

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of

The National Republican Congressional Committee  
And Keith Davis, as Treasurer

MUR 6781

OFFICE OF GENERAL  
COUNSEL

2014 APR 18 PM 12:25

RECEIVED  
FEDERAL ELECTION  
COMMISSION

RESPONSE OF THE NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE  
AND KEITH DAVIS, AS TREASURER, TO THE COMPLAINT

This responds on behalf of our clients, the National Republican Congressional Committee ("NRCC"), and Keith Davis, as Treasurer (collectively, the "Respondents"), to the notification from the Federal Election Commission ("Commission") that a complaint was filed against them in the above-captioned matter. The complaint was filed just weeks before a special election by ActBlue ("Complainant"), a known partisan organization whose purpose is to raise money for and support Democratic candidates. The complaint is legally deficient because it misstates the law and is nothing more than a baseless, sensationalized attack that has no merit. For the reasons set forth here and as fully explained below, Complainant's allegations are without merit because:

- Each website carried both the FEC and IRS disclaimers identifying the NRCC as the entity paying for the website and as the recipient of any contributions made via the webpage.
- Each attack microsite was clearly oppositional, designed to defeat the candidate, and populated with content that attacked the Democrat candidate referenced in the website. As such, each website squarely falls under the opposition exception at 11 C.F.R. § 102.14(b)(3) for any project that "clearly and unambiguously shows opposition to the named candidate."
- The communications made via the attack microsite webpages are protected core political speech made by a political party expressing opposition to political candidates, and protected by the First Amendment.

Accordingly, the Commission should find no reason to believe that Respondents violated the Federal Election Campaign Act of 1971 (the "Act"), or Commission regulations, dismiss the matter, close the file, and take no further action.

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### Introduction

The websites cited in the complaint are all clearly candidate-opposition websites. The websites expose oppositional information about Democrat candidates, such as asking people who are "fed up" with their Democratic incumbent to sign up for a mailing list, detailing how one Democrat is a "huge embarrassment," how another is one that "families just can't trust," pleading to "help us stop" another "from bankrupting us in Congress," and finally promoting a web video detailing how one Democratic candidate employed a fundraiser who was also a sex offender. As plain opposition websites, they are simply not the sorts of communications the Commission guards against in its regulations.

The Act and Commission regulations have long prohibited the use of candidate names in unauthorized committees, as well as supportive project titles. The Commission's concern stems from attempts to profit off of intentional confusion created by committees and projects "supporting" the candidate it names, while contributions in fact go to other entities rather than the candidate's committee. Using candidate names in unauthorized committee names or supportive projects can create confusion and lead a candidate's supporters into thinking their contribution to the unauthorized committee is actually going directly to the candidate, when indeed it is not. However, as the Commission has previously stated, the same danger of confusion is not present with respect to projects that clearly oppose the identified federal candidate. The 1994 Explanation and Justification regarding the regulation ("E&J") makes clear that the risk of confusion inherent in supportive projects is not there for projects that obviously oppose the candidate named.

In the context of candidate-opposition projects, the First Amendment demands that the Commission not second-guess the manner in which a committee chooses to express the reasons for its opposition to the candidate and deliver relevant opposition research about the candidate opposed to the voting public. This protection also extends to requests for donations by the committee for

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funds to oppose and defeat the candidate. Accordingly, the Commission must find no reason to believe; dismiss the complaint, take no further action, and close the file.

### Discussion

- I. **Any fair and objective review of each website referenced in the complaint will reveal that the websites were created, designed and populated with content expressing clear opposition to the Democratic candidate who was the focus of each website. Even the Complainant concedes that the websites are designed to oppose the Democratic candidates.**

Starting in August 2013, the NRCC launched a number of websites it termed "attack microsites" against Democratic candidates for Congress.<sup>1</sup> The sites, while differing in content and design, uniformly contain negative information about the Democratic candidate they focus upon in an attempt to counter deceptive spin and rhetoric by the Democratic campaigns themselves. The launch of the websites was accompanied by either an NRCC press release or a press statement from an NRCC communications team member sent to interested media outlets, announcing the existence and purpose of these attack microsites as, as one press release described it, an opportunity for "voters [to] learn the truth about these two-faced politicians." Press Release, NRCC, New NRCC Campaign Targets "Red Zone" Democrats with Microsites (Nov. 6, 2013), *available at* <https://www.nrcc.org/2013/11/06/new-nrcc-campaign-targets-red-zone-democrats-microsites/>. *The Hill* covered the launch of a number of the "attack sites" against Democratic incumbents in November 2013, noting that "each includes details on the candidates' voting history and Republican attack line" and "all provide the option for a user to donate to the NRCC and sign up to the committee's mailing list." NRCC hits top Democratic targets with attack microsites, *The Hill*, Nov. 6, 2013, <http://thehill.com/blogs/ballot-box/189382-nrcc-hits-top-dem-targets-with-attack-microsites>.

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<sup>1</sup> There is nothing new or unusual about this strategy. The NRCC websites at issue are part of a trend of oppositional webpages sponsored by political parties, campaigns, or other speakers that seek to correct the record concerning positive claims about an opponent.

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The website most discussed in the complaint targeted Democratic Candidate Alex Sink. The site, in the Complainant's own words, "seems to parody the official website of Alex Sink" and "contains a variety of express statements advocating the defeat of the candidate." (Compl. p.1). None of the website's text or graphics makes a statement of support for Sink. The other websites followed a similar format and content. In addition to disseminating negative information concerning the candidates themselves, the sites gave visitors the opportunity to donate to the NRCC or sign up for its mailing list if they were "Fed up" with or wanted to "Stop" the targeted candidate or official. More information about the content of each website referenced in the complaint follows.

In addition to the websites' opposition content, each website included the required "paid for by" disclaimer, clearly and conspicuously visible in a box. The disclaimer reads: "Paid for by the National Republican Congressional Committee and not authorized by any candidate or candidate's committee. [www.nrcc.org](http://www.nrcc.org)." In other words, the disclaimer identifies the NRCC as the entity paying for the site — twice — and indicates it was "not authorized" by any candidate. In addition, the NRCC further included the IRS disclaimer on the main webpage indicating that "Contributions to the National Republican Congressional Committee are not deductible as charitable contributions for Federal income tax purposes."

A. Alex Sink attack microsite

The attack site opposing Alex Sink, Democratic candidate for Florida's 13<sup>th</sup> Congressional District special general election held on March 11, 2014, was created August 21, 2013, and housed at [sinkforcongress2014.com](http://sinkforcongress2014.com). The site, in various forms, detailed facts concerning Sink's poor record as Chief Financial Officer of Florida and housed a minute-long attack ad-style video titled and captioned "Alex Sink: A Risk We Can't Afford." Starting in January 2014, it also linked to "The Real Alex Sink Truth Squad," an additional webpage that debunked some of Sink's campaign claims.

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The site offered the ability to donate or sign up to "Help us stop Alex Sink from bankrupting us in Congress." Other than the "donate" and "submit" buttons, disclaimers, and an "Alex Sink Congress" graphic, every sentence displayed on the site expressed opposition to Sink, using words and phrases<sup>2</sup> such as:

- "wasted our money"
- "hurt Florida seniors"
- "made bad investments and lost hundreds of millions of dollars"
- "skirted legal advice, gambled on risky investments"
- "lost billions of dollars"
- "eliminated thousands of jobs while taking millions in salary"
- "can't be trusted here"
- "Help us stop Alex Sink from bankrupting us in Congress" / "Help Defeat Alex Sink and candidates like her"

Later iterations included an attack ad-style video and additional text "Alex Sink: A Risk We Can't Afford." All iterations of the website contained not only a "paid for by" disclaimer identifying the NRCC as the sponsor of the website, but also the IRS disclaimer language indicating that contributions "to the National Republican Congressional Committee" were not federal tax deductible.

