

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) PRE-MUR 643  
 Kennedy for Massachusetts and Keith D. )  
 Lowey 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 September 02, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
  - a. Open a MUR.
  - b. Dismiss with admonishment pursuant to *Heckler v. Chaney* allegations that Kennedy for Massachusetts and Keith D. Lowey in his official capacity as treasurer violated 52 U.S.C. § 30116(f) by accepting excessive contributions.
  - c. Approve the appropriate letters.
  - d. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 3, 2021, and as last circulated by Commissioner Cooksey's Office on August 26, 2021 at 10:38 a.m.
  - e. Close the file.

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

Commissioners Broussard, Walther, and Weintraub dissented.

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

- a. Open a MUR. MUR 7927
- b. Find reason to believe that Kennedy for Massachusetts and Keith D. Lowey in his official capacity as treasurer violated 52 U.S.C. § 30116(f) by accepting excessive contributions.
- c. Enter into pre-probable cause conciliation with Kennedy for Massachusetts and Keith D. Lowey in his official capacity as treasurer.
- d. Approve the conciliation agreement, as recommended in the First General Counsel's Report dated May 3, 2021.
- e. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 3, 2021, subject to deleting
- f.
- g. Approve the appropriate letters.

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

Attest:



Vicktoria Allen Digitally signed by Vicktoria Allen  
Date: 2021.09.12 20:19:04 -04'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission