

Congress of the United States

Washington, DC 20510

February 6, 2019

Mr. Wayne LaPierre
President
National Rifle Association of America
11250 Waples Mill Road
Fairfax, VA 22030

Dear Mr. LaPierre:

We write regarding numerous reports that the National Rifle Association and its affiliates, the National Rifle Association Institute for Legislative Action and the National Rifle Association of America Political Victory Fund (collectively, the “NRA”), made illegal, excessive, and unreported in-kind contributions to Donald J. Trump for President (the “Trump Campaign”) and various Republican congressional candidates in the form of coordinated communications. The NRA is currently named in four pending complaints to the Federal Election Commission regarding these alleged violations.

During the 2016 election, the NRA spent over \$50 million on “independent” expenditures supporting Donald Trump’s campaign and Republican congressional candidates. In the 2014 cycle, the NRA spent over \$25 million supporting Republican congressional candidates. Most of this money was spent to purchase television advertisements supporting Republican candidates or opposing Democratic candidates. According to reports in *Politico*, *Mother Jones*, and *The Trace*, the NRA made most of these purchases through a complex web of shell companies and fictitious organizations, in a manner that concealed that the media firms the NRA employed were also employed by the Trump Campaign and other Republican political campaigns. Campaign finance law prohibits candidates from accepting contributions outside of the existing campaign finance limits during an election cycle. Moreover, any expenditure made in coordination with a candidate is considered to be an in-kind contribution to the candidate under 52 U.S.C. § 30116(a)(7)(B)(i) and 11 C.F.R. § 19.21. As detailed below, the relationship between the firms the NRA employed and the firms the Trump Campaign and other Republican candidates used suggests illegal coordination.

In 2016, the NRA placed political advertisements through a number of media consulting firms also employed by the Trump Campaign. The NRA placed advertisements supporting candidate Donald Trump through the firm Red Eagle Media Group (“Red Eagle”), and the Trump Campaign employed American Media & Advocacy Group (“AMAG”) for a similar purpose. Both Red Eagle and AMAG are functionally the same organization as the National Media Research, Planning and Placement firm (“National Media.”). Red Eagle, AMAG, and National Media all share a common office and common employees. In a 2016 *Daily Beast* article, an

attorney for National Media and AMAG “confirmed” that the two firms are “affiliated.”¹ *The Trace* identified at least four current National Media employees who were named as representatives of both the Trump Campaign and the NRA on Federal Communications Commission filings, which show that Red Eagle and AMAG often bought ads on the same stations around the same times for the NRA and the Trump Campaign, respectively. All of this strongly suggests illegal coordination between the NRA and the Trump Campaign. Additionally, according to recent reports, the National Media chief financial officer, Jon Ferrell, also authorized ad purchases for the NRA and various Republican senate campaigns.

Based on reporting by *Politico*, the NRA used a similar scheme for ad purchases in the 2014 election. OnMessage, Inc. (“OnMessage”) currently serves as the primary vendor for advertisements for many federal candidates and campaigns, including many Senate candidates and party committees. In 2013, principals at OnMessage established Starboard Strategic, Inc. (“Starboard”) expressly for the purpose of advertising for the NRA, Starboard’s only client. Tens of millions in NRA advertising expenditures that once went to OnMessage were subsequently redirected exclusively to Starboard.² Despite the appearance that the NRA hired a new advertising firm, there is little distinction between the two entities. As with Red Eagle, AMAG, and National Media, OnMessage and Starboard share addresses in Annapolis, Maryland, and Alexandria, Virginia, and the firm is composed of the same staff and founders. It appears that Starboard is merely a shell company meant to disguise that the individuals working to direct campaign strategies and advertisements for Senate candidates were employees of OnMessage. The NRA appears to have continued making “independent” expenditures on behalf of various Senate campaigns who also enlisted the services of OnMessage in the 2016 and 2018 elections.

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under current campaign finance law. To help us understand the NRA’s role in this seemingly illegal scheme, please provide responses to the following questions no later than March 6, 2019.

- 1) Please provide any NRA written guidance, policies or procedures, articles of incorporation or bylaws, and communications and emails regarding the NRA’s compliance with federal and state campaign finance law.
- 2) Please provide documents, communications and emails regarding any steps required by the NRA or otherwise taken by the NRA’s vendors to ensure compliance with federal campaign finance laws, including coordination and firewall regulations and guidelines.
- 3) Please provide any communications and emails with Red Eagle, National Media, and AMAG between June 2015 and December 2016 regarding compliance with federal and state campaign finance laws.

¹ Betsy Woodruff, *Trump’s Already Part of the D.C. Swamp, Whether He Knows It or Not*, DAILY BEAST (Oct. 26, 2016), <https://www.thedailybeast.com/trumps-already-part-of-the-dc-swamp-whether-he-knows-it-or-not?ref=scroll>.

² Mike Spies, *The Mystery Firm that Became the NRA’s Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

- 4) Please provide any documents, records, memorandum, and communication and emails related to the NRA's selection of Red Eagle as a vendor.
- 5) Please provide any communications or emails between the NRA or its employees and Red Eagle, National Media, and AMAG between June 2015 and December 2016 regarding Trump Campaign advertising.
- 6) Please provide any communications and emails between the NRA and Starboard and/or OnMessage between June 2015 and December 2016 regarding compliance with federal and state campaign finance laws.
- 7) Please provide any documents, records, memorandum, and communication and emails related to the NRA's selection of Starboard as a vendor.
- 8) Please name all of the OnMessage, Starboard, Red Eagle, National Media, and AMAG employees with whom the NRA or its employees communicated between June 2015 and December 2016.

In addition, we request that the NRA, and any other related entities, retain all records relevant to this inquiry.

Sincerely,



SHELDON WHITEHOUSE
United States Senator



JAMIE RASKIN
Member of Congress