After Sink officially announced her candidacy for the special election in October 2013, the NRCC pushed the website with the media, indicating it "highlights Sink's long career of wasting Florida voters' money with no remorse." Press Release, NRCC, NRCC Statement on Alex Sink Running for Congress (Oct. 30, 2013), *available at* <http://www.nrcc.org/2013/10/30/nrcc-statement-alex-sink-running-congress/>. The attack microsite was covered by the *Tampa Bay Times* on page 1B, along with its coverage of Sink's announcement that she would be running for the seat,

<sup>2</sup> Though the complaint puzzlingly asserts at one point that there was only "a single mention on the webpage of opposition to the candidate [that] appears further down the page and in smaller type, among the page's other content," as illustrated below, this is simply not the case. Compl. at 3. The content consists almost entirely of oppositional statements. In fact, complainant admits the site "contains a variety of express statements advocating the defeat of the candidate," contradicting its later claim of a "single mention." Compl. at 1.

reporting that "The National Republican Congressional Committee struck back [on Sink's announcement] within hours, launching a website slamming 'Sink's long career of wasting Florida voters' money with no remorse.'" Curtis Krueger, *GOP Strikes Quickly on Sink*, *Tampa Bay Times*, October 31, 2013, at 1B. In January 2014, the NRCC added the "The Real Alex Sink Truth Team" page to the oppositional website about Sink, posting additional negative information concerning Sink, and announcing the update with additional press releases, garnering additional media coverage of the NRCC's efforts.

**B. Ann Kirkpatrick attack microsite**

The site targeting Ann Kirkpatrick, Democratic Congresswoman representing Arizona's 1st congressional district, went live on August 21, 2013 at annkirkpatrick.com. Besides the donate button, submit button, disclaimers, and a Kirkpatrick for Congress graphic, every sentence or component of the website expresses opposition to Kirkpatrick. The full text of the site is available in the Appendix A, a sample of the oppositional language includes:

- "career politician and insider"
- "booted out of Congress"
- "sided with Nancy Pelosi and supported ObamaCare"
- "Pelosi's allies came to her rescue with millions of dollars"
- "in Pelosi's back pocket"
- "huge embarrassment to Arizona"
- "walked out on her own town hall"
- "voted to keep the Grand Canyon shut down so she could protect ObamaCare"
- "isn't just liberal – she doesn't even do her job"
- "Fed up with"<sup>3</sup>

The website contains not only a "paid for by" disclaimer identifying the NRCC as the sponsor of the website, but also the IRS disclaimer language indicating that contributions "to the National Republican Congressional Committee" are not federal tax deductible. It was publicly rolled

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<sup>3</sup> The phrase "fed up with" is specifically cited in the Commission's 1994 Explanation & Justification as one that "clearly and unambiguously indicate[s] opposition to a candidate even though no individual word in the title has that import." 59 Fed. Reg. 17267, 17269 (Apr. 12, 1994)

out on November 6, 2013 in an NRCC press release entitled "New NRCC Campaign Targets 'Red Zone' Democrats with Microsites," indicating "the sites show voters where these Democrats really stand, and will provide a stark contrast to their own websites." Press Release, NRCC, New NRCC Campaign Targets "Red Zone" Democrats with Microsites (Nov. 6, 2013), *available at* <https://www.nrcc.org/2013/11/06/new-nrcc-campaign-targets-red-zone-democrats-microsites/>.

C. Martha Robertson attack microsite

The attack microsite targeting Martha Robertson, Democrat candidate for New York's 23<sup>rd</sup> Congressional District was posted August 21, 2013, at martha-robinson.com. Besides the sign up and donate buttons, disclaimers, and a Robertson for Congress graphic, every sentence or component of the website expresses opposition to Robertson's candidacy. In addition, the Robertson website features prominently a video entitled "Martha Robertson: 'Our Congresswoman?'" which depicts in a visible still shot display a photo of Robertson overlaid with text "Money from a sex offender." Though the full text accompanying this video is produced in the Appendix A, a sample of the oppositional phrases includes:

- "consistently voted to raise taxes on middle class families"
- "proud liberal"
- "looking to take her tax, spend, and waste routine to . . . Congress"
- "Fed up with"
- "calls for a FBI investigation into whether Robertson committed federal wire fraud."
- "began her campaign by having a convicted child molester headline her fundraiser"
- "thinks that climate change is . . . more important than jobs, the economy, education, and national security"
- "thinks ObamaCare does not go far enough to involve government in health care"

The website also contains not only a paid for disclaimer identifying the NRCC as the sponsor of the website, but also the IRS disclaimer language indicating that contributions "to the National Republican Congressional Committee" are not federal tax deductible. The site was touted by a NRCC press release on November 7, 2013. Press Release, NRCC, NRCC Launches Website

Against New York Congressional Candidate Martha Robertson (Nov. 7, 2013), *available at* Appendix

B.

D. Kyrsten Sinema attack microsite

The attack website targeting Kyrsten Sinema, incumbent Democrat candidate for Arizona's 9<sup>th</sup> Congressional District, was posted August 21, 2013 at sinemaforcongress.com. Besides the donate and submit buttons, disclaimers, and a "Kyrsten Sinema for Congress" graphic, every sentence or component of the site expresses opposition to Sinema's candidacy. The full text of the site is reproduced in Appendix A, but some of the oppositional language includes:

- "longtime partisan liberal and career politician"
- "Obsessed with voting against a balanced budget, hiking student loan rates and keeping ObamaCare—the law she helped craft"
- "fits right in among the legions of Nancy Pelosi Democrats"
- "families just can't trust"
- "can't be trusted to fix our nation's financial crisis"
- "Women just can't trust Sinema to stand up for them"
- "said women who stay-at-home are leeching off their husbands or boyfriends."
- "let student loan rates increase and held a bipartisan plan to lower them hostage"
- "too busy spending her time in Congress doing national TV interviews and fawning magazine profiles."

The website also contains not only a "paid for by" disclaimer identifying the NRCC, but also the IRS disclaimer language indicating that contributions "to the National Republican Congressional Committee" are not federal tax deductible. The website was touted in an NRCC press release indicating that the NRCC "is launching microsites so voters can finally learn the truth about these two-faced politicians." Press Release, NRCC, New NRCC Web Campaign Targets Arizona Democrats with Microsites (Nov. 6, 2013), *available at* Appendix B.

- II. Any reasonable examination of the sites — including the NRCC's media announcements, the news media's coverage of the websites at the time they were launched, and even the complaint's own description of them — leads to the conclusion that the attack microsites are clearly designed to encourage defeat of the Democratic candidates and, therefore, qualify for the opposition exception in 11 C.F.R. § 102.14(b)(3).

As illustrated above, there can be no mistaking the oppositional nature of the websites. Every sentence in each of the sites clearly expresses unmistakable opposition to the candidate named. Either above or below the means to contribute or sign up with the NRCC is large-print text either asking if the viewer is "Fed up" with the candidate targeted or wants to "Stop" the candidate targeted. As they are oppositional in nature, each of the websites qualifies for the exception for projects that "clearly and unambiguously shows opposition to the named candidate." § 102.14(b)(3)

- a. The regulations regarding use of candidate names guard against use in committee names and projects purporting to support candidates; the rules create a carve-out for opposition projects like the NRCC's attack microsites since the concerns about confusion are absent in clear opposition projects.

The prohibition on the use of candidates' names in unauthorized committee names and the names of supportive special projects at § 102.14 reflects the Commission's concern about confusion stemming from committees or supportive projects. The Commission expressed its concern that supportive fundraising projects may adversely affect the candidate's campaign committees and contributors who make contributions believing they are supporting a candidate, when in fact, they're supporting a completely different committee.

The regulation stems from 2 U.S.C. § 432(e)(4), a section of the Act that prohibits using candidate names in the name of an unauthorized committee. In 1992, when the Commission expanded the committee name prohibition to "any name under which a committee conducts activities, such as solicitations or other communications, including a special project name or other designation," the Commission explained that it "has become increasingly concerned over the possibility for confusion or abuse" of the use of candidate names in special projects. 57 Fed. Reg. 31424, 31424 (July 15, 1992) [hereinafter "1992 E&J"]. The 1992 E&J also followed *Common Cause v. FEC*, 842 F.2d 436, a case concerning an unauthorized committee's inclusion of Ronald Reagan's name in projects soliciting money in his name—including on letterheads and return addresses—and

even asking for contributions by checks made payable to accounts bearing Reagan's name including "Americans for Reagan," "Citizens for Reagan in 80" and "Ronald Reagan Victory Fund." The 1992 E&J focused on specific complaints by authorized presidential candidate committees in the 1998 election who suffered the same problem as Reagan in 1980 and explained that unauthorized projects had raised \$10 million during the 1988 presidential campaign using one candidate's name, and \$4.4 million using two others', though the money never went to the candidates' committees.

But the 1992 amendment was quickly followed up by an important carve-out for projects clearly indicating opposition to candidates. Both the 1992 and the 1994 E&Js indicate the Commission's concern with use of candidate names in project titles is with respect to situations where support of a candidate leads to confusion about whether contributions go to the candidate's committee or an unauthorized committee. After all, the justification for the 1992 rulemaking was solely based on these supportive projects. The 1994 carve-out for uses of candidate names in projects that clearly indicate opposition to the named candidate reflects this distinction. In it, the Commission clearly explained that, while there was a serious risk of confusion when unauthorized committees use candidate names as part of an effort to support the named candidate, the successful petitioner argued and the Commission cited, "There is no danger of confusion or abuse inherent in the use of a candidate's name by a committee or project which opposes the candidate." The E&J indicates that "The Commission recognized that the potential for fraud and abuse is significantly reduced in the case of such titles, and has accordingly revised its rules to permit them." 59 Fed. Reg. 17267, 17269 (Apr. 12, 1994) [hereinafter "1994 E&J"].

Since the attack microsites at issue here are clearly oppositional, they are not the sorts of communications the Commission was concerned about when writing § 102.14 in 1992, and they are precisely the types of communications for which the Commission recognized the need to create an opposition exception in 1994.

- b. Further, the NRCC's websites were not operated under a "name under which a committee conducts activities" other than the "National Republican Congressional Committee" or "NRCC" and neither the websites' addresses nor a single graphic constitute the title of a special project.

Today's § 102.14 requires that, except for one that "clearly and unambiguously shows opposition to the named candidate," "no authorized committee shall include the name of any candidate in its name" and "'name' indicates any name under which a committee conducts activities, such as solicitations or other communications, including a special project name or other designation."

On its face, the regulation specifically indicates the "name" at issue is "any name under which the committee conducts activities." But the phrase is only further explained as "such as solicitations or other communications, including a special project name or other designation." The Commission's 1992 and 1994 E&J responses to the *Common Cause* case and the follow-up thereto make exceedingly clear that the regulation sought to prevent confusion caused by deceptively structured supportive fundraising projects that purported to support the candidate in name but that did not benefit the candidate in the end.

But here the NRCC's websites were conducted in its own name, not any other.<sup>4</sup> There was no "name" or "title" of the project; no solicitations were made in a "name" or "title" other than the NRCC's name. The accompanying media campaign promoting the websites was done solely in the name of the NRCC, as illustrated by its press releases and blog posts. The disclaimers clearly and prominently identified the NRCC as the entity paying for the websites and receiving the contributions. If there was a name at all for any of the websites, which is unlikely, it was simply the NRCC's itself.

<sup>4</sup> By no means is it clear that a website itself even constitutes a "special project," let alone the name of one. In their Statement of Reasons in MUR 6399, Commissioners Hunter, McGahn, and Peterson expressed skepticism that a congressional campaign's operation of an opposition website comprised of its opponent's name was a "special project." See Commissioners Hunter, McGahn, and Peterson, Statement of Reasons, MUR 6399, at 5 n.16 (assuming only "*arguendo*" that the website was a special project).

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retreats to saying that the complainants merely "believe" that the title of a page is any one of the above measures. The Commission has never defined what the title of a special project would be, let alone what the "title" or "name" of an internet website would be. A 1995 Advisory Opinion, AO 1995-9 (NewtWatch), indicated that the operation of NewtWatch's website, which the committee described as "a forum for publicly available information" that "exists principally as a 'virtual PAC' on the World Wide Web," would be a special project. AO 1995-9 at 1. But in that Advisory Opinion, the requester had specifically supplied and designated that title to the Commission in its request; the Commission did not determine that "NewtWatch" was the name or title of the website based on a URL or a heading — or any other factor. In fact, the URL cited was "http://www.cais.com/newtwatch". AO 1995-9 at 1. This is consistent with the MUR 6399 Statement of Reasons where three Commissioners (the majority of those voting on the matter) agreed that "the 'name under which [the] committee conduct[ed] its [website] activities' was the name on the disclaimers. . . not the website URL." Commissioners Hunter, McGahn, and Peterson, Statement of Reasons, MUR 6399, at 5 n.16 (alteration in original).

Importantly, this approach is also consistent with the recent dismissal of combined MURs 6633, 6641, 6643, and 6645, which considered whether a number of projects purportedly supporting Representative Allen West, candidate for Congress, violated the Act and regulations. The MUR, in part, deals with CAPE PAC's website, "votewest2012.org" which contained "a stylized logo 'Allen West for Congress 2012'" in the upper left hand corner and at the bottom left of the screen. First General Counsel's Report, MURs 6633, 6641, 6643, 6645, at 8. "It also includes photos of the candidate, and descriptions of West's positions on various issues." *Id.* Despite the fact that the site was in support of the candidate it named in both the upper portion of the website and in the web URL, the Commission determined that the various disclosures on the website, including the disclaimer, provided sufficient notice that contributions made via the site did not go to West's

committee, and neither CAPE PAC's website nor a number of other fundraising projects and communications in support of West violated the Act. In fact, though "[t]he record leaves little doubt that the Respondents sought to use Representative West's likeness to raise funds independently to support his candidacy" and "Respondents spent very little of the money they raised to support West," there was no reason to believe that the Respondents violated the Act or regulations. *Id.* at 2.

Though the complaint cited 11 C.F.R. § 110.11 and 110.16(b) rather than § 102.14, the Office of General Counsel's ("OGC's") analysis is instructive here because the intent behind the two regulations is entirely consistent: preventing confusion between authorized candidate committees and unauthorized committees. In the consolidated MURs, OGC concluded and the Commission agreed that the disclaimers and various notices in the supportive communications overrode the use of the candidate's name, likeness, stylized logos, or other exhortations in the name of the candidate. In fact, the Commission's dismissal of the consolidated MURs is even more remarkable given that each of the communications expressed support of West — precisely the sorts of communications the Commission is most concerned about under § 102.14. The NRCC's sites, on the other hand, clearly express opposition, which the Commission recognizes is less of a concern for confusion or abuse based on the use of a candidate's name. Any finding of a reason to believe the NRCC's attack microsites were in violation of the Act or the regulations would be wildly inconsistent with the Commission's decision in MURs 6633, 6641, 6643, and 6645.

**III. The FEC cannot make itself the arbiter of what constitutes an "acceptable" opposition website containing core political speech, especially when there is no doubt about the website's purpose as with the NRCC websites at issue here.**

Under the federal judiciary's First Amendment jurisprudence, the Commission cannot engage in burden shifting by placing the NRCC in the position of proving that the attack microsites opposing Democratic federal candidates fall within the clearly applicable opposition project exception at 11

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C.F.R. § 102.14(b)(3). Any analysis of the NRCC websites must begin from the standpoint that the website contains protected political speech and is not subject to regulation. See *FEC v. Wisconsin Right to Life*, 127 S. Ct. 2652, 2674 (2007). The Commission bears the burden of proving that a particular website runs afoul of § 102.14, a burden it cannot carry based upon the clear facts demonstrating that each website opposed the Democratic federal candidate referenced in the attack microsite, and thus falls outside the ambit of the regulation. In fact, any doubt concerning the meaning of a phrase or word contained in one of the NRCC attack microsites must be resolved in favor of a finding that the website qualifies for the opposition exception at § 102.14(b)(3). *Id.* at 2669 (“Where the First Amendment is implicated, the tie goes to the speaker, not the censor.”); *id.* at 2667 (“In short, it must give the benefit of any doubt to protecting rather than stifling speech.”).<sup>6</sup>

In addition, the Commission cannot misconstrue an NRCC attack microsite that contains words and phrases opposing Democratic federal candidates as some type of “subtle” or effective ploy to trick Democratic supporters. Each website must be evaluated based upon a plain review of the website’s content. The Commission cannot supply a meaning to words or phrases that is incompatible with the clear import of the actual words. Cf. *FEC v. Furgatch*, 807 F.2d 857, 863-64 (9<sup>th</sup> Cir. 1987) (“context cannot supply a meaning that is incompatible with, or simply unrelated to, the clear import of the words”). Therefore, the OGC and Commission undeniably are cabined by the First Amendment and may not use context or other open-ended factors as vehicles to characterize a genuine opposition website as a subtle or effective ploy to trick Democratic supporters of the Democratic federal candidate attacked in the website when such a characterization

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<sup>6</sup> The Commission must not use the enforcement action to make new rules concerning these activities. The proper vehicle is to initiate a rulemaking that satisfies the Administrative Procedure Act’s notice and comment requirements. To do otherwise would violate Respondent’s Due Process rights and the principles of fundamental fairness and interpret the regulation in a manner that makes it vulnerable to a constitutional challenge. See *FCC v. Fox*, 132 S. Ct. 2307, 2317–2319 (2012); see also *Arizona v. Inter Tribal Council of Arizona, Inc.*, 133 S. Ct. 2247, 2259 (2013) (“we think that—by analogy to the rule of statutory interpretation that avoids questionable constitutionality—validly conferred discretionary executive authority is properly exercised . . . to avoid serious constitutional doubt.”).

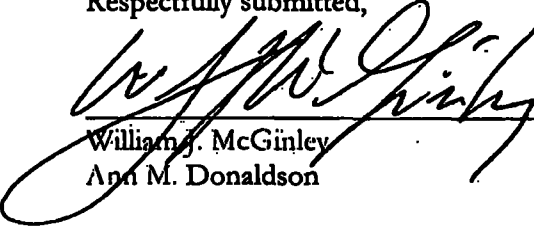
is not supported by a four-corners analysis of the website itself. *See N.C. Right to Life, Inc. v. Leake*, 525 F.3d 274, 284 (4<sup>th</sup> Cir. 2008) (“This sort of *ad hoc*, totality of the circumstances-based approach provides neither fair warning to speakers that their speech will be regulated nor sufficient direction to regulators as to what constitutes political speech.”).

