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Federal Election Commission
1050 First Street NE Washington, DC 20463

VIA E-MAIL: cela@fec.gov

Re: MUR 7879: Supplemental Response from NRA Victory Fund, Inc. and Robert Owens

We write this supplemental response on behalf of NRA Victory Fund, Inc. and Robert Owens, in his official capacity as Treasurer (collectively “the Respondents”) in response to the supplemental complaint. The Supplemental Complaint addresses two issues, which we will respond to in the order in which Complainant presents them.

First, the Complaint prematurely alleges that the Respondents did not cure its reporting errors when NRA Victory Fund filed its amended Year-End Report on March 9, 2021. On April 23, 2021, Respondents filed another amendment to the Year-End Report to provide cross-references to the original donations, providing Complainant with all the information it could possibly need.

Second, the Complainant again asserts its position that NRA Victory Fund failed to follow Complainant’s laundry list of what they would like to be requirements for “best efforts” compliance, with a focus on the idea that certain donors to NRA Victory had disclosed their employer-occupation information to other political committees. The fact that these donors provided their employer/occupation information to other political committees is irrelevant to the requirements of the Commission’s “best efforts” regulations. As we stated in our original Response, there is no federal law that requires donors to report this information,¹ nor is there any law that requires political committees to obtain such information. The “best efforts” regulations require political committees to *ask* for it, which Respondents did. To be clear, the Commission’s “best efforts” regulations, codified in 11 C.F.R. § 104.7, nowhere mention any sort of requirement that political committees scour the Commission’s website to find the employer/occupation information for all of its donors...and for good reason. If committees were

¹ *RNC vs. FEC*, 76 F.3d 400, 406 (D.C. Cir. 1996)

required to run online matches of similar names, it would inevitably result in false positives and risk Complainants then crying of false donor information being reported.

This Supplemental Complaint fails to cure the defects of the original Complaint, as it still fails to show a violation of FECA or Commission regulations by the Respondent. The Respondents have provided all necessary information under the law and as requested by the Complainant. Further, both the original Complaint and the Supplemental Complaint fail to provide any sort of evidentiary support, other than pure speculation, to show that Respondent failed to comply with the Commission's "best efforts" regulations. We urge the Commission to dismiss this case and promptly close the file.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charlie Spies". The signature is fluid and cursive, with a large initial "C" and "S".

Charlie Spies
Katie Reynolds
Counsel to Respondents