



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN - 6 2017

Mr. Wayne Cockfield, Treasurer
National Right to Life Victory Fund
512 10th Street, NW
Washington, DC 20004

RE: RR 17L-12

Dear Mr. Cockfield:

The Federal Election Commission ("Commission") has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that the National Right to Life Victory Fund and you, in your official capacity as treasurer (the "Committee"), may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). The matter has been referred by the Reports Analysis Division to the Commission's Office of General Counsel for possible enforcement action under 52 U.S.C. § 30109.¹ Specifically, the Committee has been referred for failing to timely file one (1) 24-Hour Report supporting two (2) independent expenditures totaling \$61,813.59 disclosed on the 2016 30-Day Post-General Report, made after the 20th day but more than 24 hours before the 2016 General Election. For further information, a copy of the referral document is enclosed. We have numbered this referral RR 17L-12.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against the Committee in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.²

¹ Notification of this referral is being provided to you pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

² The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the referral until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

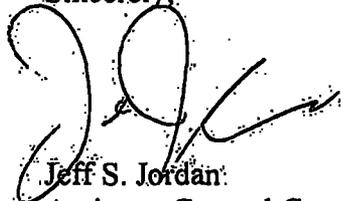
Any correspondence sent to the Commission, such as a response, must be addressed to one of the following (note, if submitting via email, this Office will provide an electronic receipt by email):

Mail
Federal Election Commission
Office of Complaints Examination
and Legal Administration
Attn: Donna Rawls, Paralegal
999 E Street, NW
Washington, DC 20463

OR Email
CELA@fec.gov

If you have any questions, please contact Donna Rawls at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing possible violations discovered by the Commission.

Sincerely,



Jeff S. Jordan
Assistant General Counsel
Complaints Examination &
Legal Administration

Enclosures:

1. Referral from the Reports Analysis Division
2. Procedures
3. Designation of Counsel Form

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 31, 2017

ANALYST: Brian Jones

I. COMMITTEE: National Right to Life Victory Fund
(C00509893)
Wayne Cockfield, Treasurer
512 10th Street, NW
Washington, DC 20004

II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(1)
11 CFR § 104.4(c)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Timely File 24-Hour Reports)

National Right to Life Victory Fund ("the Committee") failed to timely file one (1) 24-Hour Report supporting two (2) independent expenditures totaling \$61,813.59 disclosed on the 2016 30-Day Post-General Report, made after the 20th day but more than 24 hours before the 2016 General Election (Attachment 2).

On December 20, 2016, the Committee filed one (1) 24-Hour Report to support two (2) independent expenditures, totaling \$61,813.59, disseminated on October 28, 2016 (Image 201612209040691593).

Also on December 20, 2016, the Committee filed its 2016 30-Day Post-General Report, covering the period from October 20, 2016 through November 28, 2016, which included a Schedule E (Itemized Independent Expenditures) disclosing three hundred and forty-two (342) independent expenditures totaling \$294,872.00, made in support of or in opposition to two hundred and sixty-six (266) federal candidates. The Committee failed to timely file one (1) 24-Hour Report to support two (2) independent expenditures totaling \$61,813.59 for the 2016 General Election (Image 201612209040691784-85).

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On February 26, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2016 30-Day Post-General Report. The RFAI noted that the Committee may have failed to timely file one or more of the required 24-Hour Reports for the independent expenditures disclosed on the report. A chart was enclosed with the RFAI which identified two (2) independent expenditures, totaling \$61,813.59, for which a 24-Hour Report(s) had not been timely filed (Image 201702260300081518).

On April 11, 2017, the Reports Analysis Division (RAD) Analyst spoke with David Osteen, representative for the Committee. The Analyst stated that the late 24-Hour Report noted on the RFAI sent February 26, 2017 referencing the Committee's 2016 30-Day Post-General Report may be referred to the Commission for potential further action. The Analyst stated that the Committee could file a Miscellaneous Electronic Submission ("FEC Form 99") if there was further information to disclose regarding the late 24-Hour Report (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

UNCLASSIFIED

