

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
NATIONAL RIFLE ASSOCIATION OF)	
AMERICA POLITICAL VICTORY FUND,)	
)	Civ. No. 22-1017
and)	
)	
NATIONAL RIFLE ASSOCIATION OF)	
AMERICA,)	
)	
Plaintiffs,)	
)	
v.)	
)	NOTICE
FEDERAL ELECTION COMMISSION,)	
)	
Defendant.)	
_____)	

**FEDERAL ELECTION COMMISSION’S NOTICE
OF SUBSEQUENT DEVELOPMENTS**

The Federal Election Commission (“FEC” or “Commission”) hereby provides notice of subsequent factual developments. The composition of the Commission recently changed, with Dara Lindenbaum sworn in a Commissioner on August 2, 2022. FEC, *Dara Lindenbaum Sworn In As Commissioner* (Aug. 2, 2022), <https://www.fec.gov/updates/dara-lindenbaum-sworn-in-as-commissioner/>. Soon thereafter, on August 29, 2022, there was a successful vote to close the file in FEC Matters Under Review (“MURs”) 7427, 7497, 7524, and 7553, administrative enforcement matters in which plaintiff National Rifle Association of America Political Victory Fund (“NRA-PVF”) is a respondent, and as to which it has sought records from the Commission pursuant to the Freedom of Information Act (“FOIA”). As a result of these file closures, certain information from the MURs that was the subject of previous exemption claims, including formal Office of General Counsel recommendations, Commissioner vote certifications, and statements

of reasons, will be released, and plaintiffs will shortly have the central information they have sought in this case.

The FEC Commissioners voted 4-1 (with one abstention) to close the files in MURs 7427, 7497, 7524, and 7553. NRA-PVF, a respondent in these MURs and a plaintiff in this case, has been notified of this action. As a result, the Commission will place on the public record categories of documents integral to its decision-making process in the MUR, including certifications of Commission votes and Commissioner statements of reasons, in accord with the agency's disclosure policy. *See* FEC, Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702, 50,703 (Aug. 2, 2016). The Commission will do so as soon as practicable and generally endeavors to do so within 30 days. *Id.*

Because the release of the file materials for MURs 7427, 7497, 7524, and 7553 will provide plaintiffs with the central information sought in this FOIA litigation, the Commission will confer with plaintiffs to determine whether their claims may be dismissed at this point or merely narrowed, and the extent to which there is a need for further briefing, including the Commission's motion for summary judgment currently due on September 14, 2022. The Commission will then further update the Court.

Respectfully submitted,

Lisa J. Stevenson (D.C. Bar No. 457628)
Acting General Counsel
l Stevenson@fec.gov

Kevin Deeley
Associate General Counsel
kdeeley@fec.gov

Harry J. Summers
Assistant General Counsel
hsummers@fec.gov

/s/ Greg J. Mueller
Greg J. Mueller (D.C. Bar. No. 462840)
Attorney
gmueller@fec.gov

COUNSEL FOR DEFENDANT
FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463
(202) 694-1650

September 1, 2022

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2022, I served the foregoing pursuant to Fed. R. Civ. P. 5(b)(2)(E) on counsel of record, as a registered ECF user, through the Court's ECF system.

/s/ Greg J. Mueller
Greg J. Mueller (D.C. Bar. No. 462840)
Attorney
gmueller@fec.gov