

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7882
 Christy Smith; Christy Smith for)
 Congress and Marc Winger in his official)
 capacity as treasurer)

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 Christy Smith for Congress and Marc Winger in his official capacity as treasurer violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 104.3(b)(4) by failing to properly disclose the purpose of its disbursements.
 - b. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated December 23, 2021.
 - c. Enter into conciliation with Christy Smith for Congress and Marc Winger in his official capacity as treasurer prior to a finding of probable cause to believe.
 - d. Approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated December 23, 2021.
 - e. 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 allegation that Christy Smith for Congress and Marc Winger in his official capacity as treasurer, and Christy Smith violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 104.3(b)(4), pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*.
- b. Close the file.
- c. Send the appropriate letters.

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 the appropriate letters.

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

Attest:



Vicktoria J Allen

Digitally signed by Vicktoria J
Allen
Date: 2022.04.08 16:02:00 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission