

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7876
Lauren Boebert for Congress and Mike)
McCauley in his official capacity as)
treasurer; Lauren Boebert)

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on April 05, 2022, 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 Lauren Boebert and Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30114(b) and 11 C.F.R. § 113.2 by converting campaign funds to personal use.
 - b. Find reason to believe that Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30102(c) and 11 C.F.R. §§ 102.9 and 113.1(g)(8) by failing to maintain appropriate records.
 - c. Find reason to believe that Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30104(b)(6) and 11 C.F.R. § 104.3(b) by failing to accurately report the purpose of \$3,919.52 of its November 11, 2020 disbursement to Lauren Boebert.
 - d. Direct the Office of General Counsel to draft an appropriate Factual and Legal Analysis consistent with these findings.
 - e. Authorize the use of compulsory process.
 - f. Send the appropriate letters.

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

Commissioners Cooksey, Dickerson, and Trainor dissented.

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

- a. Find reason to believe that Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30102(c) and 11 C.F.R. §§ 102.9 and 113.1(g)(8) by failing to maintain appropriate records.
- b. Direct the Office of General Counsel to draft an appropriate Factual and Legal Analysis.
- c. Authorize pre-probable cause conciliation with Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer.
- d. Direct the Office of General Counsel to draft an appropriate conciliation agreement with a statutory penalty.
- e. Approve the appropriate letters.

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

Commissioners Cooksey and Trainor dissented. Commissioner Dickerson abstained.

3. Decided by a vote of 4-2 to:

- a. Dismiss pursuant to Heckler v. Chaney the allegation that Lauren Boebert and Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30114(b) and 11 C.F.R. § 113.2 by converting campaign funds to personal use.
- b. Dismiss pursuant to Heckler v. Chaney the allegation that Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30102(c) and 11 C.F.R. §§ 102.9 and 113.1(g)(8) by failing to maintain appropriate records.
- c. Dismiss with caution pursuant to Heckler v. Chaney the allegation that Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer violated 52 U.S.C. § 30104(b)(6) and 11 C.F.R. § 104.3(b) by failing to accurately report the purpose of \$3,919.52 of its November 11, 2020 disbursement to Lauren Boebert.

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- d. Direct Lauren Boebert for Congress and Mike McCauley in his official capacity as treasurer to work with the Reports Analysis Division to amend their disbursement purpose reporting as needed.
- e. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated January 31, 2022, subject to the edits circulated by Commissioner Cooksey's Office on Thursday, March 31, 2022 at 2:12 p.m.
- f. Send the appropriate letters.
- g. Close the file.

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



Attest:

Vicktoria J Allen

Digitally signed by Vicktoria J
Allen
Date: 2022.04.08 16:21:00 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission