



Federal Election Commission  
Washington, DC 20463

November 3, 2015

Donald F. McGahn, Esq.  
Jones Day  
51 Louisiana Ave, NW  
Washington, DC 20001

Re: ADR 769  
National Rifle Association of America Political Victory Fund and Mary Rose  
Adkins, Treasurer

Dear Mr. McGahn:

Enclosed is the signed copy of the Negotiated Settlement resolving the referral initiated on June 3, 2015, by the Federal Election Commission ("FEC/Commission") involving the above-shown Respondents. The Negotiated Settlement was approved by the Commission on November 2, 2015 – the effective date of the agreement.

Note the specific time frames for compliance in Paragraph 6 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in Paragraph 6, and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on or before December 2, 2105.<sup>1</sup> Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

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 Information Office.

<sup>1</sup> Please note, if the Commission refers an unpaid civil penalty to the US Treasury or third party collection agent, additional costs and fees will be assessed.





**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 769  
Source: RAD 15L-22  
Case Name: National Rifle Association of  
America Political 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 Donald F. McGahn, Esq., representing the National Rifle Association of America Political Victory Fund and Mary Rose Adkins, in her 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.

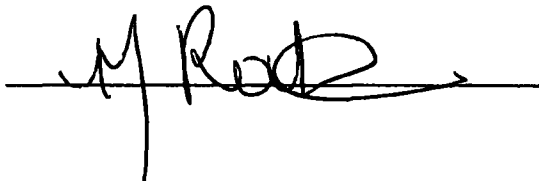
Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

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 (RAD) referred Respondents for failing to disclose all financial activity on their 2014 12 Day Pre-General Report. On January 29, 2015, the Committee filed an Amended 2014 12 Day Pre-General Report to disclose additional receipts of \$93,385.31 not included on the original report filed on October 23, 2014.
4. Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(2), 11 C.F.R. §§ 104.1, 104.3(a).
5. The Committee filed a Miscellaneous Electronic Submission (Form 99) on March 24, 2015, stating that contributions that should have been posted to their system with a date of October 15<sup>th</sup>, were not deposited until October 17<sup>th</sup> and 20<sup>th</sup> by the lockbox service vendor. The Committee states it discovered the error upon completing a full analysis and reconciliation of activity for the month of October.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) certify annually for two (2) years that the Committee reconciled all financial data to the report being filed with the Commission prior to each report being filed, with the first certification due on the one year anniversary of the effective date of this agreement, and the second certification due on the second anniversary of the effective date of this agreement; and (b) pay a civil penalty of \$2,750 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 769 (RAD 15L-22), 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.

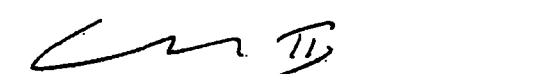
FOR THE COMMISSION:

Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office



11/2/15  
Date Signed

FOR THE RESPONDENTS:



Donald F. McGahn, Esq.  
Representing National Rifle Association of  
America Political Victory Fund and  
Mary Rose Adkins, Treasurer

10/5/15  
Date Signed