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# United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

A. JAY KHOSLA, STAFF DIRECTOR  
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March 27, 2018

John C. Frazer  
Secretary and General Counsel  
National Rifle Association of America  
11250 Waples Mill Road  
Fairfax, VA 22030

Dear Mr. Frazer:

I appreciate your timely response to my March 5 letter to your organization. However, I am once more requesting that you provide additional clarity on a number of issues contained in my previous letters, as well as issues that have emerged following recent press reports.

As you know, political advocacy activity is governed by both Federal Election Commission (FEC) rules and authoritative statutes, as well as the internal revenue code. Section 501(c)(4) organizations operate at the intersection of these rules and are subject to a unique set of legal requirements. Even in cases where organizations are engaged in activity that is substantively intended to influence an election or American political discourse, 501(c)(4) organizations may not be legally required to publicly disclose information about funding sources or expenditures to the FEC in all instances. In addition, 501(c)(4) organizations engaging in such activity may not be subject to prohibitions on accepting contributions from foreign persons in all instances. These determinations pivot around a complex set of rules regarding the intent of a contribution, and separately, the timing of activity, mode of communication, manner of identification, manner of advocacy, and other criteria.

In your March 19 letter you acknowledged that your organization maintains accounts for which it reports some or no expenditures to the FEC, and that your organization accepts funding from foreign individuals into those accounts. You further acknowledged that your organization makes transfers between the various types of accounts "as permitted by law." I appreciate your assertion that the NRA complies with applicable federal elections laws; however, it is incumbent on lawmakers to not only investigate compliance with the law, but also to ascertain whether present law provides sufficient safeguards to protect the American political process from foreign influence. This is why I asked specifically whether your organizations make electioneering, issue advocacy, educational, voter mobilization, or communications expenditures (*including expenditures not subject to FEC disclosure requirements*) out of such accounts. In your recent letter, you chose not to fully answer this question with respect to expenditures not subject to FEC disclosure requirements. These questions have become all the more pertinent in light of recent reports suggesting the NRA significantly increased online advertisement spending to sway American political discourse following the mass shooting at Marjory Stoneman Douglas High School in

Parkland, Florida.<sup>1</sup>

Accordingly, I once again ask you to fully answer my previous questions. In addition, I request that you provide the following information to further clarify this matter:

1. For each account described in your March 19 letter which has received foreign funds (or has received a transfer from an account that has received foreign funds) in 2018 or the preceding three years, please provide for such years:
  - A. Records of each expenditure for the production or distribution of information to NRA members or the public, including but not limited to, the production or distribution of information on digital platforms; broadcast platforms; print media platforms; and other printed communications (including mailed materials, door hangers, leaflets, and pamphlets).<sup>2</sup>
  - B. For each expenditure identified in question (1)(A) please provide the following:
    - i. a copy of such communication;
    - ii. the amount of such expenditure;
    - iii. all information related to the targeted audience, demographic, or geographic region of such communication;
    - iv. the date(s) and period(s) such communication was distributed or made available;
    - v. the number of clicks, impressions, estimated viewers, estimated listeners, estimated readers, or estimated recipients of each communication;
    - vi. identification of whether such expenditure was reported to the FEC.
2. In my March 5 letter I requested that you “identify any Russian nationals who were members of your organization’s “Golden Ring of Freedom” program, *or any other related donor programs*, prior to December 2015 or became members as a result of or in connection with the December 2015 trip to Moscow” (emphasis added). I additionally requested that you “describe how any contributions identified in connection with [that] question were handled by your organization and utilized.” Your March 19 response did not fully address this question, stating only that “No Russian nationals have ever been members of the Golden Ring of Freedom program.”
  - A. Please confirm whether any Russian nationals, or other foreign individuals, have ever been members of your organization’s other donor programs, including but not limited to the “NRA Ring of Freedom” program.<sup>3</sup>

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<sup>1</sup> Katharine Gammon, “New data show the NRA increased online ad spending aggressively after parkland shooting,” Chicago Tribune, March 23, 2018.

<sup>2</sup> For purposes of this request, all terms are intended to have their plain language meaning, and should not be construed to have the meaning of defined legal terms under FEC rules, the internal revenue code, or elsewhere unless expressly indicated. If you have questions about the meaning of any term in this request, please contact my staff.

<sup>3</sup> On September 17, 2016, Alexander Torshin shared a series of images of himself wearing an NRA “Ring of Freedom” badge; [https://twitter.com/torshin\\_ru/status/777309576341385216](https://twitter.com/torshin_ru/status/777309576341385216); [https://twitter.com/torshin\\_ru/status/777309249844183041](https://twitter.com/torshin_ru/status/777309249844183041)

- B. Please list any individuals identified in response to question (2)(A) and describe how their contributions were handled by your organization.
- C. Please also confirm that your organization has received no funding from individuals or entities connected to individuals identified by the U.S. Department of the Treasury's Office of Foreign Assets Control as specially designated nationals and blocked persons.<sup>4</sup>

Again, thank you for your prompt attention to this matter. Please provide responses to the above questions at your earliest convenience but no later than April 10, 2018. You may reach my staff at (202) 224-4515 if you have any questions or concerns in meeting this deadline.

Respectfully,



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Ron Wyden  
Ranking Member

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<sup>4</sup> U.S. Department of the Treasury Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons List (SDN); [www.treasury.gov/ofac/downloads/sdnlist.pdf](http://www.treasury.gov/ofac/downloads/sdnlist.pdf)