




FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

**ADVISORY OPINION 2023-08
(COWBOY ANALYTICS)**

**STATEMENT OF VICE CHAIRMAN SEAN J. COOKSEY AND
COMMISSIONERS ALLEN J. DICKERSON AND JAMES E. "TREY" TRAINOR, III**

Today, the Commission considered an advisory opinion request from Cowboy Analytics, LLC, asking several questions about its operations as a conduit committee that sells merchandise and solicits contributions for federal candidates. We supported an answer (Draft A) that concluded, among other things, that under the requestor's proposal, it would not be required to report its costs of producing and distributing political merchandise, nor the cost of its solicitations, as independent expenditures.

In addition to the reasons set out in Draft A, we believe those answers follow from the Commission's decision in [REDACTED]. The draft answer could not cite that authority, however, because the Commission's action is not yet public. Regardless, the Commission's failure to provide answers today consistent with that precedent, in our view, creates unnecessary confusion and inconsistency in the law.




Sean J. Cooksey
Vice Chairman

December 14, 2023
Date



Allen J. Dickerson
Commissioner

December 14, 2023
Date



James E. "Trey" Trainor, III
Commissioner

December 14, 2023
Date