

CELA

In the Matter of)	
)	
Robert E. Kirkland; Kirkland for)	
Congress and Ronald H. Kirkland, in his)	MUR 6277
official capacity as treasurer; Ronald H.)	
Kirkland)	

CERTIFICATION

I, Shawn Woodhead Werth, recording secretary of the Federal Election Commission executive session, do hereby certify that on December 01, 2010, the Commission took the following actions in the above-captioned matter:

1. Failed on a vote of 1-5 to:
 - a. Find reason to believe that Robert E. Kirkland violated 2 U.S.C. § 441a(a)(1)(A).
 - b. Find reason to believe that Kirkland for Congress and Ronald H. Kirkland, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b).
 - c. Take no action at this time as to Ronald H. Kirkland in his personal capacity.
 - d. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated September 27, 2010.
 - e. Authorize the use of compulsory process in this matter.
 - f. Approve the appropriate letters.

Commissioner Walther voted affirmatively for the motion. Commissioners Bauerly,

Hunter, McGahn II, Petersen and Weintraub dissented.

2. Failed on a vote of 3-3 to:
 - a. Find reason to believe that Robert E. Kirkland violated 2 U.S.C. § 441a(a)(1)(A).
 - b. Find reason to believe that Kirkland for Congress and Ronald H. Kirkland, in

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his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b).

- c. Take no action at this time as to Ronald H. Kirkland in his personal capacity.
- d. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated September 27, 2010 as amended to delete the common vendor analysis and reference to the Protect Colorado Jobs MUR.
- e. Authorize the use of compulsory process in this matter.
- f. Approve the appropriate letters.

Commissioners Bauerly, Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

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

Close the file and send the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision.

Attest:

December 3, 2010

Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via Facsimile and First Class Mail

Fax (202) 508-6200

Tel (202) 508-6000

December 7, 2010

Michael E. Toner, Esq.
Bryan Cave LLP
1155 F Street, N.W.
Washington, D.C. 20004

RE: MUR 6277
Robert E. Kirkland

Dear Mr. Toner:

By letter dated April 27, 2010, the Federal Election Commission notified your client, Robert E. Kirkland, of a complaint alleging he had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 1, 2010, the Commission considered the complaint but was equally divided on whether to find reason to believe Mr. Kirkland violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). A Statement of Reasons explaining the Commission's decision will follow.

If you have any questions, please contact Thomas Andersen, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Peter G. Blumberg
Assistant General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via Facsimile and First Class Mail

Fax (731) 423-4732

Tel (731) 424-6211

December 7, 2010

Charles M. Purcell, Esq.
Jay G. Bush, Esq.
Waldrop & Hall
P.O. Box 726
Jackson, TN 38302

RE: MUR 6277
Kirkland for Congress and
Ronald H. Kirkland, in his official
capacity as treasurer

Dear Messrs. Purcell and Bush:

By letter dated April 27, 2010, the Federal Election Commission notified your clients, Kirkland for Congress and Ronald H. Kirkland, in his official capacity as treasurer, of a complaint alleging they had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 1, 2010, the Commission considered the complaint but was equally divided on whether to find reason to believe Kirkland for Congress and Ronald H. Kirkland, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b). Accordingly, the Commission closed its file in this matter.

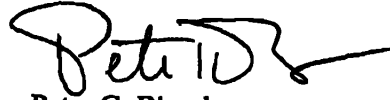
Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). A Statement of Reasons explaining the Commission's decision will follow.

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Charles M. Purcell, Esq.
Jay G. Bush, Esq.
Page 2 of 2

If you have any questions, please contact Thomas Andersen, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter G. Blumberg", with a long horizontal flourish extending to the right.

Peter G. Blumberg
Assistant General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 7, 2010

John D. Stevens
Post Office Box 399
Huntingdon, TN 38344

RE: MUR 6277

Dear Mr. Stevens:

The Federal Election Commission has considered the allegations contained in your complaint dated April 7, 2010, but was equally divided on whether to find reason to believe that Robert E. Kirkland violated 2 U.S.C. § 441a(a)(1)(A) or that Kirkland for Congress and Ronald H. Kirkland, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, on December 1, 2010, the Commission closed the file in this matter. A Statement of Reasons providing a basis for the Commission's decision will follow.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8). If you have any questions, please contact Thomas J. Andersen, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter G. Blumberg".

Peter G. Blumberg
Assistant General Counsel

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