

1. Dismiss the allegation that Eric Michael Swalwell and Swalwell for Congress and Jerome C. Pandell in his official capacity as treasurer violated 52 U.S.C. § 30114(b) and 11 C.F.R. §113.1(g) by converting campaign funds to personal use, except to extent that the allegations relate to childcare expenses.
2. Dismiss pursuant to *Heckler v. Chaney* the allegations that Eric Michael Swalwell and Swalwell for Congress and Jerome C. Pandell converted campaign funds to personal use in violation of 52 U.S.C. § 30114(b) and 11 C.F.R. §113.1(g) by spending campaign funds on childcare expenses.
3. Find no reason to believe that Swalwell for Congress and Jerome C. Pandell in his official capacity as treasurer violated 52 U.S.C. § 30102(h)(1) or 11 C.F.R. § 102.10 by disbursing campaign funds outside of its depository.
4. Find no reason to believe that Swalwell for Congress and Jerome C. Pandell in his official capacity as treasurer violated 52 U.S.C. § 30104(b)(5) or 11 C.F.R. § 104.3(b)(4) by failing to adequately report disbursements.

Federal Election Commission
Certification for MUR 7947
October 18, 2022

Page 2

5. Direct the Office of General Counsel to make appropriate conforming edits to the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated August 22, 2022.
6. Approve the appropriate letters.

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

Attest:



Vicktoria J Allen

Digitally signed by Vicktoria J
Allen
Date: 2022.10.24 17:11:02 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the Commission