

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) PRE-MUR 625 and MUR 7615  
 Heller for Senate and Chrissie Hastie in )  
 her official capacity as treasurer; )  
 HellerHighWater PAC and Chrissie )  
 Hastie in her official capacity as treasurer )

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, having reviewed the audio recording of the executive session of the Federal Election Commission for October 13 and 14, 2021, do hereby certify that on October 13, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to:
  - a. Open a MUR for Pre-MUR 625.
  - b. Find reason to believe that Heller for Senate and Chrissie Hastie in her official capacity as treasurer and HellerHighWater PAC and Chrissie Hastie in her official capacity as treasurer violated 52 U.S.C. §§ 30102(b)(3), 30102(c), 30104(b) and 11 C.F.R. §§ 102.9, 102.15, and 104.3.
  - c. Find reason to believe that Ryan Phillips knowingly and willfully violated 52 U.S.C. §§ 30102(b)(3) and 30114(b) by commingling campaign and leadership PAC funds with his personal funds and converting campaign and leadership PAC funds to personal use.
  - d. Direct the Office of General Counsel to revise the Factual and Legal Analysis for Ryan Phillips, consistent with these findings, and direct the Office of General Counsel to draft the appropriate Factual and Legal Analysis for Heller for Senate and Chrissie

Hastie in her official capacity as treasurer and HellerHighWater PAC and Chrissie Hastie in her official capacity as treasurer.

- e. Enter into pre-probable cause conciliation with Ryan Phillips and direct the Office of General Counsel to draft the appropriate conciliation agreement [REDACTED] and circulate the agreement to the Commission on an informational basis prior to sending it to Ryan Phillips.
- f. Enter into pre-probable cause conciliation with Heller for Senate and Chrissie Hastie in her official capacity as treasurer and HellerHighWater PAC and Chrissie Hastie in her official capacity as treasurer and direct the Office of General Counsel to draft the appropriate conciliation agreement [REDACTED] and circulate the agreement to the Commission on an informational basis prior to sending it to these respondents.
- g. Take no action at this time as to in Compliance, Inc.
- h. Report the relevant facts to this matter to the appropriate law enforcement authorities pursuant to 52 U.S.C. § 30107(a)(9) for whatever action they deem appropriate.
- i. Send the appropriate letters.

Commissioners Broussard and Weintraub vote affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented. Commissioner Walther was recused and did not vote.

2. Decided by a vote of 5-0 to:
  - a. Assign Pre-MUR 625 concerning Heller for Senate and Chrissie Hastie in her official capacity as treasurer and HellerHighWater PAC and Chrissie Hastie in her official capacity as treasurer to the Alternative Dispute Resolution Office.
  - b. Find reason to believe that Ryan Phillips knowingly and willfully violated 52 U.S.C. §§ 30102(b)(3) and 30114(b).
  - c. Enter into conciliation with Ryan Phillips prior to a finding of probable cause to believe.

- d. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 19, 2020, subject to the edits last circulated by Commissioner Cooksey's Office at 11:51 a.m. on October 12, 2021 and subject to the further edit of the deletion of footnote 24.
- e. Approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated May 19, 2020, subject to the edits last circulated by Commissioner Cooksey's Office at 11:51 a.m. on October 12, 2021.
- f. Take no action at this time as it relates to In Compliance, Inc.
- g. Approve the appropriate letters.

Commissioners Broussard, Cooksey, Dickerson, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Walther was recused and did not vote.



Attest:

**Laura e  
Sinram**

Digitally signed by  
Laura e Sinram  
Date: 2021.10.16  
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Laura E. Sinram  
Acting Secretary and Clerk of the  
Commission