

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by  
Carlos Matthew Soto, *et al.*, Stratford

File No. 2015-098

**FINDINGS AND CONCLUSIONS**

Complainants brought this complaint pursuant to Connecticut General Statutes § 9-7b and alleged that National Rifle Association (“NRA”) through its federal and state ongoing political committees violated General Statutes § 9-333d (now § 9-602) and § 9-333d (now § 9-618) by making impermissible contributions to state candidates and transferring funds from the federal political committee to the state political committee.

After an investigation of the complaint, the following findings and conclusions are made:

1. Complainants alleged that the NRA Political Victory Fund (hereinafter “NRA Federal PAC”) and NRA Political Victory PAC (hereinafter “NRA Connecticut PAC”) violated Connecticut campaign finance laws.
2. The violations pertaining to alleged prohibited contributions and transfers occurred from March 2003 through October 2006 as detailed herein. The transactions that are subject of this complaint preceded the implementation of the Citizens’ Election Program and comprehensive campaign finance reforms of 2005. Further, they were prior to the 2007 transfer of the campaign financing statutes from Chapter 150 to Chapter 155, Title 9, General Statutes, and references to each relevant statutory section are cited herein.
3. More specifically, Complainants alleged that NRA Federal PAC and NRA Connecticut PAC violated General Statutes § 9-333d (now § 9-602) and § 9-333t (now § 9-618) by:
  1. Improperly making at least \$9,000.00 in campaign contributions to candidate committees from a federal committee; and,
  2. Improperly transferring more than \$20,000.00 from the Federal PAC to the Connecticut PAC in October of 2006.
4. At all times relevant to this complaint, NRA Federal PAC was registered with the Federal Elections Commission as a political committee and NRA Connecticut PAC was registered in Connecticut as an ongoing political committee pursuant to General Statutes § 9-333d (now § 9-602). Each was registered by the NRA.

5. General Statutes § 9-333d (now § 9-602) provided in pertinent part:
- (a) Except with respect to an individual acting alone, or with respect to a group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars in the aggregate, no contributions may be made, solicited or received and no expenditures, other than independent expenditures, may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, unless (1) the candidate *or chairman of the committee has filed a designation of a treasurer and a depository institution situated in this state as the depository for the committee's funds*, or (2) the candidate has filed a certification in accordance with the provisions of section 9-604. In the case of a political committee, the filing of the statement of organization by the chairman of such committee, in accordance with the provisions of section 9-605, shall constitute compliance with the provisions of this subsection.
- [Emphasis added.]

6. General Statutes § 9-333j (now §9-608), provided in pertinent part:
- (a)(1) Each treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, ... (B) on the seventh day preceding each regular state election, ... The statement shall be complete as of eleven fifty-nine o'clock p.m. of the last day of the month preceding the month in which the statement is required to be filed, except that for the statement required to be filed on the seventh day preceding the election, primary or referendum, the statement shall be complete as of eleven fifty-nine o'clock p.m. of the second day immediately preceding the required filing day. The statement shall cover a period to begin with the first day not included in the last filed statement. In the case of a candidate committee, the statement required to be filed in January shall be in lieu of the statement formerly required to be filed within forty-five days following an election.

...

(b)(1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; ...

...  
(4) *Contributions from a single individual to a treasurer in the aggregate totaling thirty [now fifty] dollars or less need not be individually identified in the statement*, but a sum representing the total amount of all such contributions made by all such individuals during the period to be covered by such statement shall be a separate entry, identified only by the words "total contributions from small contributors". [Emphasis added]

7. Connecticut General Statutes § 9-333t (now § 9-618), provided in pertinent part:

(a) A political committee organized for ongoing political activities may make unlimited contributions to, or for the benefit of, any national committee of a political party; or a committee of a candidate for federal or out-of-state office. Except as provided in subdivision (3) of subsection (d) of this section, no such political committee shall make a contribution or contributions in excess of two thousand dollars to another political committee in any calendar year. No political committee organized for ongoing political activities shall make a contribution in excess of three hundred seventy-five dollars to an exploratory committee. If such an ongoing committee is established by an organization or a business entity, its contributions shall be subject to the limits imposed by sections 9-613 to 9-615, inclusive. A political committee organized for ongoing political activities may make contributions to a charitable organization which is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, as from time to time amended, or make memorial contributions.

