

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7643  
 America Progress Now; Evan Muhlstein )

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on June 23, 2020, the Commission took the following actions in the above-captioned matter:

1. Failed by vote of 2-2 to:
  - a. Dismiss the allegations that America Progress Now and Evan Muhlstein violated 52 U.S.C. § 30120(a) and issue a letter of caution.
  - b. Dismiss the allegations that America Progress Now and Evan Muhlstein violated 52 U.S.C. § 30104(c) and (g) and issue a letter of caution.
  - c. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 4, 2020.
  - d. Approve the appropriate letters.
  - e. Close the file as to all Respondents.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Trainor dissented.

2. Decided by a vote of 4-0 to:
  - a. Dismiss the allegations that America Progress Now and Evan Muhlstein violated 52 U.S.C. § 30120(a) and issue a reminder letter, as edited at the table.
  - b. Dismiss the allegations that America Progress Now and Evan Muhlstein violated 52 U.S.C. § 30104(c) and (g) and issue a reminder letter, as edited at the table.
  - c. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated May 4, 2020, subject to the edits circulated by Commissioner Weintraub's Office on June 18, 2020 at 8:15 a.m.
  - d. Approve the appropriate letters.
  - e. Close the file as to all Respondents.

Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

3. Failed by a vote of 3-0 to:

Authorize the Office of General Counsel to defend the Commission in Campaign Legal Center v. FEC, No. 20-588.

Commissioners Hunter, Trainor, and Walther voted affirmatively for the motion.

Commissioner Weintraub abstained.

Attest:



**Vicktoria Allen**

Digitally signed by Vicktoria  
Allen  
Date: 2020.07.06 17:27:35 -04'00'

Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission