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BEFORE THE FEDERAL ELECTION COMMISSION

2015 OCT 30 AM 3: 58

In the Matter of)
Rick Santorum; Rick Santorum for) MUR 6740
President and Nadine Maenza in her)
official capacity as treasurer; Robert L.)
Vander Plaats; The Family Leader, Inc.,)
c/o Robert L. Vander Plaats, President;)
Leaders for Families and Chuck Hurley)
in his official capacity as treasurer;)
National Organization for Marriage;)
Brian Brown, President of the National)
Organization for Marriage; Foster Friess;)
Red White and Blue Fund and)
Christopher Marston in his official)
capacity as treasurer)

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CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on October 27, 2015, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
 - a. Find no reason to believe that Brian Brown and the National Organization for Marriage made excessive, corporate in-kind contributions to Rick Santorum for President in violation of 52 U.S.C. §§ 30116(a) and 30118(a).
 - b. Find no reason to believe that the National Organization for Marriage failed to report independent expenditures in violation of 52 U.S.C. § 30104(b).
 - c. Find no reason to believe that Santorum for President and Nadine Maenza in her official capacity as Treasurer accepted excessive, corporate in-kind contributions from the National Organization for Marriage, Leaders for Families, or the Red White and Blue Fund in violation of 52 U.S.C. §§ 30116(f) and 30118(a).

- d. Find no reason to believe that Santorum for President and Nadine Maenza in her official capacity as Treasurer failed to disclose its receipt of in-kind contributions or expenditures in violation of 52 U.S.C. § 30104(b) based on the allegations in the Complaint.
- e. Find no reason to believe that Robert L. Vander Plaats and The Family Leader, Inc., violated the Act as alleged in the Complaint.
- f. Find no reason to believe that the Leaders for Families Super PAC and Chuck Hurley in his official capacity as Treasurer made excessive, corporate in-kind contributions to Rick Santorum for President in violation of 52 U.S.C. §§ 30116(a) and 30118(a), or failed to disclose a contribution or expenditure in violation of 52 U.S.C. § 30104(b).
- g. Find no reason to believe that Red White and Blue Fund and Christopher Marston in his official capacity as treasurer made excessive, corporate in-kind contributions to Rick Santorum for President in violation of 52 U.S.C. §§ 30116(a) and 30118(a).
- h. Find no reason to believe that Foster Friess violated the Act by coordinating expenditures or communications with the Santorum Campaign.
- i. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated August 6, 2015.
- j. Approve the appropriate letters.
- k. Close the file.

Commissioners Goodman, Hunter, and Petersen voted affirmatively for the motion.

Commissioners Ravel, Walther, and Weintraub dissented.

- 2. Decided by a vote of 6-0 to:
 - a. Exercise prosecutorial discretion to dismiss the allegations that Brian Brown and the National Organization for Marriage, Santorum for President and Nadine Maenza in her official capacity as Treasurer, Leaders for Families, Robert L. Vander Plaats, and Foster Friess violated the Act in connection with alleged payments from the National Organization for Marriage and Friess in coordination with the Santorum Committee to secure Vander Plaats' endorsement of Santorum.

- b. Exercise prosecutorial discretion to dismiss the allegations that Brian Brown and the National Organization for Marriage, Santorum for President and Nadine Maenza in her official capacity as Treasurer, Leaders for Families, and Robert L. Vander Plaats violated the Act in connection with the alleged coordinated communications distributed by the Leaders for Families Super PAC in support of Santorum's candidacy.
- c. Find no reason to believe that Santorum for President and Nadine Maenza in her official capacity as Treasurer violated the Act as to the voter list.
- d. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated August 15, 2015 and as last circulated by Vice Chairman Petersen's Office on October 26, 2015 at 4:00 P.M.
- e. Approve the appropriate letters.
- f. Close the file.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

October 29, 2015
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary of the Commission