



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3442

DATE FILMED 11/27/91 CAMERA NO. 2

CAMERAMAN AS

91040880678

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 5 June 1991

ANALYST: ANTHONY RAYMOND

I. COMMITTEE: NRA Political Victory Fund
(C00053553)
Grant A. Wills, Treasurer
1600 Rhode Island Avenue, NW
Washington, DC 20036

II. RELEVANT STATUTE: 2 U.S.C. §441b(a)
11 CFR §114.5(b)(3)

III. BACKGROUND:

The NRA Political Victory Fund ("the Fund") failed to deposit a \$28,100.24 expense reimbursement from its connected organization, the National Rifle Association within thirty (30) calendar days after the expense(s) was paid by the Fund. Schedule A of the 1990 12 Day Pre-General Report discloses a receipt of \$28,100.24 from NRA/ILA on October 15, 1990, with the notation "Fundraising Expenses Reimb. of 9/90" (Attachment 2). This tardy reimbursement appears to be in violation of 11 CFR §114.5(b)(3).

On March 20, 1991, the Reports Analysis Division ("RAD") analyst sent a Request for Additional Information ("RFAI") requesting clarification of the nature of a \$28,100.24 receipt from the NRA/ILA disclosed on the amended 1990 12 Day Pre-General Report (Attachment 3). The RFAI stated that funds received from a committee's connected organization were prohibited by 2 U.S.C. §441b; however, it was noted, should the funds have represented a reimbursed solicitation or administrative expense under 11 CFR §114.5(b)(3), they could have been deposited no later than thirty (30) days after the expense(s) was paid by the Fund. The RFAI went on to request a transfer-out/refund should the reimbursement have been outside the thirty (30) day window.

On April 11, 1991, a Second Notice was sent due to the Fund's failure to respond (Attachment 4).

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On May 8, 1991, the Fund responded stating that "...a reimbursement for expenses was deposited in error into the wrong account. Thus, the reimbursement was not deposited into the PVF account until November." The response also included a Schedule A as an amendment to the Fund's 1990 30 Day Post-General Report which disclosed the receipt date of the reimbursement as November 13, 1991 (Attachment 5).^{1/} The Fund did not address the current status of the \$28,100.24.

On June 3, 1991, the Fund sent further information on the questioned sum (Attachment 6). It stated that the \$28,100.24 expense was originally paid by the Fund on September 10, 1990. The NRA/ILA's reimbursement check was deposited in error to the NRA/ILA's account on October 10, 1990 because the wrong deposit slip was used. The NRA/ILA then issued another check to the Fund for \$28,100.24 on November 9, 1990, which was deposited into the Fund's account on November 13, 1990.

To date, the Fund has failed to disclose a refund to its connected organization, the National Rifle Association.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

91040880680

^{1/} This may represent a typographical error; the date may be November 13, 1990.

