BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Daniel Defense, et al.

MUR 8011

STATEMENT OF REASONS OF VICE CHAIRMAN SEAN J. COOKSEY AND COMMISSIONERS ALLEN J. DICKERSON AND JAMES E. “TREY” TRAINOR, III

The Complaint alleged that Daniel Defense LLC violated the Federal Election Campaign Act of 1971, as amended (“the Act”), by making a prohibited federal-contractor contribution to Gun Owners Action Fund (“GOAF”), an independent expenditure-only political committee. Daniel Defense did not dispute the allegations, and it requested and received a refund upon learning that the contribution was impermissible. We voted to find reason to believe that Daniel Defense violated the Act and approved a conciliation agreement.

We declined to approve, however, OGC’s recommendation to find reason to believe that GOAF violated the Act by knowingly soliciting a prohibited federal-contractor contribution in violation of § 30119(a) and 11 C.F.R. § 115.2(c). The Complaint does not name GOAF as a Respondent—it names only Daniel Defense—and it makes no allegations of a knowing solicitation by GOAF. Moreover, there is nothing in the record to support OGC’s manufactured allegation of knowing solicitation against GOAF and to overcome GOAF’s denial that it knew of Daniel Defense’s federal-contractor status.

This recommendation with respect to GOAF was based on substantially the same analysis and record evidence the Commission considered in MUR 7889 (SIG SAUER, Inc.). We rejected

1 See Second General Counsel’s Report at 1–2 (Nov. 28, 2022), MURs 7889 & 8011 (Gun Owners’ Action Fund, et al.); see also 52 U.S.C. § 30119(a); 11 C.F.R. § 115.2(a).


3 Certification (Dec. 15, 2022), MURs 7889 & 8011 (Gun Owners Action Fund, et al.) (finding reason to believe); Certification (Feb. 1, 2023), MUR 8011 (Daniel Defense, et al.) (approving conciliation agreement).

4 Complaint (Jun. 9, 2022), MUR 8011 (Daniel Defense, et al.).

the same recommendations as to GOAF in that matter and, accordingly, do so again here for the same reasons.\textsuperscript{6}

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Sean J. Cooksey \\
Vice Chairman \\
\textit{March 1, 2023}
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Allen Dickerson \\
Commissioner \\
\textit{March 1, 2023}
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James E. “Trey” Trainor, III \\
Commissioner \\
\textit{March 1, 2023}
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\textsuperscript{6} Statement of Reasons of Vice Chairman Sean J. Cooksey and Commissioners Allen Dickerson and James E. “Trey” Trainor, III at 3–5 (Jan. 20, 2023), MUR 7889 (SIG SAUER, Inc., \textit{et al.}).