



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 14, 2017

Jeffrey Gallant, Esq.  
The Bopp Law Firm  
1 South 6<sup>th</sup> Street  
Terre Haute, IN 47807

Re: ADR 833  
National Right To Life Victory Fund and Wayne Cockfield, Treasurer

Dear Mr. Gallant:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on Mon 11/6/2017 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

Under the terms of the agreement, a civil penalty in the amount of \$6,000.00 is due on Wed 12/6/2017. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our negotiations, and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,





Federal Election Commission  
Washington, DC 20463

Case Number: ADR 833

Source: RR 17L-12

Case Name: National Right to Life Victory Fund

### NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Jeffrey Gallant, Esq., representing the National Right to Life Victory Fund and Wayne Cockfield, in his official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

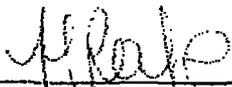
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division referred Respondents 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. The Committee filed the missing 24-Hour Report on December 20, 2016.
4. A person, including a political committee, that makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours. 52 U.S.C. § 30104(g)(1), 11 C.F.R. § 104.4(c).
5. The Committee contends this error was inadvertent and that some remedial measures have been implemented to prevent errors of this nature from occurring in the future. Specifically, when an expenditure is contemplated, the requesting staff member must not only alert the compliance vendor contemporaneously, but also provide written notification of the expenditure to a second staff member to ensure the expenditure

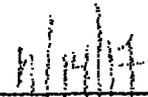
gets reported properly. During this reporting period, the Committee did report three hundred forty-two (342) other independent expenditures timely.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) designate a compliance specialist within thirty (30) days of the effective date of this agreement; (b) develop and certify implementation of a revised compliance operations manual which includes internal controls consistent with those described in the Commission's Internal Controls and Political Committees advisory document (2007) and the Best Practices for Committee Management (published in the April 2009 Record, available at [www.fec.gov/pages/brochures/bestpractices.shtml](http://www.fec.gov/pages/brochures/bestpractices.shtml)), as well as a process to track receipt of, and response to, communications with the Commission within one hundred twenty (120) days of the effective date of this agreement; (c) conduct an internal education program for staff to discuss internal controls and distribute the compliance manual within one hundred twenty (120) days of the effective date of this agreement; and (d) pay a civil penalty of \$6,000 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 833 (RR 17L-12), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Krista J. Roche, Acting Director  
Alternative Dispute Resolution Office

  
\_\_\_\_\_

  
\_\_\_\_\_ Date Signed

FOR THE RESPONDENTS:

  
\_\_\_\_\_ Jeffrey Gallant, Esq.  
Representing National Right to Life Victory  
Fund and Wayne Cockfield, Treasurer

  
\_\_\_\_\_ Date Signed

CONFIDENTIAL