FEDERAL ELECTION COMMISSION
1989-1990
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 20MAY91
PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
NRA POLITICAL VICTORY FUND						
CONNECTED ORGANIZATION: RIFLE ASS'N OF AMERICA; NAT'L						
1989	MISCELLANEOUS REPORT TO FEC			21MAR89	3	89FEC/590/0355
	FEBRUARY MONTHLY	18,697	2,385	1JAN89 -31JAN89	9	89FEC/595/5454
	FEBRUARY MONTHLY - AMENDMENT	18,697	2,385	1JAN89 -31JAN89	9	89FEC/590/2926
	NOTICE OF FAILURE TO FILE			1JAN89 -31JAN89	1	89FEC/598/1780
	MARCH MONTHLY	371	4,970	1FEB89 -28FEB89	8	89FEC/599/3230
	APRIL MONTHLY	420	6,382	1MAR89 -31MAR89	9	89FEC/592/2516
	MAY MONTHLY	18,485	19,779	1APR89 -30APR89	8	89FEC/595/1571
	JUNE MONTHLY	2,340	21,235	1MAY89 -31MAY89	11	89FEC/598/2410
	JULY MONTHLY	1,479	11,403	1JUN89 -30JUN89	11	89FEC/600/4948
	JULY MONTHLY - AMENDMENT	1,479	11,403	1JUN89 -30JUN89	4	89FEC/606/5495
	AUGUST MONTHLY	362	116	1JUL89 -31JUL89	5	89FEC/608/1042
	SEPTEMBER MONTHLY	119	832	1AUG89 -31AUG89	6	89FEC/610/1419
	OCTOBER MONTHLY	863,267	180,664	1SEP89 -30SEP89	26	89FEC/613/4262
	NOVEMBER MONTHLY	181,834	94,742	1OCT89 -31OCT89	18	89FEC/615/3264
	DECEMBER MONTHLY	39,526	50,507	1NOV89 -30NOV89	13	89FEC/618/1917
	YEAR-END	21,782	81,391	1DEC89 -31DEC89	17	90FEC/627/2808
1990	24 HOUR CONTRIBUTION NOTICE			30OCT90	2	90FEC/670/0411
	24 HOUR CONTRIBUTION NOTICE			7NOV90	3	90FEC/670/4564
	FEBRUARY MONTHLY	11,788	212,840	1JAN90 -31JAN90	9	90FEC/629/4413
	MARCH MONTHLY	5,618	85,322	1FEB90 -28FEB90	10	90FEC/631/5150
	MARCH MONTHLY - AMENDMENT	5,618	85,322	1FEB90 -28FEB90	4	90FEC/641/0401
	APRIL MONTHLY	5,938	289,422	1MAR90 -31MAR90	23	90FEC/638/0188
	APRIL MONTHLY - AMENDMENT	5,938	289,422	1MAR90 -31MAR90	4	91FEC/690/2819
	MAY MONTHLY	673,234	156,593	1APR90 -30APR90	24	90FEC/641/0908
	MAY MONTHLY - AMENDMENT	673,234	156,593	1APR90 -30APR90	12	90FEC/642/3672
	JUNE MONTHLY	294,187	289,547	1MAY90 -31MAY90	34	90FEC/643/4465
	JUNE MONTHLY - AMENDMENT	-	-	1MAY90 -30MAY90	2	90FEC/657/0738
	REQUEST FOR ADDITIONAL INFORMATION			1MAY90 -30MAY90	1	90FEC/654/4087
	JULY MONTHLY	39,965	251,407	1JUN90 -30JUN90	25	90FEC/650/4574
	AUGUST MONTHLY	292,983	80,014	1JUL90 -31JUL90	26	90FEC/653/3388
	SEPTEMBER MONTHLY	150,890	434,187	1AUG90 -31AUG90	40	90FEC/656/5171
	OCTOBER MONTHLY	671,097	206,404	1SEP90 -30SEP90	56	90FEC/658/0564
	OCTOBER MONTHLY - AMENDMENT	671,097	206,404	1SEP90 -30SEP90	47	91FEC/696/1075
	OCTOBER MONTHLY - AMENDMENT	-	-	1SEP90 -30SEP90	3	91FEC/691/2299
	REQUEST FOR ADDITIONAL INFORMATION			1SEP90 -30SEP90	2	91FEC/690/1453
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1SEP90 -30SEP90	3	91FEC/696/3755
	REQUEST FOR ADDITIONAL INFORMATION			1SEP90 -30SEP90	1	91FEC/690/3609
	PRE-GENERAL	207,231	330,087	1OCT90 -17OCT90	40	90FEC/658/0553
	PRE-GENERAL - AMENDMENT	207,231	330,087	1OCT90 -17OCT90	6	90FEC/670/4671
	PRE-GENERAL - AMENDMENT	207,231	330,087	1OCT90 -17OCT90	4	91FEC/695/1670
	PRE-GENERAL - AMENDMENT	179,130	330,087	1OCT90 -17OCT90	3	91FEC/695/2825
	REQUEST FOR ADDITIONAL INFORMATION			1OCT90 -17OCT90	1	91FEC/680/1451
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT90 -17OCT90	2	91FEC/686/3753
	REQUEST FOR ADDITIONAL INFORMATION			1OCT90 -17OCT90	3	91FEC/690/3631

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ID #200053553 NON-PARTY QUALIFIED

FEDERAL ELECTION COMMISSION
1989-1990

DATE COMPILED:

