

BEFORE THE
FEDERAL ELECTION COMMISSION

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2006 OCT -5 P 12: 57

Montanans for Tester,

Complainant,

v

Friends of Conrad Burns
P O Box 1596
Helena, MT 59624,

James Swain,
Treasurer, Friends of Conrad Burns
P O Box 1532
Billings, MT 58103,

Resodyn Corporation
130 N Main Street,
Suite 600
Butte, MT 59701, and

The Montana Standard
25 W Granite St
Butte, MT 59701,

Respondents

MUR No 5827

SUPPLEMENT TO COMPLAINT

On September 26, 2006, Montanans for Tester filed a complaint with the Federal Election Commission with regard to a candidate debate sponsored by the *Montana Standard* and supported in part by Resodyn, Inc. The complaint alleged a violation of Commission regulations prohibiting candidate debates sponsored by corporations that are structured "to promote or advance one candidate over another " 11 C F R § 110.13(b)(2) (2006)

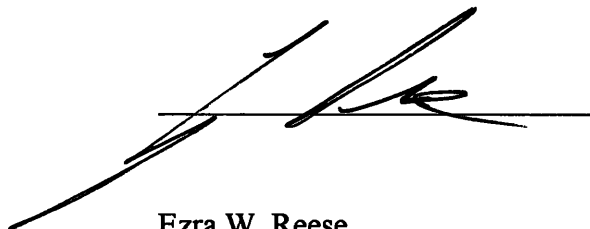
Since the complaint was filed, Montanans for Tester has had the opportunity to meet with the *Montana Standard* to discuss the matter. Additional facts have come to light that indicate

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that the *Montana Standard* took no action to structure the debate to promote the candidacy of Conrad Burns. It is our understanding that while the *Montana Standard* offered reserved seating to Resodyn, Inc., it did not do so with the intention that those seats would be used primarily for Burns supporters. The *Montana Standard* has also stated that the corporate sponsors had no input as to the format of the debate or the questions asked.

The *Montana Standard* has decided not to ask for or accept corporate sponsorship for this event from Resodyn, Inc. or from any other corporation. Moreover, on Sunday, October 1, it published an editorial taking responsibility for soliciting corporate sponsorship and explaining its conduct in connection with the debate. The editorial is attached. We are satisfied that the *Montana Standard* committed no knowing or willful violation of federal election law, and we ask that this Respondent be removed from the complaint.

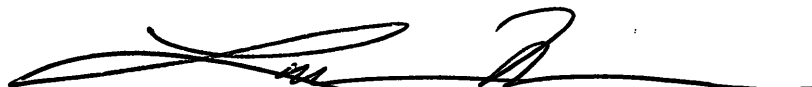
Respectfully submitted,



Ezra W. Reese

Counsel to Montanans for Tester

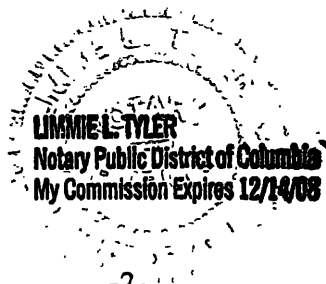
SUBSCRIBED AND SWORN to before me this 4th day of October, 2006



Notary Public

My Commission Expires.

12/14/06



Standard takes responsibility: The issue is debatable

By The Standard Staff - 10/01/2006

As readers of The Montana Standard know, there has been a lot news generated this past week over the Standard's sponsorship and reserved seating at the senate debate between Republican U S Sen Conrad Burns and Democrat state Sen Jon Tester

What's been lost in the coverage is the fact that Butte played host to a well-attended debate and the public had a chance to see how both candidates operate under pointed questions from the press

Up front, the corporate sponsorship of the public debate was a mistake on the Standard's part, and solely rests on our shoulders No question about that

This error in judgment should not overshadow the fact that more than 1,000 people — young, middle-aged and seniors — attended and came away with a better understanding of who they may vote for on Nov 7

It was great to see high school and college students take an interest in the future of their state

First a little background The Standard decided after the June primary that Butte needed to be included in a series of senate debates because Butte could very well be a deciding factor in the outcome of a close race Both camps readily agreed to this

From there, The Standard worked on securing the Mother Lode Theatre because it was a large venue that could accommodate 1,200 people and the various press needs and had the best acoustics

To help defray the costs of the venue, the Standard sought out corporate partners Both Resodyn Corp and Rhodia Chemical agreed when contacted by us

Larry Farrar, president of Reodyn, said that Resodyn Corp was glad to see the debate in Butte, and thought it was an exciting opportunity for our city

"Sponsorship of the debate was not an endorsement for either candidate by Resodyn Corp," Farrar told The Standard And no one was coerced to wear Burns stickers in the reserved seating section, he said

The Standard, at the start of the debate, made note of the fact that Resodyn is the recipient of millions of dollars in federal grants The company is very good at securing federal dollars that support high-tech research and development projects Some of the money did come through the actions of Sen Burns

Resodyn and Rhodia did not ask The Montana Standard, or anyone else, for reserved seats at the debate The Standard's publisher, Janet Taylor, as a courtesy to both sponsors, offered 50 seats to Resodyn and a few to Rhodia And The Standard chose where those seats would be

The Standard also reserved front-row seats on either side of the theatre for the Tester and Burns campaigns for friends and family members

Since then, the Tester campaign has filed a Federal Election Commission complaint over the reserved seating. In response, The Standard has decided not to charge the sponsors for their participation.

For those who have attended events at The Mother Lode, it's obvious that there was no bad seat in the house. To us, where people sat was irrelevant. The focus was on the candidates.

At no point were the sponsors involved in the format of the debate, the questions asked or any other issue surrounding the outcome of the debate. And, there have been no election complaints filed about the format, questions or end result of the debate.

We believe that the questions were fair and balanced and each candidate was given ample opportunity to respond. We encourage those who could not attend to view the video of the debate posted on our Web site at www.mtstandard.com. Click on the "Breaking News" icon. Also, there are several more debates coming up. The next one is at MSU-Bozeman on Oct. 9.

Our goal has always been to provide the public with the best, unbiased information regarding this election. You, the voter, can take action by staying informed, following the campaigns and casting a ballot on Nov. 7.

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