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FEDERAL ELECTION  
COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

2016 MAY 26 AM 9:19

In the Matter of )  
 ) MUR 6952  
Fox News Network, LLC )

CELA

CERTIFICATION

I, Shawn Woodhead Werth, recording secretary of the Federal Election Commission executive session, do hereby certify that on May 24, 2016, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-4 to:
  - a. Find reason to believe that Fox News Network, LLC, violated 52 U.S.C. § 30118(a).
  - b. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated March 30, 2016.
  - c. Enter into conciliation with Fox News Network, LLC, prior to a finding of probable cause to believe.
  - d. Approve the conciliation agreement, as recommended in the First General Counsel's Report dated March 30, 2016.
  - e. Approve the appropriate letter.

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

2. Failed by a vote of 1-5 to:
  - a. Exercise the Commission's prosecutorial discretion, pursuant to *Heckler v. Cheney*, 470 U.S. 821, 831-32 (1985), to dismiss the complaint.
  - b. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated March 30, 2016 subject to the edits circulated via email by Commissioner Weintraub's Office on April 26, 2016.

Commissioner Weintraub voted affirmatively for the motion. Commissioners Goodman, Hunter, Petersen, Ravel, and Walther dissented.

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

- a. Find no reason to believe that Fox News Network, LLC violated 52 U.S.C. § 30118(a).
- b. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated March 30, 2016 subject to the edits circulated via email by Commissioner Goodman's Office on May 23, 2016.
- c. Authorize the Office of General Counsel to make any technical and conforming edits.
- d. Approve the appropriate letters.
- e. Close the file.

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

Commissioners Ravel, Walther, and Weintraub dissented.

4. Decided by a vote of 6-0 to:

- a. Close the file.
- b. Send the appropriate letters.

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

Attest:

May 25, 2016  
Date

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