

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7696
 Texans for Senator John Cornyn and)
 Kerry N. Cammack in his official)
 capacity as treasurer; Senator John)
 Cornyn; Dannenbaum Engineering)
 Corp.; James D. Dannenbaum; Richard)
 Seitz; Louis H. Jones, Jr.; Eric Davila;)
 and David A. Garza)

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on March 09, 2021, the Commission took the following actions in the above-captioned matter:

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

Dismiss with admonishment as to James D. Dannenbaum, Richard Seitz, Eric Davila, and David A. Garza.

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

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

a. Find reason to believe that Dannenbaum Engineering Corp. knowingly and willfully violated 52 U.S.C. §§ 30118(a), 30119(a)(1) and 30122 and 11 C.F.R. §§ 110.4(b)(1)(i), 114.2(b), 114.2(f) and 115.2 by making prohibited corporate contributions in the names of others and by using corporate resources to facilitate such prohibited contributions.

b. Dismiss the Complaint as to Texans for John Cornyn and Kerry N. Cammack in his official capacity as treasurer and Senator John Cornyn.

- c. Take no further action as to Louis H. Jones, Jr.
- d. Enter into pre-probable cause conciliation with Dannenbaum Engineering Corp.
- e. Direct the Office of General Counsel to revise the proposed conciliation agreement consistent with the reason to believe findings
- f. Direct the Office of General Counsel to revise the proposed Factual and Legal Analyses consistent with the reason to believe findings.
- g. Approve the appropriate letters.
- h. Close the file as to James D. Dannenbaum, Texans for John Cornyn and Kerry N. Cammack in his official capacity as treasurer, Senator John Cornyn, Richard Seitz, Louis H. Jones, Jr., Eric Davila, and David A. Garza.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

3. Decided by a vote of 6-0 to:
 - a. Dismiss the Complaint as to Texans for John Cornyn and Kerry N. Cammack in his official capacity as treasurer and Senator John Cornyn.
 - b. Take no further action as to Louis H. Jones, Jr.
 - c. Approve the appropriate Factual and Legal Analyses for those respondents.
 - d. Approve the appropriate letters.

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

4. Failed by a vote of 3-3 to:
 - a. Find reason to believe that Dannenbaum Engineering Corp. knowingly and willfully violated 52 U.S.C. §§ 30118(a), 30119(a)(1) and 30122

and 11 C.F.R. §§ 110.4(b)(1)(i), 114.2(b), 114.2(f) and 115.2 by making prohibited corporate contributions in the names of others and by using corporate resources to facilitate such prohibited contributions.

- b. Enter into pre-probable cause conciliation with Dannenbaum Engineering Corp.
- c. Direct the Office of General Counsel to revise the proposed conciliation agreement consistent with the reason to believe findings
- d. Direct the Office of General Counsel to revise the proposed Factual and Legal Analyses consistent with the reason to believe findings.
- e. Approve the appropriate letters.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

5. Failed by a vote of 3-2 to:
 - a. Dismiss pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney* as to remaining respondents.
 - b. Close the file.
 - c. Issue appropriate letters.

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

Commissioners Broussard and Weintraub dissented. Commissioner Walther abstained.

6. Decided by a vote of 6-0 to:
 - a. Close the file.
 - b. Send appropriate letters.

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

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April 13, 2021

Date

Attest:

Vicktoria Allen Digitally signed by Vicktoria Allen
Date: 2021.04.13 16:58:08 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission