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November 2, 2006

Alva DeJarnett Miller, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5816

Dear Ms. Smith:

The undersigned represents Montanans for Lindeen, and Paul Ringling, as Treasurer ("Lindeen campaign") in the above mentioned matter. This matter was generated by a complaint filed by the Montana Republican Party. In its complaint, the Republican Party alleges that the Lindeen campaign had solicited corporate funds in connection with a campaign for House of Representatives. The complaint has no merit and was filed for the sole purpose of generating negative press against the Lindeen campaign.

The origin of this complaint stems from a "House Party Kit" that was posted on the website of the Lindeen campaign. A copy of the Kit was attached to the complaint. The kit was designed to train Lindeen supporters on how to host house parties on behalf of the campaign and was not designed to provide legal guidance to any prospective donor. The house party concept is a long standing method of raising funds for political campaigns at both the federal and state level. The document that was posted on the Lindeen campaign website was an edited version of a similar kit used by a Lindeen staff member from a previous campaign job for a candidate for non-federal office in Oregon. Under Oregon law, contributions from corporations and businesses are permitted. When the House Kit document was being edited by the Lindeen campaign, Lindeen staff inadvertently failed to omit the language regarding businesses and corporations from the document. This oversight was clearly inadvertent and in no way reflected the understanding of all Lindeen staff that corporate contributions were not acceptable by a federal candidate.

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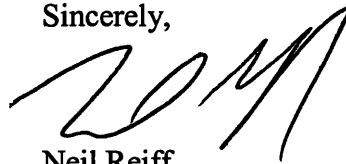
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This error was not known to the Lindeen campaign until the Republican Party discovered it and reported it to the Montana media. Therefore, it was clear that the intent of the complainant was to embarrass their opponent rather than a good faith effort to help prevent the unlikely inadvertent corporate contribution that could have resulted from reading the document. When the Lindeen campaign was notified of the error by the Montana media, it immediately pulled down and corrected the document.¹ According to the campaign's web tracking service, the document was accessed only six times prior to press reports regarding the error.

The Lindeen campaign does not believe that any potential donor had read this document, and if they did, contributed any corporate or business funds to the campaign. Furthermore, the campaign has not accepted any contributions from corporations or any other source prohibited by the Federal Election Campaign Act. Of course, all finance and accounting staff had been trained on the requirements and prohibitions of federal law prior to the dissemination of this document. Finally, to the extent that any person may have read this document and attempted to contribute via the Internet, the donation page on the Lindeen campaign website contained all of the required click-through procedures and disclaimers required by the Commission. See FEC Advisory Opinion 1995-9. Specifically, the Lindeen campaign website makes it clear that corporate contributions are clearly prohibited by federal law.

This matter was generated by an attempt by the Republican party to embarrass the Lindeen campaign and divert attention from the real issues facing the voters of Montana. Rather than notifying the Lindeen campaign of this error in a training document, it chose to abuse the legal process and waste government resources by filing this frivolous complaint. While the Lindeen campaign does not take the acceptance of prohibited contributions lightly, this typographical error does not warrant the further use of government resources. The Lindeen campaign never intended to solicit and has never received and deposited any contribution that is prohibited under the Federal Election Campaign Act. The Commission should find no reason to believe that the Lindeen campaign violated any provision of the Act and close this matter.

Sincerely,



Neil Reiff

Counsel to Montanans for Lindeen

¹ An example of the press coverage regarding this matter can be found at <http://www.missoulian.com/articles/2006/09/16/news/mtregional/znews07.txt>