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

PAGE 2

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
	REQUEST FOR ADDITIONAL INFORMATION 2ND			10OCT90 -17OCT90	4	91FEC/692/2512
POST-GENERAL		155,232	603,627	18OCT90 -26NOV90	184	90FEC/676/2795
POST-GENERAL	- AMENDMENT	-	-	18OCT90 -26NOV90	3	90FEC/678/1315
POST-GENERAL	- AMENDMENT	155,231	603,686	18OCT90 -26NOV90	4	91FEC/690/2815
POST-GENERAL	- AMENDMENT	155,232	603,687	18OCT90 -26NOV90	13	91FEC/695/2528
POST-GENERAL	- AMENDMENT	551,232	603,687	18OCT90 -26NOV90	185	91FEC/695/2541
POST-GENERAL	- AMENDMENT	183,231	603,686	18OCT90 -26NOV90	3	91FEC/695/2521
	REQUEST FOR ADDITIONAL INFORMATION			18OCT90 -26NOV90	3	91FEC/690/3635
	REQUEST FOR ADDITIONAL INFORMATION 2ND			16OCT90 -26NOV90	4	91FEC/692/2522
YEAR-END		40,973	18,219	27NOV90 -31DEC90	17	91FEC/695/4820
YEAR-END	- AMENDMENT	-	-	27NOV90 -31DEC90	3	91FEC/691/2303
	REQUEST FOR ADDITIONAL INFORMATION			27NOV90 -31DEC90	1	91FEC/690/3627
TOTAL		3,697,516	0 3,466,134	0	986	TOTAL PAGES

All reports have been reviewed.

Cash-on-hand as of 12/31/90: \$270,742

Debts and obligations owed to the Committee as of 12/31/90: \$-0-

Debts and obligations owed by the Committee as of 12/31/90: \$-0-

91040880682

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detailed Summary Page

1 | 1
Total Lines on Schedule A
15

Information reported from such Receipts and Statements may not be subject to use by any person for the purpose of soliciting contributions or for raising or raising money, other than using the name and address of any political committee to solicit contributions from such committee

Name: COMMITTEE for Full

NRA Political Victory Fund

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
NRA/ILA 1600 Rhode Island Ave., N.W. Washington, DC 20036		10/15/90	28,100.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) Reimb. of 9/90 Fundrais	Occupation	Aggregate Year to Date > \$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year to Date > \$	

TOTAL of Receipts This Page (optional)

Period (last page this line number only)

28,100.00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

RG-3

Grant A. Willie, Treasurer
NRA Political Victory Fund
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20036

WR 70 1991

Identification Number: C00053553

Reference: Amended 12/20 Pre-General Report (10/1/90 10.17/90)
dated 11/5/90

Dear Mr. Willie:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

Schedule A of your report discloses the receipt of funds from your connected organization (pertinent portion(s) attached). 2 U.S.C. §461h prohibits the receipt of funds from national banks, corporations, and labor organizations. Under 11 CFR §116.9(b)(3), however, a separate segregated fund may be reimbursed for any solicitation or other administrative expense provided that the reimbursement is made no later than thirty (30) days after the expense was paid by the separate segregated fund.

Please provide further clarifying information regarding the date that your committee made payments for any solicitation or other administrative expenses. To the extent that the reimbursement was made beyond the thirty (30) days permitted under 11 CFR §116.9(b)(3), the Commission recommends that you refund the full amount to the donor in accordance with 11 CFR §101.1(b). Alternatively, if you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer out) from the donor for any transfer out to protect the donor's interests.

Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer out. In the best interests of the committee, all refunds and transfers out should be made within

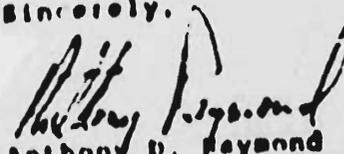
thirty (30) days of the treasurer's receipt of the funds. See 11 CFR §101.11(b). Refunds and transfers-out should be disclosed on a supporting Schedule B for Line 20 or 20 of the report covering the period during which they are made.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by your committee to refund or transfer-out the amount will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me or our toll free number, (800) 424-9530. My home number is (617) 2480.

