



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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September 30, 2016

Sent electronically to Jeannie Shu "jeannieishu@gmail.com"

Subject: Complaint filed against NRA-Political Victory Fund, PDC Case 7943

Ms. Shu,

The Public Disclosure Commission (PDC) has completed its review of a complaint you filed on September 1, 2016. Your complaint alleged that the National Rifle Association Political Victory Fund violated: (1) RCW 42.17A.250 by failing to file Out-of-State Political Committee reports (C-5 reports) disclosing contributions made to 2016 Legislative candidates in Washington State and a caucus political committee; and (2) RCW 42.17A.265 by failing to disclose contributions of \$1000 (in aggregate) made by NRA PVF to four Legislative candidates and a caucus political committee during the special reporting period preceding the August 9, 2016 primary election.

PDC staff reviewed your allegations in light of PDC laws and rules in order to determine whether a formal investigation or enforcement action is warranted.

RCW 42.17A.250 states in part that an out-of-state political committee organized for the purpose of supporting or opposing candidates in another state, is not required to register and report as a political committee under RCW 42.17A.205 through 42.17A.240. However, when the out-of-state committee makes an expenditure supporting or opposing a candidate in Washington state, or to a political committee in Washington State, the committee shall file a C-5 report by the tenth day of the month.

RCW 42.17A.265 states in part that "*A political committee shall prepare and deliver to the commission a special report when it makes a contribution or an aggregate of contributions to a single entity that totals one thousand dollars or more during a special reporting period. The period beginning on the day after the last report required by RCW 42.17A.235 and 42.17A.240 to be filed before a primary and concluding on the end of the day before that primary.*"

Staff reviewed your complaint, the C-5 reports filed by the NRA PVF, and the September 13, 2016 four-page response letter from Mathew H. Bower, Assistant General Counsel, for the NRA PVF and eight .pdf attachments that included a one-page affidavit from Mary Rose Adkins, NRA PVF treasurer, copies of cancelled contribution checks, copies of the C-5 reports filed by NRA PVF, and copies of Monetary Contribution reports filed by the recipient candidates and caucus political committees.

Based on staff's review, we found:

- Mr. Bower stated that NRA PVF "timely and properly reported" all of the contributions listed in the complaint filed by Ms. Shu on the C-5 reports.
- On January 8, 2016, NRA PVF timely filed a C-5 report for December of 2015 disclosing 23 contributions had been made to 2016 Legislative candidates totaling \$21,850, and two contributions were made to two caucus political committees totaling an additional \$1,900.
- The 23 NRA PVF contributions were made between the period of December 1 through 9, 2015, and included two of the contributions listed in your complaint: (1) A \$950 monetary contribution made to Jay Rodne for State Representative on December 9, 2015; and (2) A \$950 monetary contribution made to Lynda Wilson for State Representative on December 9, 2015.
- On December 28, 2015, the Friends of Lynda Wilson for State Representative timely filed a Monetary Contributions report (C-3 report) disclosing that a \$950 monetary contribution had been received from the NRA PVF on December 15, 2015.
- On February 8, 2016, Representative Wilson filed a Candidate Registration (C-1 report) declaring her candidacy for Washington State Senator in the 17th Legislative District in 2016. On April 6, 2016, the Friends of Lynda Wilson for State Senator filed a C-3 report disclosing that a \$950 monetary contribution had been received from the NRA PVF on March 30, 2016.
- PDC staff contacted Representative Wilson concerning the NRA PVF contribution, and she stated that her State Representative Campaign received the contribution prior to the Legislative Session freeze and timely disclosed the contribution on a C-3 report. She stated that she filed the C-1 report for the open Senate seat during the 2016 Legislative Session, and after the session ended she sought permission from a number of contributors to her 2016 State Representative re-election campaign whose primary election contributions had not been spent, to transfer those contributions into her 2016 State Senate Campaign.
- Representative Wilson stated that in accordance with PDC requirements, once her campaign received permission from the 2016 State Representative contributors, she transferred those contributions into her 2016 State Senate race. The transferred contributions included the \$950 contribution from NRA PVF, which her 2016 Senate Campaign properly disclosed March 30, 2016 as the date received.
- On May 26, 2016, the Friends of Jay Rodne for State Representative filed a C-3 report disclosing that a \$950 contribution had been received from the NRA PAC on May 17, 2016, and deposited on May 18, 2016. In the response from Mr. Bower, he stated that NRA PVF inquired with Representative Rodne's Campaign "*concerning the difference in reporting dates. He indicated that his reporting was complicated by a delay in his receipt of the contribution.*"

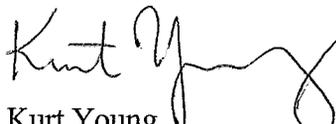
- Representative Rodne exchanged emails with PDC staff concerning the contribution, and stated that he was on vacation in December of 2015, and did not check his campaign post office box prior to the 2016 Legislative session freeze period beginning. He stated that he did not check the campaign post office box during the 2016 legislative session. After the 2016 special Legislative session ended, he went on active military duty service in the *"last half of April and beginning of May out of state. Upon my return from active military duty, I check my campaign mailbox and then deposited any checks that I had received."*
- Based on those facts, Representative Rodne timely disclosed the NRA PVF contribution once it had been received by his campaign.
- NRA PVF timely filed a C-5 report on August 10, 2016, disclosing the five contributions listed in your complaint totaling \$4,500, that were all made on July 22, 2016. The C-5 report disclosed the four Legislative candidate contributions that included a \$1,000 contribution made to each Dan Kristiansen, Mary Dye, and Terry Nealy, and a \$500 contribution to David Taylor, and a \$1,000 contribution to the House Republican Organizational Committee.

The NRA PVF timely filed two C-5 reports as required for an out-of-state political committee making contributions in Washington State, disclosing the seven contributions listed in your complaint. As an out-of-state political committee, NRA PVF was not required to file Last Minute Contributions in accordance with RCW 42.17A.265. For your information the Last Minute Contribution special reporting period for the 2016 Primary election was July 26 through August 1, 2016, so the NRA PVF contributions made on July 22, 2016, were made four days prior to special reporting period beginning.

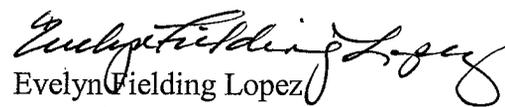
For these reasons, the PDC will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case. Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better awareness of campaign restrictions and prohibitions.

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,


Kurt Young
PDC Compliance Officer

Endorsed by:


Evelyn Fielding Lopez
Executive Director

cc: Matt Bower



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