52 U.S.C. § 30120(a) with regard to the Hawley mailers on the basis that the sponsor may have been a political committee.
- f. Take no action at this time regarding the possibility that Unknown Respondents violated 52 U.S.C. § 30104(b) or (c), and (g) with regard to the Hawley mailers on the basis that the sponsor may have been a political committee.
- g. Authorize the use of compulsory process, as necessary.

- h. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated October 21, 2019.
- i. Approve the appropriate letters.

Commissioners Broussard, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioner Trainor dissented. Commissioner Cooksey was recused and did not vote.

Attest:



**Vicktoria Allen** Digitally signed by Vicktoria Allen  
Date: 2021.10.04 19:17:38 -04'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission