FILED: NEW YORK COUNTY CLERK 03/20/2023 07:26 PM INDEX NO. 451625/2020

NYSCEF DOC. NO. 1555

RECEIVED NYSCEF: 03/20/2023

## **EXHIBIT AF**

NYSCEF DOC. NO. 1555

INDEX NO. 451625/2020 RECEIVED NYSCEF: 03/20/2023

Form **990** 

**Return of Organization Exempt From Income Tax** 

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

OMB No. 1545-0047

Department of the Treasury

▶ Do not enter social security numbers on this form as it may be made public.

Open to Public

Inter	rnal Revent			w.irs.gov/Form990 for	instructions and the late	est informatio	n.		Inspection
Α	For the	2019 calend	dar year, or tax year beg	inning	, 2019, and end	ding			, 20
В	Check if	applicable:	C Name of organization NA	TIONAL RIFLE ASSOC	IATION OF AMERICA			) Emplo	yer identification number
	Address	change	Doing business as						53-0116130
	Name ch	ange	Number and street (or P.0	), box if mail is not delivered	d to street address)	Room/suite	E	Teleph	one number
	Initial retu	urn	11250 WAPLES MILL R	OAD					(703) 267-1000
	Final retu	rn/terminated	City or town, state or prov	vince, country, and ZIP or fo	oreign postal code				
	Amended	d return	FAIRFAX, VA 22030					Gross	receipts \$ 302,740,488
	Application	on pending	F Name and address of prince	cipal officer: WAYNE R L	APIERRE	H(a) is th	nis a group	o return for	r subordinates? Yes Vo
			SAME AS C ABOVE			H(b) Are	all sub	ordinate	es included? Tyes No
I	Tax-exen	npt status:	501(c)(3)	c) ( 4 ) ◀ (insert no.)	4947(a)(1) or 527	7 If "	No," att	ach a lis	t. (see instructions)
J	Website:	: ► WWW.1	NRA.ORG	<u> </u>		H(c) Gro	oup exe	mption r	number ►
K	Form of o	organization: 🔽	Corporation Trust	Association ☐ Other ►	L Year of for	mation: 187	71 N	<b>/</b> State of	of legal domicile: NY
P	art I	Summa	ry				•		
	1	Briefly des	cribe the organization's	s mission or most sign	nificant activities: FIRE	ARMS SAFE	TY, ED	UCATI	ON, AND
çe		TRAINING;	AND ADVOCACY ON BE	EHALF OF SAFE AND R	ESPONSIBLE GUN OWI	NERS			
Jan									
Activities & Governance	2	Check this	box ▶ 🗌 if the organiz	zation discontinued it	s operations or dispos	ed of more t	han 2	5% of	its net assets.
ő	3	Number of	voting members of the	governing body (Par	t VI, line 1a)			3	73
જ	4	Number of	independent voting me	embers of the govern	ing body (Part VI, line	1b)		4	63
ties	5	Total numb	per of individuals emplo	yed in calendar year	2019 (Part V, line 2a)			5	770
ξί	6	Total numb	oer of volunteers (estim	ate if necessary) .				6	150,000
Ac	7a	Total unrel	ated business revenue	from Part VIII, column	n (C), line 12			7a	22,618,742
	b	Net unrelat	ed business taxable in	come from Form 990	-T, line 39			7b	0
						Prio	r Year		Current Year
Φ	8	Contribution	ons and grants (Part VII	I, line 1h)			108,59	9,726	109,439,440
Revenue	9	Program s	ervice revenue (Part VII	I, line 2g)			193,01	0,155	134,011,736
ě	10	Investment	t income (Part VIII, colu	mn (A), lines 3, 4, and	d 7d)		2,19	2,041	5,035,760
Œ	11	Other reve	nue (Part VIII, column (	A), lines 5, 6d, 8c, 9c,	10c, and 11e)		48,74	8,942	42,668,528
	12	Total reven	ue-add lines 8 through	n 11 (must equal Part '	VIII, column (A), line 12)		352,55	0,864	291,155,464
	13	Grants and	similar amounts paid	(Part IX, column (A), li	nes 1–3)		7	5,661	103,491
	14	Benefits pa	aid to or for members (	Part IX, column (A), Iir	ne 4)			0	0
S	15	Salaries, ot	her compensation, emp	loyee benefits (Part IX,	, column (A), lines 5-10)		63,86	4,842	56,740,325
Expenses	16a	Profession	al fundraising fees (Par	t IX, column (A), line	11e)		7,79	8,658	5,269,873
ĝ	b	Total fundr	aising expenses (Part I	X, column (D), line 25	) > 45,441,923			70 3040 3000 00	
Ш	17	Other expe	enses (Part IX, column (	(A), lines 11a-11d, 11			283,53	6,156	241,273,626
	18	Total expe	nses. Add lines 13-17	(must equal Part IX, c	olumn (A), line 25) .	;	355,27	5,317	303,387,315
	19	Revenue le	ess expenses. Subtract	line 18 from line 12	<u> </u>		(2,724	,453)	(12,231,851)
or						Beginning o	f Currer	nt Year	End of Year
Net Assets Fund Balanc	20	Total asset	s (Part X, line 16) .				197,21	2,080	198,746,752
t As	21	Total liabili	ties (Part X, line 26) .				181,18	0,554	189,092,595
žĒ	22		or fund balances. Sub	tract line 21 from line	20		16,03	1,526	9,654,157
Pa	art II	Signatu	re Block						
									ny knowledge and belief, it is
tru	e, correct	, and complet	e. Declaration of preparer (oth	ner than officer) is based on	all information of which prep	arer has any kn	owledg	e. 	
		<b> </b>							
Siç		Signati	ure of officer				Date		
He	re		NE R LAPIERRE, EXECU	TIVE VICE PRESIDEN	Γ	-			
		<u> </u>	r print name and title						
Pa	iid	Print/Type	preparer's name	Preparer's signatu	ire	Date		Check [	
	epare	r					s	self-emp	loyed
	e Only	Eirm'o non	ne 🕨				Firm's E	IN ►	
		Firm's add					Phone r	10.	
Ма	y the IR	S discuss	this return with the prep	oarer shown above? (	see instructions)			<u> </u>	🗌 Yes 🗌 No
For	Paperw	ork Reduct	ion Act Notice, see the s	separate instructions.	Ca	at. No. 11282Y			Form <b>990</b> (2019)

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

Form 990 (2019) Page 4 Part IV Checklist of Required Schedules (continued) Yes No Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on 22 23 Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated 23 24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? If "Yes," answer lines 24b 24a **b** Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception? . . . 24b Did the organization maintain an escrow account other than a refunding escrow at any time during the year 24c d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year? . . . 24d Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I . . . . . . 25a Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? 25b Did the organization report any amount on Part X, line 5 or 22, for receivables from or payables to any current 26 or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% ✓ controlled entity or family member of any of these persons? If "Yes," complete Schedule L, Part II . . . . 26 Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key 27 employee, creator or founder, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity (including an employee thereof) or family member of any of these 27 Was the organization a party to a business transaction with one of the following parties (see Schedule L. Part IV instructions, for applicable filing thresholds, conditions, and exceptions): A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? If 28a A family member of any individual described in line 28a? If "Yes." complete Schedule L. Part IV . . . . . 28b A 35% controlled entity of one or more individuals and/or organizations described in lines 28a or 28b? If 28c 29 Did the organization receive more than \$25,000 in non-cash contributions? If "Yes," complete Schedule M 29 30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified 30 31 Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I 31 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," Did the organization own 100% of an entity disregarded as separate from the organization under Regulations 33 33 Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Part II, III, 34 34 35a Did the organization have a controlled entity within the meaning of section 512(b)(13)? . . . . . . . . 35a If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Schedule R, Part V, line 2. 35b 36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable 36 Did the organization conduct more than 5% of its activities through an entity that is not a related organization 37 and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI 37 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note: All Form 990 filers are required to complete Schedule O. 38 Regarding Other IRS Filings and Tax

Paltiv	Statements	Regarding	Other IRS Filings	and rax	Compliance

Check if Schedule O contains a response or note to any line in this Part	V	 ٠		٠			-		L	_
								Vac	NI.	_

968 1a Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable 1a 0 b Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable . . . .

Did the organization comply with backup withholding rules for reportable payments to vendors and 

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

Page **5** Form 990 (2019)

Part	Statements Regarding Other IRS Filings and Tax Compliance (continued)			
			Yes	No
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax			Titlere List in the
	Statements, filed for the calendar year ending with or within the year covered by this return 2a 770			43.7
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? .	2b	<b>✓</b>	
	Note: If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions)		13.00	14.1
За	Did the organization have unrelated business gross income of \$1,000 or more during the year?	3а	<b> </b> ✓	ĺ
b	If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation on Schedule O	3b	1	
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over,			
	a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	4a	i	1
b	If "Yes," enter the name of the foreign country ▶			
	See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).			
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?	5a		1
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?	5b		1
С	If "Yes" to line 5a or 5b, did the organization file Form 8886-T?	5c		
6a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the			
	organization solicit any contributions that were not tax deductible as charitable contributions?	6a	✓	
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or			
	gifts were not tax deductible?	6b	✓	
7	Organizations that may receive deductible contributions under section 170(c).		#16. T	
а	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods			
	and services provided to the payor?	7a		
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?	7b		
С	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was	, !		
	required to file Form 8282?	7с		
d	If "Yes," indicate the number of Forms 8282 filed during the year			Sec. 15
е	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	7e		
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? .	7f		
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?	7g		
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?	7h		107
8	<b>Sponsoring organizations maintaining donor advised funds.</b> Did a donor advised fund maintained by the			16
	sponsoring organization have excess business holdings at any time during the year?	8		
9	Sponsoring organizations maintaining donor advised funds.		10.24	1 × 1
а	Did the sponsoring organization make any taxable distributions under section 4966?	9a	$\vdash$	
b	Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?	9b	300	
10	Section 501(c)(7) organizations. Enter:			
а	Initiation fees and capital contributions included on Part VIII, line 12			
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities . 10b			13.7
11	Section 501(c)(12) organizations. Enter:			
a	Gross income from members or shareholders			
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)			
12a	against amounts due or received from them.)	12a	1997	lik v.
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year   12b	120	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
13	Section 501(c)(29) qualified nonprofit health insurance issuers.			
а	Is the organization licensed to issue qualified health plans in more than one state?	13a		
u	<b>Note:</b> See the instructions for additional information the organization must report on Schedule O.			
b	Enter the amount of reserves the organization is required to maintain by the states in which			
b	the organization is licensed to issue qualified health plans			
С	Enter the amount of reserves on hand			
14a	Did the organization receive any payments for indoor tanning services during the tax year?	14a		1
b	If "Yes," has it filed a Form 720 to report these payments? <i>If "No," provide an explanation on Schedule O</i> .	14b		<b>_</b>
15	Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or			
	excess parachute payment(s) during the year?	15	1	
	If "Yes," see instructions and file Form 4720, Schedule N.			
16	Is the organization an educational institution subject to the section 4968 excise tax on net investment income?	16		1
	If "Yes," complete Form 4720, Schedule O.			14
		- F	000	/0010

INDEX NO. 451625/2020

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

## SCHEDULE L (Form 990 or 990-EZ)

## **Transactions With Interested Persons**

Excess Benefit Transactions (section 501(c)(3), section 501(c)(4), and section 501(c)(29) organizations only).

► Complete if the organization answered "Yes" on Form 990, Part IV, line 25a, 25b, 26, 27, 28a, 28b, or 28c, or Form 990-EZ, Part V, line 38a or 40b.

28b, or 28c, or Form 990-EZ, Part V, line 38a or 40b.

► Attach to Form 990 or Form 990-EZ.

► Go to www.irs.gov/Form990 for instructions and the latest information.

Open To Public Inspection

OMB No. 1545-0047

Department of the Treasury Internal Revenue Service

Part I

NATIONAL RIFLE ASSOCIATION OF AMERICA

Name of the organization

Employer identification number

53-0116130

1			(b) Relationship be	etween di	squalified	person and							(d) Con	rected?
•	(a) Name of disqualified	person		organizat		porcorrana		(c) Description	(c) Description of transaction				Yes	No
(1)	JOSHUA POWELL		ORMER OFFIC	ER			SEE	PART V						1
(2)	CHRISTOPHER COX		OFFICER				SEE PART V							
(3)	DAVID LEHMAN		HIGHEST COMP	GHEST COMPENSATED EMPLOYEE SEE PART V							<b>✓</b>			
(4)	WAYNE LAPIERRE		OFFICER				SEE	PART V					<b>\</b>	
(5)	WILSON PHILLIPS		ORMER OFFIC	ER			SEE	PART V						>
(6)	(SEE STATEMENT) Enter the amount													
3	under section 4958 Enter the amount o							 1			•			
	Complete if the	ne organization	ount on Form (	s" on F 990, Pa	art X, line an to or		2.	99 38a or Form	T		<u> </u>		f the	
		J	100		ization?	principal an		(f) Balance due	(g) In o	ierauit?	by bo	proved pard or nittee?	agree	
								(f) Balance due	Yes	No No	by bo	ard or		
(1)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(1) (2)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(1) (2) (3)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3) (4)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3) (4) (5)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3) (4) (5) (6)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3) (4) (5) (6) (7)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?
(2) (3) (4) (5) (6) (7) (8)				organi	ization?			(f) Balance due			by bo	ard or nittee?	agree	ment?

Part III Grants or Assistance Benefiting Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 27.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of assistance	(d) Type of assistance	(e) Purpose of assistance
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)			***	
(9)				
(10)				

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Cat. No. 50056A

Schedule L (Form 990 or 990-EZ) 2019

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

Schedule L (Form 990 or 990-EZ) 2019 Part IV **Business Transactions Involving Interested Persons.** Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c. **(b)** Relationship between interested person and the (c) Amount of (e) Sharing of (a) Name of interested person (d) Description of transaction organization's transaction organization revenues? Yes No (1) (SEE STATEMENT) (2)(3) (4)(5)(6)(7)(8)(9) (10)Supplemental Information. Part V Provide additional information for responses to questions on Schedule L (see instructions). (SEE STATEMENT)

Schedule L (Form 990 or 990-EZ) 2019

## FILED: NEW YORK COUNTY CLERK 03/20/2023 07:26 PM

NYSCEF DOC. NO. 1555

INDEX NO. 451625/2020

RECEIVED NYSCEF: 03/20/2023

Part   Excess Benefit Transactions (continued)									
(a) Name of disqualified person	(b) Relationship between disqualified person and organization	(c) Description of transaction	(d) Co	rrected?					
	organization		Yes	No					
(6) JOHN FRAZER	OFFICER	SEE PART V		✓					
(7) OLIVER NORTH	DIRECTOR	SEE PART V		✓					
(8) JOSEPH P DEBERGALIS, JR	OFFICER	SEE PART V		✓					

FILED: NEW YORK COUNTY CLERK 03/20/2023 07:26 PM

NYSCEF DOC. NO. 1555

INDEX NO. 451625/2020

RECEIVED NYSCEF: 03/20/2023

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sh organiz rever	
				Yes	No
(1) MARION P HAMMER	BOARD DIRECTOR	\$220,000	MARION P HAMMER PROVIDED CONSULTING SERVICES IN THE FORM OF ADVICE, ANALYSIS AND OTHER DUTIES REASONABLY ASSIGNED BY THE EXECUTIVE VICE PRESIDENT OF THE NRA AND EXECUTIVE DIRECTOR OF ILA DURING 2019.		<b>✓</b>

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

Part V

**Supplemental Information.** Provide additional information for responses to questions on Schedule L (see instructions).