...  
(b) (now (e)) A political committee organized for ongoing political activities may receive contributions from the federal account of a national committee of a political party, *but may not receive contributions from any other account of a national committee of a political party or from a committee of a candidate for federal or out-of-state office*.  
[Emphasis added.]

8. Allegation One *NRA Federal Committee improperly made at least \$9,000.00 in campaign contributions to candidate committees registered for election to the General Assembly in violation of General Statutes § 9-333d ( now § 9-602).*
9. Pursuant to General Statutes § 9-333d (now § 9-602) federal political committees are prohibited from making contributions to candidate committees for election to General Assembly and such candidate committees are prohibited from receiving contributions from federal candidate committees.
10. After investigation, the Commission finds that NRA Connecticut PAC made the contributions attributed to NRA Federal PAC to committees registered under Connecticut law and totaling \$9,000.00.
11. More specifically, the Commission finds that NRA Connecticut PAC bank records corresponded to each of the contributions that Complainants alleged were made by NRA Federal PAC and reported by both committees between the time period March 18, 2003 through October 18, 2006.
12. Finally, upon searching and analyzing the FEC database for the alleged NRA Federal PAC contributions to Connecticut registered committees during the relevant two year reporting periods (2003-2004 and 2005-2006), the Commission finds a lack of evidence that any such “double reporting” occurred as alleged by Complainants.
13. The Commission concludes that the alleged violations of General Statutes § 9-333d (now § 9-602) by NRA Federal PAC and pertaining to Allegation One were *not* supported by the facts after thorough review and investigation. The Commission therefore dismisses this allegation.
14. Allegation Two *NRA Federal PAC Improperly transferred more than \$20,000.00 to the NRA Connecticut PAC in October of 2006 in violation of General Statutes § 9-333t (now § 9-618).*
15. A political committee not registered under Connecticut campaign finance law would be prohibited from making a contribution to a political committee so registered pursuant to General Statutes § 9-333t (b) (now § 9-618 (e)).
16. Allegation Two, by inference, is based on the compressed time period represented by the October 31, 2006 financial statement that covered the period of October 1, 2006 and October 24, 2006 and the fact that “over \$20,000.00” was reported in Section B of the financial statement as “small contributors.”

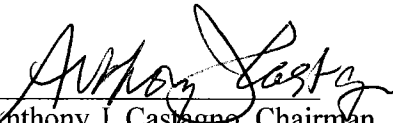
17. The Commission notes that pursuant to General Statutes § 9-333j (now § 9-608) political committees do not have to be itemize donations from “small contributors,” but rather such contributions can appear in the aggregate from each relevant reporting period.
18. Moreover, the Commission does not assume impropriety based on the amounts aggregated and reported in Section B of non-itemized contributions, or based on the brevity of the time period for which they were reported raised and disclosed. Rather, the Commission will rely on statutory record keeping requirements and review of internal records to ascertain the veracity of such disclosures by committees.
19. In this instance, the Commission finds that NRA Connecticut PAC had a segregated bank account for committee funds in a Connecticut depository as required by General Statutes § 9-602 that was distinct from the account of record for NRA Federal PAC.
20. Further, the Commission finds that a review of bank statements, checks and other records from the aforementioned account corroborates deposits in the amount of \$20,794.00 made *after* September 30, 2006 and subsequently appeared on the financial statement filed with the Commission on October 31, 2006.
21. Finally, the Commission further finds that internal records of NRA Connecticut PAC revealed the total number of small contributions making up each deposit and the number of such deposits made between October 1, 2006 and October 24, 2006 were consistent with the aggregated total of \$20,794.00 as reported by NRA Connecticut PAC on its October 31, 2006 financial statement.
22. The Commission concludes that Allegation Two remained unsubstantiated after a review of internal records obtained and reviewed pursuant to this investigation and finds that NRA Federal PAC did not transfer funds to NRA Connecticut PAC in violation of General Statutes § 9-333t (b) (now § 9-618 (e)) as alleged, but rather the latter committee disclosed aggregated donations from small contributors on its October 31, 2006 financials statement consistent with the requirements of General Statutes § 9-333j (now § 9-608). The Commission therefore dismisses this allegation.

**ORDER**

The following Order is issued on the basis of the aforementioned findings:

The complaint is dismissed.

Adopted this 12 day of OCT, 2016 at Hartford, Connecticut.

  
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Anthony J. Castagne, Chairman  
By Order of the Commission