



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**BEFORE THE FEDERAL ELECTION COMMISSION**


In the Matter of )  
 ) MUR 7465  
Freedom Vote, Inc. )  
 )

**SUPPLEMENTAL STATEMENT OF REASONS OF  
COMMISSIONER SEAN J. COOKSEY**

In addition to the Statement of Reasons I joined in this matter with Chairman Dickerson and Commissioner Trainor,<sup>1</sup> I have previously explained my views on the statute of limitations and equitable remedies in a Supplemental Statement of Reasons in MURs 6917 & 6929 (Scott Walker, *et al.*) and MURs 6955 & 6983 (John R. Kasich, *et al.*).<sup>2</sup>

As detailed in that statement, I believe that mandating retrospective reporting and disclosure is a penalty subject to 18 U.S.C. § 2462's limitations period, and that even if mandatory disclosure were not a penalty, any reporting requirement would still be barred under the concurrent-remedies doctrine. I applied the same reasoning to this matter and accordingly voted to dismiss the majority of the allegations pursuant to the expiration of the statute of limitations.<sup>3</sup>

As to the remaining conduct just outside of the five-year limitations period, I concluded that dismissal as a matter of prosecutorial discretion was appropriate considering the limited value of further enforcement relative to the costs to the agency and the low likelihood of success.<sup>4</sup>

  
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Sean J. Cooksey  
Commissioner

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March 9, 2022  
Date

<sup>1</sup> Statement of Reasons of Chairman Dickerson and Commissioners Cooksey and Trainor (March 7, 2022), MUR 7465 (Freedom Vote, Inc.).

<sup>2</sup> Supplemental Statement of Reasons of Commissioner Sean J. Cooksey (April 29, 2021), MURs 6917 & 6929 (Scott Walker, *et al.*) and MURs 6955 & 6983 (John R. Kasich, *et al.*).

<sup>3</sup> Certification (Nov. 9, 2021), MUR 7465 (Freedom Vote, Inc.).

<sup>4</sup> *Heckler v. Chaney*, 470 U.S. 821, 831 (1985).