

BEFORE THE FEDERAL ELECTION COMMISSION

Dr. John Cowan
Rome, GA 30161

v.

MUR No. 7884

Georgia Gun Owners, Inc.
1635 Old 41 Highway
Suite 112-202
Kennesaw, GA 30152

Complaint

1. This complaint is filed pursuant to 52 U.S.C. § 30109(d)(1)(A)(i) for knowing and willful violations of the Federal Election Campaign Act (FECA) by Georgia Gun Owners based on the content of a flyer distributed by the company in July 2020.
2. The flyer alleges that Dr. Cowan, who was then the primary opponent of Marjorie Taylor Greene, has taken “anti-gun money” and urges the recipients to call Dr. Cowan and ask him to return those funds. A copy of the flyer is attached as Exhibit A to this letter. As this mailer clearly identifies a federal candidate and has the effect of advocating for his defeat, these statements are governed by the FECA, Pub. L. 92-225, 52 U.S.C. § 30101 *et seq.*
3. “If the Commission, upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of [FECA] . . . [t]he Commission *shall* make an investigation of such alleged violation . . .” 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).
4. The Complainant, Dr. John Cowan, was a candidate for Georgia’s Fourteenth Congressional district in the 2020 primary election.

Facts

5. On information and belief, during the 2020 runoff election between Congresswoman Greene and Dr. Cowan, a flyer was distributed by Georgia Gun Owners alleging—falsely—that Dr. Cowan had taken “anti-gun money.”
6. The flyer urged recipients to call Dr. Cowan and ask him to return those funds.
7. The flyer was apparently distributed on July 21, 2020—fewer than 21 days before the runoff election.
8. The flyer references Dr. Cowan and Congresswoman Greene, featuring their pictures and messaging, and only incidentally discussed gun rights.
9. Dr. Cowan has a long history of supporting gun rights and the Second Amendment.
10. The sole purpose of the communication was to influence the 2020 primary runoff election.
11. According to its determination letter, Georgia Gun Owners, Inc. is a 501(c)(4) organization

Summary of the Law

12. The flyer distributed by Georgia Gun Owners, Inc. refers to a clearly identified federal candidate and has the effect of advocating for his defeat as a Congressional candidate. Therefore, the statements made by Georgia Gun Owners are governed by the FECA, Pub. L. 92-225, 52 U.S.C. § 30101 *et seq.* Knowing and willful violations of FECA can result in fines or imprisonment for not more than five (5) years. 52 U.S.C. § 30109(d)(1)(A)(i)
13. Under FECA, “whenever any person makes a disbursement for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate” that is not authorized by a candidate, that communication “shall clearly state the name and permanent street address, telephone number, or World Wide Web address of the person who

paid for the communication and state that the communication is not authorized by any candidate or candidate's committee." 52 U.S.C. § 30120(a)(3).

14. The term "clearly identified" means that a "candidate's name, nickname, photograph" makes the identity of the candidate apparent. 11 C.F.R. § 100.17.
15. A communication is "expressly advocating" for the election or defeat of a candidate when, given the proximity to an election, it "could only be interpreted by a reasonable person as containing advocacy" regarding the election because "[r]easonable minds could not differ as to whether or encourages actions to elect or defeat one or more clearly identified candidate." 11 C.F.R. § 100.22(b)(2).
16. Per FECA, an "expenditure" includes "any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office." 52 U.S.C. § 30101(9)(A)(i).
17. Moreover, after making an independent expenditure, organizations are required to register and report with the Federal Election Commission after crossing certain thresholds. 11 C.F.R. § 104.4.

Causes of Action

18. Georgia Gun Owners, Inc. committed knowing and willful violations of FECA when it clearly identified a federal candidate and advocated for his defeat without "clearly stat[ing] the name and permanent stress address, telephone number or World Wide Web address of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee." 52 U.S.C. § 30120(a)(3).
19. The mailer was advocating for the defeat of a federal candidate in a federal election within 21 days of the runoff election. As a result, the failure to include a proper disclaimer subjects

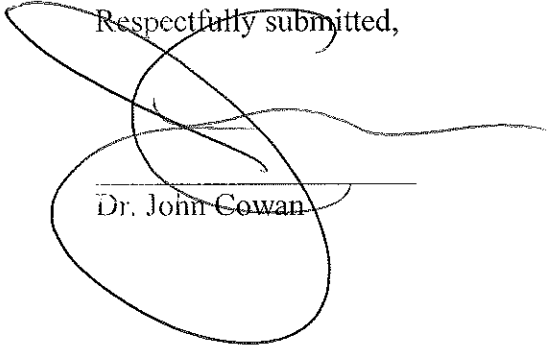
Georgia Gun Owners to liability before the Federal Election Commission. 52 U.S.C. § 30120(a)(3).

20. On information and belief, Georgia Gun Owners, Inc. has not registered or reported these contributions as independent expenditures and has not disclosed the source of the donations financing the communication.

Prayer for Relief

21. Therefore, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations by Georgia Gun Owners and other possible offenders. Additional remedies should be provided as necessary and appropriate to ensure compliance with the FECA and protect the integrity of elections in Georgia and throughout the country.

Respectfully submitted,



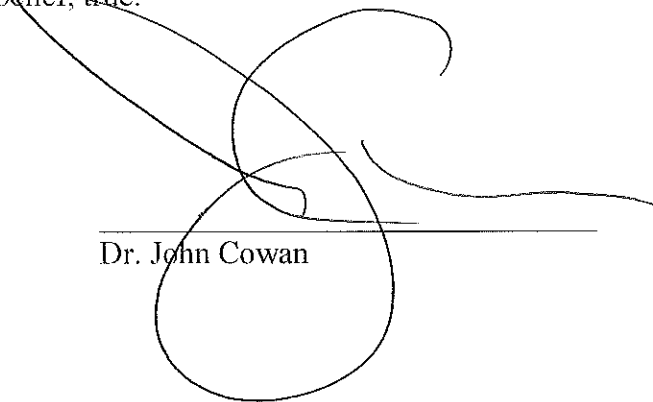
Dr. John Cowan

February _22_, 2021.

VERIFICATION

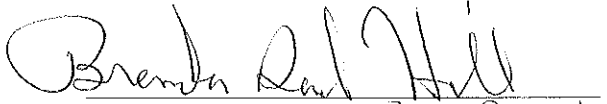
The complainant listed below hereby confirms that the statements made in the attached Complaint are, upon his/her knowledge and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.



Dr. John Cowan

Sworn to and subscribed before me on this 22 day of February, 2021.



Notary Public

7-20-2024



Exhibit A

JOHN COWAN
 TAKEN THOUSANDS FROM DC LOBBYING GROUPS
 TIED TO MICHAEL BLOOMBERG

CALL JOHN COWAN
 TELL US TO GIVE US AN ANSWER!
 706-936-8291

JOHN COWAN'S TAKEN THOUSANDS OF DOLLARS FROM DC LOBBYIST PACs (AMA PAC and NEMPAC) PUSHING A RADICAL ANTI-GUN AGENDA.
(Source: Federal Election Commission)

Here's just some of the CRAZY ANTI-GUN LAWS Cowan's money backers want!

- Red Flag Gun Confiscation
- Ammunition Bans
- Magazine Bans
- "Assault" Weapons Ban
- Gun Free School Zones
- Raise Hunting Age to 21
- Oppose National Reciprocity
- NATIONAL GUN REGISTRATION

TELL JOHN COWAN TO RETURN EVERY DIME OF ANTI-GUN MONEY HE'S TAKEN 706-936-8291

GEORGIA GUN OWNERS