

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)

) AUDIT REFERRAL 05-10 and

) RAD REFERRAL 06L-01

Lockheed Martin Employees' PAC and

)

Stephen E. Chaudet, in his official

)

capacity as Treasurer; Kenneth Phelps,

)

in his personal capacity

)

MUR # 5721

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission

executive session on March 21, 2006, do hereby certify that the Commission

decided by a vote of 6-0 to take the following actions in Audit Referral 05-10 and

RAD Referral 06L-01:

1. Open a MUR in Audit Referral 05-10 and RAD Referral 06L-01.
2. Find reason to believe that Kenneth Phelps knowingly and willfully violated 2 U.S.C. §§ 432(c)(5); 434(b)(4), (6)(B)(v); and 11 CFR § 104.3(b).
3. Find reason to believe that Kenneth Phelps knowingly and willfully violated 2 U.S.C. § 432(b)(3).
4. Find reason to believe that Lockheed Martin Employees' PAC and Stephen E. Chaudet, in his official capacity as Treasurer, violated 2 U.S.C. §§ 432(c)(5); 434(b)(4), (6)(B)(v); and 11 CFR § 104.3(b).
5. Reject Recommendation Number 5, as set forth in the General Counsel's Report dated March 1, 2006; and instead, find no reason to believe that Lockheed Martin Employees' PAC and Stephen E. Chaudet, in his official capacity as Treasurer, violated 11 CFR § 104.14(b)(1).
6. Find reason to believe that Lockheed Martin Employees' PAC and Stephen E. Chaudet, in his official capacity as Treasurer, violated 2 U.S.C. § 434(b)(2), (3); and 11 CFR § 104.3(a).
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8.

9. Approve the Factual and Legal Analyses, as recommended in the General Counsel's Report dated March 1, 2006; subject to revision of the Factual and Legal Analysis for Lockheed Martin Employees' PAC and Stephen E. Chaudet to reflect that an internal control weakness was identified, brought to the attention of the PAC, and the PAC failed to remedy the situation.

10. Approve the appropriate letters.

Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

March 22, 2006
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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