Return Reference - Identifier	Explanation
	THE NATIONAL RIFLE ASSOCIATION HAS IDENTIFIED WHAT IT BELIEVES ARE EXCESS BENEFIT TRANSACTIONS IN WHICH IT ENGAGED IN 2019 AND IN PRIOR CALENDAR YEARS OF WHICH IT BECAME AWARE BUT WERE NOT REPORTED ON ITS PRIOR FORMS 990. THESE TRANSACTIONS ARE EXPLAINED BELOW. THERE ARE OTHER TRANSACTIONS IN 2019 AND PRIOR CALENDAR YEARS THAT ARE STILL UNDER REVIEW BY THE NRA AND/OR ARE CURRENTLY SUBJECT TO DISPUTE IN THE FOLLOWING LEGAL PROCEEDINGS:
	1.PEOPLE OF THE STATE OF NEW YORK, BY LETITIA JAMES, ATTORNEY GENERAL OF THE STATE OF NEW YORK V. THE NATIONAL RIFLE ASSOCIATION OF AMERICAN, INC., WAYNE LAPIERRE, WILSON PHILLIPS, JOHN FRAZER AND JOSHUA POWELL, PENDING IN THE SUPREME COURT OF THE STATE OF NEW YORK, [ALBANY COUNTY] INDEX NO. 451625/2020;
	2.THE NATIONAL RIFLE ASSOCIATION OF AMERICA V. OLIVER NORTH, PENDING IN THE SUPREME COURT OF THE STATE OF NEW YORK, [ALBANY COUNTY] INDEX NO. 903843-20;
	3.THE NATIONAL RIFLE ASSOCIATION OF AMERICA AND WAYNE LAPIERRE V. ACKERMAN MCQUEEN, INC., ET. AL., PENDING IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION, CIVIL ACTION NO. 3:19-CV-02074-G; AND
	4.NATIONAL RIFLE ASSOCIATION OF AMERICA V. AMC MCQUEEN, INC. AND MERCURY GROUP, INC., PENDING IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA, [VIRGINIA], CASE NOS.: CL19001757, CL19002067 AND CL19002886.
	THE NRA CANNOT AT THE TIME THIS FORM 990 IS FILED DETERMINE WHETHER THESE OTHER TRANSACTIONS ARE EXCESS BENEFIT TRANSACTIONS.
SCHEDULE L, PART I, LINE 1 - 1B. EXCESS BENEFIT TRANSACTIONS: JOSHUA POWELL	FROM 2016 THROUGH JANUARY 30, 2020, MR. POWELL SERVED THE NRA IN NUMEROUS CAPACITIES: EXECUTIVE DIRECTOR OF GENERAL OPERATIONS, CHIEF OF STAFF AND SENIOR STRATEGIST. THE NRA BELIEVES MR. POWELL WAS IN A POSITION TO SUBSTANTIALLY INFLUENCE ITS AFFAIRS BY EXECISING OR SHARING THE RESPONSIBILITY FOR SUPERVISION, MANAGEMENT OR ADMINISTRATION OF ITS OPERATIONS. THEREFORE, THE NRA BELIEVES THAT MR. POWELL WAS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF SECTION 4958 OF THE INTERNAL REVENUE CODE ("CODE"). SEE TREAS. REG. SECT. 53.4958-3(E)(2).
	MR. POWELL CHARGED TO THE NRA, OR HAD REIMBURSED BY THE NRA, VARIOUS PERSONAL TRAVEL, CELLULAR AND OTHER EXPENSES WHICH MR. POWELL KNEW OR SHOULD HAVE KNOWN WERE NOT APPROPRIATE TO SUBMIT AS BUSINESS EXPENSES. PAYMENT OF THESE EXPENSES WERE NOT INTENDED BY THE NRA TO BE PART OF MR. POWELL'S COMPENSATION AND CONSTITUTE AUTOMATIC EXCESS BENEFITS UNDER TREASURY REGULATIONS SECTION 53.4958-4(C). THE AGGREGATE EXCESS BENEFIT DETERMINED TO BE PROVIDED TO MR. POWELL FROM 2016 THROUGH 2019 WAS \$54,904.45. ON MARCH 15, 2020, THE NRA MADE DEMAND FOR REPAYMENT OF \$57,522.12 (WHICH INCLUDED INTEREST). ON OR ABOUT JULY 9, 2020, MR. POWELL TENDERED A CHECK TO THE NRA FOR \$40,760.20, IN PURPORTED FULL SETTLEMENT. THE NRA HAS REJECTED THE CHECK, SO CORRECTION OF THE EXCESS BENEFIT HAS NOT YET BEEN MADE. THE AMOUNT OF EXCISE TAX DUE UNDER SECTION 4958 BY MR. POWELL IS DETERMINED TO BE \$13,726.11. IN ADDITION, THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL HAS CHALLENGED, AS UNREASONABLE, COMPENSATION PAID TO MR. POWELL DURING THE PERIOD FROM 2016 THROUGH 2019.
