

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MURs 7666 and 7675  
 Peters for Michigan and Geraldine )  
 Buckles in her official capacity as )  
 treasurer; Gary Peters; VoteVets.org )  
 Action Fund; Majority Forward )

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 15, 2022, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-4 to:
  - a. Dismiss the allegations that VoteVets.org Action Fund violated 52 U.S.C. § 30116(a)(1)(A) and 11 C.F.R. §110.1(b)(1) pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*.
  - b. Dismiss the allegations that Majority Forward violated 52 U.S.C. §30116(a)(1)(A) and 11 C.F.R. § 110.1(b)(1) pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*.
  - c. Find no reason to believe that Gary Peters and Peters for Michigan and Geraldine Buckles in her official capacity as treasurer violated 52 U.S.C. §§ 30116(f) and 30104(b) and 11 C.F.R §§ 110.9 and 104.3(a).
  - d. Close the file.
  - e. Issue appropriate letters.

Commissioners Dickerson and Trainor voted affirmatively for the motion.

Commissioners Broussard, Cooksey, Walther, and Weintraub dissented.

2. Failed by a vote of 2-4 to:

- a. Find no reason to believe that VoteVets.org Action Fund violated 52 U.S.C. § 30116(a)(1)(A) and 11 C.F.R. § 110.1(b)(1) by making excessive in-kind contributions.
- b. Find no reason to believe that Majority Forward violated 52 U.S.C. § 30116(a)(1)(A) and 11 C.F.R. § 110.1(b)(1) by making an excessive in-kind contribution.
- c. Find no reason to believe that Gary Peters and Peters for Michigan and Geraldine Buckles in her official capacity as treasurer violated 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by knowingly accepting excessive in-kind contributions or violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 104.3(a) by failing to report in-kind contributions.
- d. Approve the Factual and Legal Analyses for Gary Peters and Peters for Michigan and Geraldine Buckles in her official capacity as treasurer, as recommended in the First General Counsel's Report dated May 27, 2020, subject to the edits circulated by Commissioner Cooksey's Office on February 10, 2022 at 1:32 p.m.
- e. Close the file.
- f. Issue the appropriate letters.

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

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

- a. Find reason to believe that VoteVets.org Action Fund violated 52 U.S.C. §§ 30116(a)(1)(A) and 30118(a) and 11 C.F.R. § 110.1(b)(1) by making excessive and prohibited in-kind contributions.
- b. Find reason to believe that Majority Forward violated 52 U.S.C. §§ 30116(a)(1)(A) and 30118(a) and 11 C.F.R. § 110.1(b)(1) by making excessive and prohibited in-kind contribution.

- c. Direct the Office of General Counsel to amend the Factual and Legal Analyses and the Conciliation Agreements, as recommended in the First General Counsel's Report dated May 27, 2020, consistent with these findings.
- d. Enter into pre-probable cause conciliation with VotesVets.org Action Fund and Majority Forward.
- e. Approve the appropriate letters.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

Attest:



**Vicktoria J Allen** Digitally signed by Vicktoria J Allen  
Date: 2022.02.20 21:19:43 -05'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission