

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7976  
 John James; John James for Senate, Inc., )  
 and Timothy Caughlin 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 June 01, 2023, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:
  - a. Find reason to believe that John James, and John James for Senate, Inc. and Timothy Caughlin, in his official capacity as treasurer, violated 52 U.S.C. § 30114(b) by converting campaign funds to personal use.
  - b. Authorize the use of compulsory process.
  - c. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 2, 2023.
  - d. Approve the appropriate letter.

Commissioners Broussard and Weintraub voted affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented. Commissioner Lindenbaum abstained.

2. Decided by a vote of 5-1 to:
  - a. Find reason to believe that the respondents violated personal use prohibition with respect to \$2,286.71 related to speaking engagements.
  - b. Authorize the Office of General Counsel to engage in pre-probable cause conciliation.

- c. Direct the Office of General Counsel to draft an appropriate proposed Conciliation Agreement and Factual and Legal Analysis, and to circulate both for Commission approval.

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

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

Dismiss the remaining allegations in an exercise of prosecutorial discretion.

Commissioners Cooksey, Dickerson, and Trainor voted affirmatively for the motion. Commissioners Broussard and Weintraub dissented. Commissioner Lindenbaum abstained.

Attest:

June 7, 2023  
\_\_\_\_\_  
Date

Vicktoria J Allen

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Allen  
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Vicktoria J. Allen  
Deputy Secretary of the Commission