

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 8062
 Andrew Garbarino; Friends of Andrew)
 Garbarino; Garbarino for Congress and)
 Lisa Lisker in her official capacity as)
 treasurer)

CERTIFICATION

I, Vicktoria J. Allen, recording secretary for the Federal Election Commission executive session on August 08, 2023, do hereby certify that the Commission failed by a vote of 3-3 to take the following actions, subject to the Notice of Errata dated June 7, 2023, in the above-captioned matter:

1. Find reason to believe that Andrew Garbarino, Garbarino for Congress and Lisa Lisker in her official capacity as treasurer, and Friends of Andrew Garbarino violated 52 U.S.C. § 30125(e)(1)(A) and 11 C.F.R. § 110.3(d) in connection with an \$800 transfer from Friends of Andrew Garbarino to Garbarino for Congress.
2. Find reason to believe that Andrew Garbarino and Friends of Andrew Garbarino violated 52 U.S.C. § 30125(e)(1)(B) by receiving and spending nonfederal funds in connection with an election to nonfederal office.
3. Find reason to believe that Andrew Garbarino and Friends of Andrew Garbarino violated 52 U.S.C. § 30125(e)(1)(A) and 11 C.F.R. § 110.3(d) by spending nonfederal funds in connection with a federal election.
4. Find reason to believe that Garbarino for Congress and Lisa Lisker in her official capacity as treasurer violated 52 U.S.C. § 30125(e)(1)(A), 30104(b) and 11 C.F.R. § 110.3(d) by receiving, and failing to report, in-kind contributions from Friends of Andrew Garbarino in connection with an election to federal office.
5. Authorize the use of compulsory process, as recommended in the First General Counsel's Report dated May 2, 2023.
6. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 2, 2023.

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7. Approve the subpoenas, as recommended in the First General Counsel's Report dated May 2, 2023.
8. Approve the appropriate letters.

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

Attest:



Vicktoria J Allen

Digitally signed by Vicktoria J
Allen
Date: 2023.08.11 17:31:15 -04'00'

Vicktoria J. Allen
Deputy Secretary of the Commission