

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE 2019 SEP -4 AM 8:00
BEFORE THE SECRETARY OF THE COMMONWEALTH

Commonwealth of Pennsylvania,
Bureau of Corporations and
Charitable Organizations

v.

National Assistance Committee and
National Assistance Committee, d/b/a,
US Troopers & Police Program
Respondent

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File No. 18-98-04480

CONSENT AGREEMENT AND ORDER

The Commonwealth of Pennsylvania, Bureau of Corporations and Charitable Organizations ("Bureau"), by and through its undersigned prosecuting attorney, Michael J. Gennett and National Assistance Committee and National Assistance Committee, d/b/a, US Troopers & Police Program, ("Respondent"), stipulate as follows in settlement of the above-captioned matter:

JURISDICTION

1. This matter is before the Secretary of the Commonwealth ("Secretary") pursuant to the Solicitation of Funds for Charitable Purposes Act, Act of December 19, 1990, P.L. 1200, No. 202, as amended ("Act"), 10 P.S. §§ 162.1 *et. seq.*

STIPULATIONS

2. Respondent's last known address is 204 West Spear Street, #3525, Carson City, NV 89703.
3. Respondent has never registered as a charitable organization with the Department of State, Bureau of Corporations and Charitable Organizations (Bureau).
4. On or about August 30, 2017, a Cease and Desist Order was issued against Respondent, prohibiting the organization from soliciting contributions in Pennsylvania until it becomes registered or provides evidence that it is exempt from registration or excluded from the requirements set forth in the Act.
5. The Cease and Desist Order remains in effect since issued on August 30, 2017.
6. Respondent is not and has not previously been registered with the Internal Revenue Service as a Section 501(c)(3) charitable organization.
7. Respondent is registered with the Federal Election Commission under the Internal Revenue Code as a Section 527 (26 U.S.C. § 527) political organization.

PROPOSED ORDER

8. The participants, intending to be legally bound, consent to issuance of the following Order in settlement of this matter:

CEASE AND DESIST

9. Respondents shall **CEASE AND DESIST** any and all solicitations of funds for charitable purposes or engage in any campaign that employs an eleemosynary appeal in the Commonwealth of Pennsylvania, in perpetuity, unless registered with Pennsylvania's Bureau of Corporations and Charitable Organization.
10. Respondents shall not represent, either directly or indirectly, that by this Consent Agreement and Order the Department of State or the Bureau has sanctioned, condoned, approved or pardoned any part or aspect of Respondents' activities.

ADMINISTRATIVE PENALTIES

11. An **ADMINISTRATIVE FINE** of **Five Thousand Dollars (\$5,000.00)** is levied upon Respondent. Respondent shall tender the full sum of **Five Thousand Dollars (\$5,000.00)**, with this executed Consent Agreement. Payment shall be by certified check, cashier's check, attorney's check, or U.S. Postal money order. The instrument of payment shall be made payable to the "Commonwealth of Pennsylvania," and shall be valid for a period of at least one hundred eighty (180) days. Respondent agrees that payment will be made by one of the methods indicated above and that payment by uncertified personal check, corporate check or cash will not be accepted.

CASE SETTLED AND DISCONTINUED

12. This case shall be deemed settled and discontinued upon the Secretary issuing an Order adopting this Consent Agreement and the Respondent's successful completion of the requirements of this Order. However, nothing in this Consent Agreement and Order shall preclude the Prosecuting Attorney for the Bureau from filing charges or the Secretary from imposing disciplinary or corrective measures for violations or facts not contained in this Consent Agreement and Order.

ACKNOWLEDGEMENT OF NOTICE AND WAIVER OF HEARING

13. Respondent waives the filing of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to the hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Bureau; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

AGREEMENT NOT BINDING ON OTHER PARTIES

14. This Consent Agreement is between the Bureau and Respondent only. It does not bind any other administrative or governmental entity of the Commonwealth of Pennsylvania, including any other bureau within the Department of State. Except as otherwise noted, this Agreement is to have no legal effect if (a) the Office of General Counsel expresses an objection to the Agreement's form or legality and/or (b) unless and until the Secretary issues the stipulated Order.

EFFECT OF SECRETARY'S REJECTION

15. Should the Secretary not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Secretary shall not prejudice the Secretary from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Secretary does not approve this Consent Agreement.

ENTIRE AGREEMENT

16. This Agreement contains the whole agreement between the parties; provided, however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever, concerning this Agreement.


AGREEMENT DOES NOT PREVENT REFERRAL TO OTHER AGENCIES

17. The parties acknowledge that other federal, state, and/or local agencies may have jurisdiction over the activities of, or representations made by, Respondent and its officers, directors, agents, employees or independent contractors. Nothing in this Consent Agreement or the Order based upon this Consent Agreement shall preclude representatives of the Bureau from

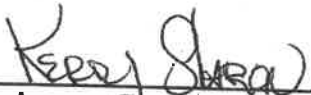
referring any information or data produced as a result of this matter to any federal, state, or local agency or governmental unit having jurisdiction over the activities of Respondent or any officer, director, agent, employee or independent contractor of the Respondent.

VERIFICATION OF FACTS AND STATEMENTS

22. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



Michael J. Gennett
Prosecuting Attorney
Department of State
Commonwealth of Pennsylvania



National Assistance Committee and
National Assistance Committee, d/b/a,
US Troopers & Police Program

Respondent

By: KERRY SHAROW
Print
Title: TREASURER
Print

DATE: 28 AUG 2019

DATE: September 4, 2019



**IN THE MATTER OF
National Assistance Committee and
National Assistance Committee, d/b/a,
US Troopers & Police Program**


File No.: 18-98-010702

ORDER

AND NOW, this ^{4th} day of September 2019, the foregoing Consent Agreement is hereby approved, and the terms set forth herein are hereby adopted and incorporated herein as the Order of the Acting Secretary of the Commonwealth, now issued in resolution of this matter.

THIS ORDER shall take effect immediately.

BY ORDER:



Kathy Boockvar
Acting Secretary of the Commonwealth

For the Commonwealth:

Michael J. Gennett
Prosecuting Attorney
306 North Office Building
401 North Street
Harrisburg, PA 17120

For Respondent:

Jeffrey A. Franklin, Esquire
Prince Law Offices, P.C.
646 Lenape Road
Bechtelsville, PA 19505