SCHEDULE L, PART I, LINE 1 - 2. EXCESS BENEFIT TRANSACTIONS: CHRISTOPHER COX	FROM 2002 THROUGH JUNE 26, 2019, MR. COX SERVED AS THE EXECUTIVE DIRECTOR OF THE INSTITUTE FOR LEGISLATIVE ACTION ("ILA"), WHICH IS THE LEGISLATIVE AND POLITICAL DIVISION OF THE NATIONAL RIFLE ASSOCIATION. MR. COX WAS ALSO AN OFFICER OF THE NRA. BECAUSE (I) ILA'S FINANCES WERE MAINTAINED SEPARATELY FROM THOSE OF THE OTHER NRA DIVISIONS, (II) ILA MAINTAINED ITS OWN FISCAL STAFF, AND (III) MR. COX WAS AN OFFICER OF THE ORGANIZATION, THE NRA BELIEVES MR. COX WAS IN A POSITION TO SUBSTANTIALLY INFLUENCE ITS AFFAIRS AND IS THUS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(E)(2)(IV), (V).
	THE NRA HAS BECOME AWARE THAT MR. COX IMPROPERLY USED ASSOCIATION FUNDS TO PAY PERSONAL EXPENSES CHARGED ON HIS PERSONAL CREDIT CARD, AMOUNTING TO UNAUTHORIZED INTEREST-FREE ADVANCES TO HIMSELF. IN ADDITION, MR. COX CAUSED EXPENSES TO BE PAID BY THE NRA, OR REIMBURSED TO HIM, FOR PERSONAL AND FAMILY TRAVEL, BUSINESS TRIPS UTILIZING UNAPPROVED CHARTER OR FIRST CLASS TRAVEL, TICKETS TO SPORTING/ENTERTAINMENT EVENTS, AND MEALS AND HOTEL EXPENSES WHICH WERE NOT APPROVED BY THE NRA. PAYMENT OF THESE EXPENSES WERE NOT INTENDED BY THE NRA TO BE PART OF MR. COX'S COMPENSATION AND THEREFORE CONSTITUTED AN AUTOMATIC EXCESS BENEFIT UNDER TREASURY REGULATIONS SECTION 53.4958-4(C).
	TO DATE, THE AGGREGATE EXCESS BENEFIT FROM 2015 TO JUNE 26, 2019, DETERMINED TO BE PROVIDED TO MR. COX IS IN EXCESS OF \$1 MILLION, WHICH THE NRA IS SEEKING TO RECOVER. THIS IS BEING DISPUTED BY MR. COX AND, TO DATE, ANY EXCESS BENEFIT RECEIVED BY MR. COX HAS NOT BEEN CORRECTED. THE NRA BELIEVES THAT THE AMOUNT OF EXCISE TAX DUE UNDER CODE SECTION 4958 BY MR. COX WOULD BE APPROXIMATELY \$328,001.50.
SCHEDULE L, PART I, LINE 1 - 3. EXCESS BENEFIT TRANSACTION: DAVID LEHMAN	FROM 2002 THROUGH SEPTEMBER 13, 2019, MR. LEHMAN SERVED AS DEPUTY EXECUTIVE DIRECTOR. AS SUCH, THE NRA BELIEVES MR. LEHMAN WAS IN A POSITION TO SUBSTANTIALLY INFLUENCE ITS AFFAIRS AND ILA'S AFFAIRS BY EXERCISING OR SHARING RESPONSIBILITY FOR SUPERVISION, MANAGEMENT OR ADMINISTRATION OF THEIR OPERATIONS. THEREFORE, THE NRA BELIEVES MR. LEHMAN WAS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(E)(2).
	UPON INFORMATION AND BELIEF, FROM 2015 TO SEPTEMBER 13, 2019, MR. LEHMAN CAUSED THE NRA TO PAY FOR PERSONAL TRAVEL, CLUB, AND MEAL EXPENSES IN THE AGGREGATE AMOUNT OF AT LEAST \$37,595.83. THE NRA HAS NOT YET COMPLETED ITS INVESTIGATION OF THE EXTENT TO WHICH MR. LEHMAN MAY HAVE RECEIVED IMPROPER BENEFITS, BUT IF SUCH EXPENSES ARE SUBSTANTIATED, THEY WERE LIKELY NOT APPROVED NOR INTENDED TO BE COMPENSATION TO MR. LEHMAN BY THE NRA, AND WOULD THUS LIKELY CONSTITUTE AUTOMATIC EXCESS BENEFITS UNDER TREASURY REGULATIONS SECTION 53.4958-4(C).

