



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 8011
Daniel Defense, *et al.*)
)

**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.¹ Daniel Defense did not dispute the allegations, and it requested and received a refund upon learning that the contribution was impermissible.² We voted to find reason to believe that Daniel Defense violated the Act and approved a conciliation agreement.³

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.⁴ 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.⁵

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).

² See, e.g., Response of Daniel Defense (Jun. 21, 2022), MUR 8011 (Daniel Defense, *et al.*).

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.*).

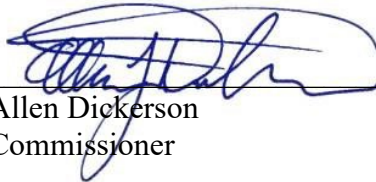
⁵ Response of Gun Owners Action Fund (Jun. 27, 2022), MUR 8011 (Daniel Defense, *et al.*).

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




Sean J. Cooksey
Vice Chairman

March 1, 2023
Date



Allen Dickerson
Commissioner

March 1, 2023
Date



James E. "Trey" Trainor, III
Commissioner

March 1, 2023
Date

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., *et al.*).