

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Kyle Foust; Foust for Congress (f/k/a) MUR 5925
 Kyle Foust Congressional Exploratory)
 Committee) and Randall Rinke, in his)
 official capacity as treasurer; Friends of)
 Kyle Foust)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on December 27, 2007, the Commission decided by a vote of 5-0 to
take the following actions in MUR 5925:

1. Find no reason to believe that Kyle Foust and Foust for Congress (f/k/a Kyle Foust Congressional Exploratory Committee) and Randall Rinke, in his official capacity as treasurer, violated 11 C.F.R. §§ 100.72 and 100.131.
2. Find no reason to believe that Friends of Kyle Foust violated the Act.
3. Dismiss as a matter of prosecutorial discretion the allegation that Foust for Congress (f/k/a Kyle Foust Congressional Exploratory Committee) and Randall Rinke, in his official capacity as treasurer, violated 2 U.S.C. § 441d(c)(2) and 11 C.F.R. § 110.11(c)(2)(ii) and send an admonishment letter.
4. Dismiss for lack of jurisdiction the allegation that Foust for Congress (f/k/a Kyle Foust Congressional Exploratory Committee) and Randall Rinke, in his official capacity as treasurer, violated 26 U.S.C. § 6113.

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5. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated December 10, 2007.
6. Approve the appropriate letters.
7. Close the file.

Commissioners Lenhard, Mason, von Spakovsky, Walther and Weintraub
voted affirmatively for the decision.

Attest:

December 27, 2007
Date

Darlene Harris
for Mary W. Dove
Secretary of the Commission

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