

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Kenneth R. Buck; Buck for Colorado and)
Kenneth Salazar, in his official capacity)
as treasurer; Perry Buck; Hensel Phelps)
Construction; Cache Bank and Trust;) MUR 6296
Jerry Morgensen; Americans for Job)
Security; Campaign for Liberty;)
Declaration Alliance)

CERTIFICATION

I, Shawn Woodhead Werth, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 14, 2010, the Commission took the following actions in the above-captioned matter:

1. Decided by a vote of 5-0 to:
 - a. Find no reason to believe that Perry Buck violated 2 U.S.C. § 441a(a)(1)(A).
 - b. Find no reason to believe that Hensel Phelps Construction violated 2 U.S.C. §§ 441b and 441c.
 - c. Find no reason to believe that Cache Bank and Trust violated 2 U.S.C. §§ 441a or 441b.
 - d. Find no reason to believe that Campaign for Liberty violated 2 U.S.C. § 441b.
 - e. Find no reason to believe that Declaration Alliance violated 2 U.S.C. § 441b.

Commissioners Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision. Commissioner Bauerly did not vote.

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

- a. Find reason to believe that Kenneth R. Buck violated 2 U.S.C. §§ 441a(f), 441b, and 441i(e).
- b. Find reason to believe that Buck for Colorado and Kenneth Salazar, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 441i(e).
- c. Find reason to believe that Jerry Morgensen violated 2 U.S.C. § 441a(a)(1)(A).
- d. Find reason to believe that Americans for Job Security violated 2 U.S.C. § 441b.
- e. Revise the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated November 1, 2010, consistent with this motion.
- f. Authorize the use of compulsory process.
- g. Approve the appropriate letters and investigation.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II and Petersen dissented. Commissioner Bauerly did not vote.

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

- a. Find no reason to believe that Kenneth R. Buck violated 2 U.S.C. §§ 441a(f) and 441b.
- b. Find no reason to believe that Buck for Colorado and Kenneth Salazar, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 441b.
- c. Find no reason to believe that Jerry Morgensen violated 2 U.S.C. § 441a(a)(1)(A).
- d. Find no reason to believe that Americans for Job Security violated 2 U.S.C. § 441b.
- e. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated November 1, 2010.
- f. Approve the appropriate letters.
- g. Close the file.

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Commissioners Hunter, McGahn II and Petersen voted affirmatively for the motion.

Commissioners Walther and Weintraub dissented. Commissioner Bauerly did not vote.

4. Decided by a vote of 5-0 to:
 - a. Approve the appropriate letters.
 - b. Close the file.

Commissioners Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision. Commissioner Bauerly did not vote.

Attest:

December 16, 2010
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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