

HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC

Attorneys at Law

45 North Hill Drive • Suite 100 • Warrenton, VA 20186

Senator Sheldon Whitehouse
United States Senate
Hart Senate Office Building, Room 530
Washington, DC 20510

Representative Jamie Raskin
United States House of Representatives
412 Cannon House Office Building
Washington, DC 20515

March 5, 2019

Dear Senator Whitehouse and Representative Raskin:

On or about February 6, 2019, you sent letters to the National Rifle Association of America, OnMessage, Inc., Starboard Strategic, National Media Research, Planning & Placement, Red Eagle Media Group, and American Media & Advocacy Group, requesting certain information pertaining to issues raised in a series of coordinated, partisan blog postings and complaints filed with the Federal Election Commission (FEC). This letter is submitted by counsel for the National Rifle Association and the above-named companies who are included in these matters because of their relationship to the National Rifle Association.


As your letter indicates, complaints regarding the matters raised in your letter are currently pending before the FEC. We have filed responses and await the FEC's consideration of the complaints and our responses thereto. As you are undoubtedly aware, the Federal Election Campaign Act and FEC regulations provide that the FEC's enforcement process is confidential until matters are closed. This confidentiality is essential to ensuring that enforcement matters are not litigated in the media — especially in situations such as this, in which allegations have been frivolously presented with no evidence to support them. Once the FEC's process is closed, these documents will be placed on the public record.

To date, our clients have not provided comment on these matters to the interest groups and online blogs pushing this baseless story because they are not credible and their allegations are nothing more than a partisan political exercise. The allegations made in the blog

postings and complaints, and referenced in your letters, are patently false. For months now, *The Trace* and the Campaign Legal Center (CLC) have been engaged in an orchestrated smear campaign against the National Rifle Association and its vendors. They point to common business practices as evidence of wrongdoing, despite the CLC's own prior public statements acknowledging that the practices are lawful.

The NRA and its vendors take campaign finance rules seriously and have *not* engaged in any improper coordination. They scrupulously follow the law. The NRA is fully confident that its vendors are appropriately firewalled and that all of its ad buys are appropriately independent, which will be demonstrated when the FEC's process is closed and all of the relevant documents are made public.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'J' followed by a flourish.

Jason Torchinsky
Michael Bayes
Jessica F. Johnson