



FEDERAL ELECTION COMMISSION  
1050 FIRST STREET, N.E.  
WASHINGTON, D.C. 20463

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 7908  
Marjorie Taylor Greene, *et al.* )  
 )

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

In this Matter, the Office of General Counsel (“OGC”) recommended that the Commission dismiss allegations against Stop Socialism Now PAC pursuant to the agency’s prosecutorial discretion.<sup>1</sup> We agreed and voted accordingly.<sup>2</sup>

We write, however, to address a small portion of OGC’s analysis. Stop Socialism Now PAC and Respondent Marjorie Taylor Greene were represented by the same attorney, and that lawyer “reviewed and approved” the advertisement at issue here.<sup>3</sup> OGC suggests that “[t]his overlap supports the possibility of a finding that the PAC’s [a]dvertisement was in fact coordinated with Greene or with the Greene Committee.”<sup>4</sup>

It is not clear from this statement whether OGC believes this fact, standing alone, would be sufficient to support a finding of reason to believe the PAC coordinated its advertisement. In our view it would not. Absent additional evidence,

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<sup>1</sup> *Heckler v. Chaney*, 470 U.S. 821 (1985).

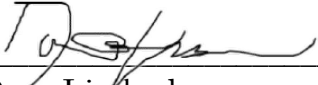
<sup>2</sup> With respect to Rep. Marjorie Taylor Greene, another respondent in this Matter, the Commission found reason to believe certain allegations and entered into a conciliation agreement. Commissioner Trainor dissented from the Commission’s initial finding of reason to believe and accordingly objected to OGC’s omnibus recommendation that we conciliate with Rep. Greene and dismiss the allegations against Stop Socialism PAC. Nevertheless, Commissioner Trainor joins this Statement in full.

<sup>3</sup> Mem. to Comm’n at 3, MUR 7908 (Greene), Nov. 14, 2023.


<sup>4</sup> *Id.*

we will not adopt the presumption that attorneys, sworn officers of the court, may be serving as conduits for illegal coordination merely because they provide legal counsel to both parties. “Coordination,” under our regulations, requires more.<sup>5</sup>

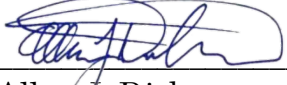
Because an attorney’s legal review<sup>6</sup> was the only basis for suggesting coordination may have occurred, and because any investigation on this point would necessarily implicate attorney-client privileges held by Respondents, we elected to invoke our prosecutorial discretion and direct the Commission’s scarce resources elsewhere.

  
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Dara Lindenbaum  
Chair

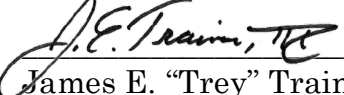
December 28, 2023  
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Date

  
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Sean J. Cooksey  
Vice Chairman

December 28, 2023  
\_\_\_\_\_  
Date

  
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Allen J. Dickerson  
Commissioner

December 28, 2023  
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Date

  
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James E. “Trey” Trainor, III  
Commissioner

December 28, 2023  
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<sup>5</sup> 11 C.F.R. § 109.20.

<sup>6</sup> OGC also notes, in a footnote, that Rep. Greene’s committee and the PAC shared a treasurer, but it does not appear to have accorded that fact any legal weight. Mem. to Comm’n at 3, n.15.