

RECEIVED
FEDERAL ELECTION
COMMISSION
2016 MAR 31 PM 2:18

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6784
Lizbeth Benacquisto; Lizbeth)
Benacquisto for Senate and Gary S.)
Splain in his official capacity as)
treasurer; Lizbeth Benacquisto for)
Congress and Nancy H. Watkins in her)
official capacity as treasurer)

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SECOND AMENDED CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on March 15, 2016, the Commission took the following actions in the above-captioned matter:

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

- a. With respect to the use of images from state campaign advertisements as described in the First General Counsel's Report dated September 11, 2014, on pages 11 to 13, find no reason to believe that Lizbeth Benacquisto, Lizbeth Benacquisto for Congress and Nancy H. Watkins in her official capacity as treasurer, and Lizbeth Benacquisto for Senate and Gary S. Splain in his official capacity as treasurer violated 11 C.F.R. § 110.3(d).
- b. Adopt the appropriate portion of the Factual and Legal Analysis as recommended in the First General Counsel's Report dated September 11, 2014 and as discussed at the Table, and as edited by the Republican Offices and distributed on March 11, 2016.

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

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

- a. Find no reason to believe that Lizbeth Benacquisto violated 52 U.S.C. § 30125(e)(1) (formerly 2 U.S.C. § 441i(e)(1)) or 11 C.F.R. § 110.3(d).
- b. Find no reason to believe that Lizbeth Benacquisto for Congress and Nancy H. Watkins in her official capacity as treasurer violated 52 U.S.C. §§ 30103(a), 30125(e)(1) (formerly 2 U.S.C. §§ 433(a), 441i(e)(1)) or 11 C.F.R. § 110.3(d).

- c. Find no reason to believe that Lizbeth Benacquisto for Senate and Gary S. Splain in his official capacity as treasurer violated 52 U.S.C. § 30125(e)(1) (formerly 2 U.S.C. § 441i(e)(1)) or 11 C.F.R. § 110.3(d).
- d. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated September 11, 2014, subject to the Factual and Legal Analysis as edited by the Republican Offices dated March 10, 2016 and distributed on March 11, 2016 and with the following additional edit:
- e. Approve the appropriate letters.
- f. Close the file.

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

Commissioners Ravel, Walther, and Weintraub dissented.

3. 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:

March 31, 2016
Date

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