NYSCEF DOC. NO. 1555 RECEIVED NYSCEF: 03/20/2023

Return Reference - Identifier	Explanation
SCHEDULE L, PART I, LINE 1 - 4. EXCESS BENEFIT	MR. LAPIERRE IS THE EXECUTIVE VICE PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE NRA. HE IS AN OFFICER AND IS THUS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958, TREAS.
TRANSACTION: WAYNE LAPIERRE	REG. SECT. 53.4958-3(C)(2). FROM 2015 THROUGH 2019, THE NRA ESTIMATES THAT IT PAID ON BEHALF OF MR. LAPIERRE, DIRECTLY OR INDIRECTLY, TRAVEL EXPENSES FOR MR. LAPIERRE IN THE AGGREGATE AMOUNT OF \$299,778.78. THE NRA HAS DETERMINED TO TREAT THE PAYMENTS AS AUTOMATIC EXCESS BENEFITS UNDER TREASURY REGULATIONS SECTION 53.4958-4(C). MR. LAPIERRE HAS REPAID THIS EXCESS BENEFIT TO NATIONAL RIFLE ASSOCIATION, PLUS INTEREST, AND THEREFORE THE EXCESS BENEFIT HAS BEEN CORRECTED. THE AMOUNT OF EXCISE TAX DUE UNDER CODE SECTION 4958 BY MR. LAPIERRE HAS BEEN ESTIMATED TO BE \$74,944.70. IN ADDITION, THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL HAS CHALLENGED, AS UNREASONABLE, COMPENSATION PAID TO MR. LAPIERRE DURING HIS TENURE.
SCHEDULE L, PART I, LINE 1 - 5. EXCESS BENEFIT TRANSACTION: WILSON PHILLIPS	FROM 1993 THROUGH SEPTEMBER 13, 2018, MR. PHILLIPS SERVED AS TREASURER AND CHIEF FINANCIAL OFFICER OF THE NRA. AS SUCH, MR. PHILLIPS WAS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(C)(3).
	THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL HAS ALLEGED THAT COMPENSATION PAID TO MR. PHILLIPS DURING AND AFTER TENURE HIS TENURE WAS UNREASONABLE.
SCHEDULE L, PART I, LINE 1 - 6. EXCESS BENEFIT TRANSACTION: JOHN FRAZER	FROM 2015 THROUGH THE PRESENT, MR. FRAZER HAS SERVED AS SECRETARY AND GENERAL COUNSEL OF THE NRA. AS SUCH, MR. FRAZER MAY BE A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(E)(2). THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL HAS ALLEGED THAT COMPENSATION PAID TO MR. FRAZER HAS BEEN UNREASONABLE.
SCHEDULE L, PART I, LINE 1 - 7. EXCESS BENEFIT TRANSACTION: OLIVER NORTH	LT. COL. NORTH SERVED AS PRESIDENT OF THE NATIONAL RIFLE ASSOCIATION AT TIMES IN 2018 AND 2019. WITHIN THE FIVE PRIOR YEARS, HE WAS ALSO A VOTING MEMBER OF ITS BOARD OF DIRECTORS. AS SUCH, MR. NORTH WAS A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(C)(1), (2).
	UPON INFORMATION AND BELIEF, DURING CERTAIN TIMES IN 2018 AND 2019, MR. NORTH WAS EMPLOYED BY ACKERMAN MCQUEEN, INC. ("AM"), A THIRD-PARTY VENDOR OF THE NATIONAL RIFLE ASSOCIATION, TO HOST A TELEVISION SHOW PRODUCED BY AM. DURING THE SAME PERIOD, AM INVOICED THE NRA FOR A VARIETY OF EXPENSES WHICH ARE NOW THE SUBJECT OF LITIGATION, BUT ARE BELIEVED TO HAVE INCLUDED SALARY, BENEFITS, AND RELATED PERQUISITES FURNISHED BY AM TO NORTH IN CONNECTION WITH NORTH'S EMPLOYMENT BY AM. NRA PAID ALL THESE INVOICES TO AM. SUCH PAYMENTS MAY CONSTITUTE AN INDIRECT BENEFIT FROM NATIONAL RIFLE ASSOCIATION TO MR. NORTH. TREAS. REG. SECT. 53.4958-4(A)(2)(III). AS FURTHER SET FORTH IN THE SAME LITIGATION, THE NRA HAS REASON TO BELIEVE THAT NORTH FAILED TO PERFORM THE SERVICES FOR WHICH HE HAD BEEN CONTRACTED BY AM, AND FOR WHICH HE MAY HAVE BEEN INDIRECTLY COMPENSATED BY THE NRA. IF THAT IS TRUE, THEN ALL OR PART OF NORTH'S COMPENSATION BY AM, PAID INDIRECTLY BY THE NRA, WOULD CONSTITUTE AN EXCESS BENEFIT PROVIDED BY TO THE NRA TO NORTH. THE PENDING LITIGATION IN WHICH THE FOREGOING MATTERS ARE ALLEGED AND CONTESTED CONSISTS PRINCIPALLY OF: PEOPLE V. NAT'L RIFLE ASS'N OF AM., ET AL., INDEX NO. 451625/2020 (SUP. CT. N.Y. CNTY.); NAT'L RIFLE ASS'N OF AM. V. ACKERMAN MCQUEEN, INC. AND MERCURY GROUP, INC., CONS. CASE NOS. CL 19002067; CL 19001757; CL 19002886 (VA. CIR. CT.); AND, NAT'L RIFLE ASS'N OF AM. V. ACKERMAN MCQUEEN, INC., ET AL., CIV. CASE NO. 3-19-CV-02074-G (N.D. TEX.).
SCHEDULE L, PART I, LINE 1 - 8. EXCESS BENEFIT TRANSACTION: JOSEPH P DEBERGALIS, JR	FROM 2015 THROUGH EARLY 2017, JOSEPH P. DEBERGALIS, JR. WAS AN NRA DIRECTOR. FROM JANUARY 25, 2017 TO THE PRESENT, MR. DEBERGALIS HAS SERVED AS AN NRA EXECUTIVE AND OFFICER, INCLUDING AS THE EXECUTIVE DIRECTOR OF GENERAL OPERATIONS. AS SUCH, MR. DEBERGALIS MAY, AT SOME OR ALL TIMES, HAVE BEEN A DISQUALIFIED PERSON WITHIN THE INTENDMENT OF CODE SECTION 4958. TREAS. REG. SECT. 53.4958-3(C) (1), (F) (2) (IV), (V). THE NRA IS CURRENTLY REVIEWING WHETHER MR. DEBERGALIS MAY HAVE USED BUSINESS CLASS TRAVEL WITHOUT AUTHORIZATION REQUIRED UNDER THE NRA'S TRAVEL POLICY. AT THE TIME OF FILING, THE NRA IS UNABLE TO ESTIMATE THE AMOUNT OF EXCESS COSTS INCURRED, IF ANY. IF SUCH EXPENSES ARE SUBSTANTIATED, THEY WERE LIKELY NOT APPROVED NOR INTENDED TO BE COMPENSATION TO MR. DEBERGALIS BY THE NRA, AND WOULD THUS LIKELY CONSTITUTE AUTOMATIC EXCESS BENEFITS UNDER TREASURY REGULATIONS SECTION 53.4958-4(C).
SCHEDULE L, PART I, LINE 1 - 9. BOARD MEMBER TRAVEL	THE NRA IS CURRENTLY REVIEWING WHETHER IN 2019 AND PRIOR YEARS, VARIOUS BOARD MEMBERS MAY HAVE USED FIRST CLASS OR BUSINESS CLASS TRAVEL WITHOUT AUTHORIZATION REQUIRED UNDER THE NRA'S TRAVEL POLICY. AT THE TIME OF FILING, THE NRA IS UNABLE TO ESTIMATE THE AMOUNT OF EXCESS COSTS INCURRED, IF ANY, SUCH BOARD MEMBERS WOULD HAVE BEEN DISQUALIFIED PERSONS WITHIN THE INTENDMENT OF TREAS. REG. SECT. 53.4958-3(C)(1). IF SUCH EXCESS COSTS ARE SUBSTANTIATED, THEY WOULD THUS LIKELY CONSTITUTE EXCESS BENEFITS UNDER CODE SECTION 4958.