Sincerely,



Anthony D. Raymond
Senior Reports Analyst
Reports Analysis Division



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

RG-3

April 11, 1991

Richard I. Crawford, Treasurer
International Brotherhood of
Electrical Workers Local Union
313 PAC
Western Avenue & Clay Street
Ambler, PA 19002

Identification Number: C00143396

Reference: 12 Day Pre-General (10/1/90-10/17/90) and 30 Day
Post-General (10/18/90-11/26/90) Reports

Dear Mr. Crawford:

This letter is to inform you that as of April 10, 1991, the Commission has not received your response to our requests for additional information dated March 21, 1991. Those notices requested information essential to full public disclosure of your federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). Copies of our original requests are enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Brian J. Hancock on our toll-free number (800) 424-9530 or our local number (202) 376-2400.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosures

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NRA Political Victory Fund

Institute for Legislative Action
P O Box 18911, Washington DC 20036

91 MAY 15 2:10:59

May 7, 1991

Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Identification Number: C00053553
Re: Amended 12 Day Pre-General Report
Amended 30 Day Post General Report

Dear Sirs:

This is an amendment for the report of receipts and disbursements for the NRA Political Victory Fund for the periods of October 1, 1990 to October 17, 1990 and October 18, 1990 to November 26, 1990.

On the original reports, a reimbursement for expenses was deposited in error into the wrong account. Thus, the reimbursement was not deposited into the PVF account until November. The amended reports show the correct changes.

Handwritten mark: a bracket with the letter 'R' above it, pointing to the second paragraph.

Sincerely,

Grant A. Wills
PVF Treasurer

910408890687
2103615

MODULE A*

ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Detailed Summary Page

PAGE 1 OF 1
FOR LINE NUMBER 15

Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

NRA Political Victory Fund

11-3675-0382840

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
NRA/ILA 1600 Rhode Island Ave., N.W. Washington, DC 20036		11/13/91	\$28,100.24
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) Reimb. of 9/90 Fundrais	Occupation: Expenses Aggregate Year-to-Date > \$		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Aggregate Year-to-Date > \$		

SUBTOTAL

\$28,100.24



NRA
Political Victory Fund
Institute for Legislative Action
P.O. Box 2019, Washington, D.C. 20013

Attachment 6
Page 1 of 4

FEDERAL ELECTION COMMISSION

91 JUN -3 PM 12:13

May 22, 1991

Federal Election Commission
999 E Street, NW
Report Analysis Division
Washington, DC 20036

Attn: John D. Gibson

Identification Number: C00053553
Re: Amended 12 Day Pre-General Report

Dear Mr. Gibson:

This is in response to your letter of April 11, 1991.

Amended reports for the 12 Day Pre-General Report (October 1-17, 1990) and the 30 Day Post General Report (October 18-November 26, 1990) have been previously filed.

The sum about which you have inquired was a reimbursement to the PVF from ILA on October 10, 1990 (See enclosed copy of ILA check #28072,) for expenses incurred in soliciting contributions to the PVF # 3914 paid September 10, 1990 (See attached cancelled PVF check). This was deposited in error to ILA's account on October 10, 1990 because the wrong deposit slip was used (even though the deposit endorsement on the back of the check was to the PVF bank account)(See enclosed copy of the deposit slip and back of cancelled check #28072.) As soon as the accounting error was detected, another ILA check was then issued and deposited to the PVF (See enclosed copy of check #28297.) The PVF had paid the expense originally on September 10, 1990.

If you have any questions, please call me at (202) 828-6067.

Sincerely,

Grant A. Wills
PVF Treasurer

GAW:mca
Attachments

91040880639

N.R.A. POLITICAL VICTORY FUND
1800 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20036

Attachment 6
Page 2 of 43914

September 10, 1990

14-28
300 001

PAY TO THE
ORDER OF

USA Direct

\$28,100.24

Twenty Eight Thousand One Hundred and 24/100

DOLLARS

SOVRAN
BANK
NATIONAL

MAIN OFFICE
1801 K STREET, NW
WASHINGTON, D.C. 20006

Handwritten signature
NOT-NEGOTIABLE

⑆0039⑆⑆⑆ ⑆05400⑆204⑆ 7⑆⑆⑆⑆⑆ 2⑆

N.R.A. POLITICAL VICTORY FUND

DELUXE - FORM DVO-4 V-7

CK# 3914
9/10/90
\$28,100.24
S/TX
19c

USA Direct
4075 N. George Street (Extended)
Manchester, PA 17345

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9
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8
0
8
4
0
8
9