03/20/2023 COUNTY CLERK

NYSCEF DOC. NO. 1555

INDEX NO. 451625/2020

RECEIVED NYSCEF: 03/20/2023 **Exempt Organization Declaration and Signature for** OMB No. 1545-0047 Form 8453-E0 **Electronic Filing** For calendar year 2019, or tax year beginning , 2019, and ending For use with Forms 990, 990-EZ, 990-PF, 1120-POL, and 8868 Department of the Treasure Internal Revenue Service Employer Identification number Name of exempt organization NATIONAL RIFLE ASSOCIATION OF AMERICA 53-0116130 Type of Return and Return Information (Whole Dollars Only) Part I Check the box for the type of return being filed with Form 8453-EO and enter the applicable amount, if any, from the return. If you check the box on line 1a, 2a, 3a, 4a, or 5a below and the amount on that line of the return being filed with this form was blank, then leave line 1b, 2b, 3b, 4b, or 5b, whichever is applicable, blank (do not enter -0-). If you entered -0- on the return, then enter -0- on the applicable line below. Do not complete more than one line in Part I. **b** Total revenue, if any (Form 990, Part VIII, column (A), line 12) . . 1b Form 990 check here 1a b Total revenue, if any (Form 990-EZ, line 9) . . . . . . . . 2b 2a Form 990-EZ check here ▶ Form 1120-POL check here ▶ Form 990-PF check here ▶ b Tax based on investment income (Form 990-PF, Part VI, line 5) . 4b Form 8868 check here > Part II **Declaration of Officer** I authorize the U.S. Treasury and its designated Financial Agent to initiate an Automated Clearing House (ACH) electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. If a copy of this return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I certify that I executed the electronic disclosure consent contained within this return allowing disclosure by the IRS of this Form 990/990-EZ/ 990-PF (as specifically identified in Part I above) to the selected state agency(ies). Under penalties of perjury, I declare that I am an officer of the above named organization and that I have examined a copy of the organization's 2019 electronic return and accompanying schedules and statements, and, to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. Wan 2 Par 11/17/24 Date EXECUTIVE VICE PRESIDENT Sian Here Declaration of Electronic Return Originator (ERO) and Paid Preparer (see instructions) Part III I declare that I have reviewed the above organization's return and that the entries on Form 8453-EO are complete and correct to the best of my knowledge. If I am only a collector, I am not responsible for reviewing the return and only declare that this form accurately reflects the data on the return. The organization officer will have signed this form before I submit the return. I will give the officer a copy of all forms and Information to be filed with the IRS, and have followed all other requirements in Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns. If I am also the Paid Preparer, under penalties of perjury I declare that I have examined the above organization's return and accompanying schedules and statements, and, to the best of my knowledge and belief, they are true, correct, and complete. This Paid Preparer declaration is based on all information of which I have any knowledge. Date Check if Check if ERO's SSN or PTIN ERO's also paid signature employed ERO's preparer Firm's name (or Use EIN yours if self-employed), address, and ZIP code Only Under penalties of perjury, I declare that I have examined the above return and accompanying schedules and statements, and, to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer is based on all information of which the preparer has any knowledge.

Print/Type preparer's name

Firm's name ▶

Firm's address

Paid

Preparer

Use Only

Check if

employed

Firm's EIN ▶

Phone no.