Invoice # USA-2153

POSTAGE REIMBURSEMENT Ch.#

APPROV. BY: *[Signature]*

DMV
9/4

U.S.A. DIRECT, INC.
4075 NORTH GEORGE STREET (EXTENDED) MANCHESTER, PA 17345
TELEPHONE (717) 266-5601

NRA - INSTITUTE FOR LEGISLATIVE ACTION
 1800 RHODE ISLAND AVE., N.W., 7TH FLOOR
 WASHINGTON, D.C. 20038

RIGGS

Attachment 6
 Page 3 of 4

28072

Oct 10 19 90

11-3/840

PAY TWENTY EIGHT THOUSAND ONE HUNDRED AND 24/100 DOLLARS \$ 28,100.24

TO THE ORDER OF

NRA Political Victory Fund

W. J. Pen

James A. Wiley

⑆028072⑆ ⑆054000030⑆ 24008202184⑆ ⑆0002810024⑆

169088040401

01 15 24

054000030

OCT 23 90

RIGGS NATL. BANK
 1100 VICTORY BLVD.
 WASHINGTON, D.C. 20004
 ⑆054000030⑆

0022 50483

FOR DEPOSIT ONLY
 NRA, POLITICAL VICTORY FUND
 ACCT #716167-0

3-3340

TOTAL ITEMS 1

Checks and other items are received for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement.

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

PLEASE ENTER TOTAL

28,100 24

DATE	AMOUNT	DESCRIPTION
		Ch 10/25
		is recorded in these journal as \$16.00
		This is in error and 98 appts
		W.P. error n.d.p. into this
		see Ch # 28297 + 96 10-15

NATL. RIFLE ASSOC. FOR LEGISLATIVE ACTION

⑆054000030⑆

CURRENCY	COIN	CHECKS	DATE	AMOUNT	TOTAL
		1537546	28, 100.24		28, 100.24
				28, 100.24	28, 100.24

15-177) 01

TOTAL ITEMS 1

Cheques and other items are returned for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement.

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWALS

PLEASE ENTER TOTAL 28, 100.24

N.R.A. POLITICAL VICTORY FUND

CKG DEPOSIT

003 093 0 SOVRAN BANK VERMONT AVENUE WASHINGTON, D.C. 20006
11/13/80 170

SOVRAN BANK VERMONT AVENUE
Wk Rein. from ILA

⑆503010050⑆ 712157 0⑆

NRA - INSTITUTE FOR LEGISLATIVE ACTION
1600 RHODE ISLAND AVE., N.W., 7TH FLOOR
WASHINGTON, D.C. 20038

RIGGS
The First National Bank of Washington, DC
Member FDIC

28297

Nov 9 1990

15-3/840

TWENTY EIGHT THOUSAND ONE HUNDRED AND 24/100 DOLLARS \$28,100.24

NRA-PVF

Grant Allard
Barry B. Currier

⑆028297⑆ ⑆054000030⑆ 24⑆08202184⑆

RECEIVED
F.E.C.
SECRETARIAT

91 OCT 18 PM 3:52

FEDERAL ELECTION COMMISSION
999 E STREET, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 91L-65
Staff Member: Mary Ann Bumgarner

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: NRA Political Victory Fund
and Grant A. Wills, as treasurer
NRA-Institute for Legislative Action

RELEVANT STATUTES: 2 U.S.C. § 441b
11 C.F.R. § 114.5(b)(3)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On June 7, 1991, the Reports Analysis Division ("RAD") referred the NRA Political Victory Fund (the "PVF"), the separate segregated fund of the National Rifle Association (the "NRA"), and Grant A. Wills, as treasurer, to this Office. Attachment 1. The basis of the referral was the apparent failure of the PVF to deposit an expense reimbursement check in the amount of \$28,100.24 from the NRA-Institute for Legislative Action (the "NRA-ILA"), the "political action arm" of the NRA, within 30 calendar days after the expense was paid by the PVF.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act"), prohibits corporations from making a contribution or

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expenditure in connection with a Federal election. 2 U.S.C. § 441b(a). For purposes of section 441b, a contribution or expenditure includes any direct or indirect payment, loan, deposit or gift of money or anything of value to any campaign committee or political organization in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). However, an exception to this prohibition allows corporations to use their general treasury monies to pay the costs of establishment, administration, and contribution solicitations for a separate segregated fund that is utilized for political purposes by the corporation. 2 U.S.C. § 441b(2)(c); 11 C.F.R. § 114.5(b). If the separate segregated fund pays any solicitation or other administrative expense from its own account, which expense could be paid for as an administrative expense by the connected organization, the connected organization may reimburse the separate segregated fund no later than thirty (30) calendar days after the expense was paid by the separate segregated fund. 11 C.F.R. § 114.5(b)(3).

It appears that on September 10, 1990, the PVF paid \$28,100.24 to U.S.A. Direct Inc., a direct mailing company, for its assistance in soliciting contributions to the PVF. On their amended 1990 12 Day Pre-General Election Report, the PVF listed the receipt of \$28,100.24 on October 15, 1990 from the NRA-ILA. In a memo entry, the PVF reported these funds represented a reimbursement of September 1990 fundraising expenses. In the PVF's response to a Request for Additional Information ("RFAI") from RAD concerning this apparently

untimely reimbursement, the PVF asserts that the reimbursement was in fact received on October 10, 1990, but the money was mistakenly deposited into the NRA-ILA's account due to the use of an incorrect deposit slip.¹ On November 9, 1990, after detecting the error, the NRA-ILA issued another check to the PVF in the amount of \$28,100.24, which was then deposited into the PVF's account on November 13, 1990.

Pursuant to 11 C.F.R. § 114.5(b)(3), the NRA-ILA may reimburse the PVF for the costs of solicitations within 30 days from the date the PVF pays such costs. In this case, it does not appear that the reimbursement was made within the permitted 30-day time period. The PVF paid U.S.A. Direct, Inc. on September 10, 1990. The date on the first reimbursement check from the NRA-ILA was October 10, 1990. In a letter to RAD, the PVF asserts that this particular check was deposited on October 10, 1990; however, a notation on the deposit slip states that this check was recorded in the "cr. journal" in error and further reference is made indicating that this credit journal entry was made on October 15, 1990. In addition, the check is also reported on the PVF's amended 1990 12 Day Pre-General Election Report as being received on October 15, 1990 and the apparent date of deposit stamped on the back of the check is October 23, 1990.

Regardless of the discrepancy in dates which exists in this matter, the fact remains that the reimbursement money was not

1. The apparent date of deposit stamped on the back of the check is October 23, 1990.

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actually deposited by the PVF until November 13, 1990. According to the PVF, the initial deposit, whether made on October 10 or 15, was mistakenly made into the NRA-ILA's account. Thus, no transfer of funds occurred at that time. However, as soon as the "accounting error" was discovered, the NRA-ILA issued the second reimbursement check to the PVF on November 9, 1990. This check was then deposited into the PVF's account, more than 60 days after the PVF had paid the expense.²

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Accordingly, this Office recommends that the Commission open a MUR and find reason to believe that the NRA Political Victory Fund and Grant A. Wills, as treasurer, and the NRA-Institute for Legislative Action violated 2 U.S.C. § 441b(a) in connection with the untimely reimbursement. However, based on the circumstances of this case, particularly the fact that the initial reimbursement check was mistakenly deposited into the NRA-ILA's account, and upon discovery of this error, and before notification from the Commission, the NRA-ILA issued a second reimbursement check to the PVF in an attempt to correct this error, and consistent with the proper ordering of the

2. The NRA-ILA and the PVF were involved in several previous MURs concerning alleged violations of section 441b(a). However, most of the violations in these MURs are distinguishable from the present matter in that it was the corporate entity, the NRA-ILA, that initially advanced the funds, not the PVF. Unlike the prior cases, there is no indication that the corporation initiated the series of transactions.

In MUR 1521, one apparent violation did involve the reimbursement of the PVF by the NRA-ILA for inaugural tickets which had been purchased by the PVF. The reimbursement by the NRA-ILA took place within a month and the Commission did not pursue that transaction. The Commission subsequently adopted the present 30 day reimbursement regulation.

Commission's priorities and resources, this Office further recommends that the Commission take no further action with respect to the violations by the NRA Political Victory Fund and Grant A. Wills, as treasurer, and NRA-Institute for Legislative Action and close the entire file in this matter. See Heckler v. Chaney, 470 U.S. 821 (1985).

III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the NRA Political Victory Fund and Grant A. Wills, as treasurer, violated 2 U.S.C. § 441b(a), but take no further action.
3. Find reason to believe that the NRA-Institute for Legislative Action violated 2 U.S.C. § 441b(a), but take no further action.
4. Approve the appropriate letters.
5. Close the file.

Lawrence M. Noble
General Counsel

Date

10/18/91

By:


Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials

Staff Member: Mary Ann Bumgarner

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BEFORE THE FEDERAL ELECTION COMMISSION

(MUR 3-4-72)

In the Matter of)	
)	
NRA Political Victory Fund and)	RAD Referral #91L-65
Grant A. Wills, as treasurer;)	
NRA-Institute for Legislative Action.)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 23, 1991, the Commission decided by a vote of 4-0 to take the following actions in RAD Referral #91L-65:

1. Open a MUR.
2. Find reason to believe that the NRA Political Victory Fund and Grant A. Wills, as treasurer, violated 2 U.S.C. § 441b(a), but take no further action.
3. Find reason to believe that the NRA-Institute for Legislative Action violated 2 U.S.C. § 441b(a), but take no further action.

(Continued)

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4. Approve the appropriate letters, as recommended in the General Counsel's Report dated October 18, 1991.
5. Close the file.

Commissioners Aikens, Elliott, Josefiak, and Thomas voted affirmatively for the decision; Commissioners McDonald and McGarry did not cast votes.

Attest:

10-23-91

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., Oct. 18, 1991 3:52 p.m.
Circulated to the Commission: Mon., Oct. 21, 1991 11:00 a.m.
Deadline for vote: Wed., Oct. 23, 1991 11:00 a.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 8, 1991

Grant A. Willis, Treasurer
NRA Political Victory Fund
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20036

RE: MUR 3442
NRA Political Victory Fund and
Grant A. Willis, as treasurer

Dear Mr. Willis:

On October 23, 1991, the Federal Election Commission found reason to believe that the NRA Political Victory Fund and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The First General Counsel's Report is attached for your information.

The Commission reminds you that if the separate segregated fund pays any solicitation from its own account, the connected organization may reimburse the separate segregated fund no later than thirty (30) calendar days after the expense was paid by the separate segregated fund. Therefore, the untimely reimbursement in this matter appears to be a violation of 2 U.S.C. § 441b. You should take immediate steps to insure that this activity does not occur in the future.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please direct them to Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

John Warren McGarry
Chairman

Enclosure
First General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

November 8, 1991

NRA-Institute for Legislative Action
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20036

RE: MUR 3442
NRA-Institute for
Legislative Action

Dear Sir or Madam:

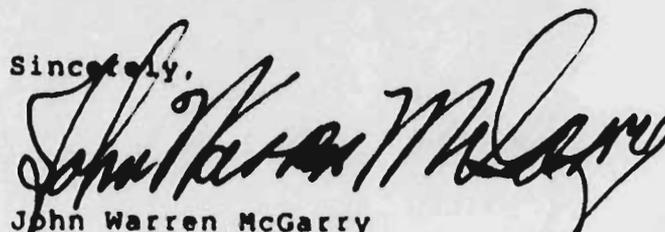
On October 23, 1991, the Federal Election Commission found reason to believe that the NRA-Institute for Legislative Action violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The First General Counsel's Report is attached for your information.

The Commission reminds you that when issuing an expense reimbursement check, the reimbursement must occur no later than thirty (30) calendar days after the expense was paid by the separate segregated fund. Therefore, the untimely reimbursement in this matter appears to be a violation of 2 U.S.C. § 441b. You should take immediate steps to insure that this activity does not occur in the future.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please direct them to Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,


John Warren McGarry
Chairman

Enclosure
First General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3448

DATE FILMED 4/22/91 CAMERA NO. 2

CAMERAMAN AS

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