### Conclusion

For all of the reasons stated above, there is no factual or legal basis for finding reason to believe a violation occurred in this matter. *See* Commissioners Wold, Mason, Thomas, Statement of Reasons, MUR 4850 (“A mere conclusory accusation without any supporting evidence does not shift the burden of proof to respondents. . . . The burden of proof does not shift to a respondent merely because a complaint is filed.”); Commissioners Mason, Sandstrom, McDonald, Smith, Thomas, Wold, Statement of Reasons, MUR 5141 (“A complainant’s unwarranted legal conclusions from asserted facts, will not be accepted as true.”). Also, the complaint’s speculative accusations are not a sufficient basis for finding reason to believe — especially in light of the evidence included with this reply. Commissioners Mason, Sandstrom, Smith, Thomas, Statement of Reasons, MUR 4972 (“Mere speculation will not support an RTB finding.”); Commissioners Mason, Sandstrom, Smith, Thomas, Statement of Reasons, MUR 4960 (“Such purely speculative charges, especially when accompanied by a direct refutation, do not form an adequate basis to find reason to believe that a violation of the FECA has occurred.”).

We respectfully request that the Commission dismiss the complaint, close the file, and take no further action in this matter.

Respectfully submitted,



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April 17, 2014

# Appendix

## A

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# ALEX SINK CONGRESS

Alex Sink: A Risk We Can't Afford

**Alex Sink**  
**Supports Obamacare**

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Alex Sink – a risk we can't afford

## DONATE

Help us stop Alex Sink from bankrupting us  
in Congress – Sign up Today

First Name*	Last Name
Email*	Zip Code*

**SUBMIT**

✓ Tweet 0: Like

Contributions to the National Republican Congressional Committee are not deductible as charitable contributions for Federal income tax purposes.

Paid for by the National Republican Congressional Committee and not authorized by any candidate or candidate's committee.



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# Alex Sink CONGRES

Alex Sink: A Risk We Can't Afford

Alex Sink  
Supports Obamacare



0:00 / 1:55

Alex Sink – a risk we can't afford





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# DONATE

Help us stop Alex Sink from bankrupting  
in Congress – Sign up Today

First Name\*

Last Name

Email\*

Zip Code\*

**SUBMIT**

 Tweet

0

 Like

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Policy

Contributions to the National Republican Congressional Committee  
are not deductible as charitable contributions for Federal income  
purposes.

Paid for by the National Republican Congressional Committee  
and not authorized by any candidate or candidate's committee.

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PLEASE PRINT FULL NAME AND ADDRESS OF CONTRIBUTOR  
NAME AND ADDRESS OF CONTRIBUTOR: Mr. and Mrs. J. Edgar Hoover  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20535

<input type="checkbox"/> \$5	<input checked="" type="checkbox"/> \$50	<input type="checkbox"/> \$100
<input type="checkbox"/> \$250	<input type="checkbox"/> \$500	<input type="checkbox"/> \$1000
<input type="checkbox"/> \$2000	<input type="checkbox"/> \$5000	<input type="checkbox"/> \$10000
<input type="checkbox"/> \$25000	<input type="checkbox"/> \$50000	<input type="checkbox"/> \$100000
Other (enter amount)		

Personal Information

First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Email \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Alabama \_\_\_\_\_ 4 \_\_\_\_\_

Employment Information

Occupation \_\_\_\_\_ Employer \_\_\_\_\_  
☐ Self-Employed ☐ Retired

Payment Information

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Real  
THE V ALEX SINK  
**TRUTH<sup>®</sup> TEAM**

★ Know the Truth. Get the Facts. ★

The forces of dysfunction and gridlock caused by Washington Democrats is causing major headaches for folks across Pinellas County.

Now Alex Sink wants to take her record of incompetence to Washington so she can stand with Nancy Pelosi and other extreme liberal Washington Democrats.

Alex Sink is trying to cover up her record as Chief Financial Officer, but the Tampa Bay Times claimed that while she was in charge of Florida's finances, her agency *"skirted legal advice, gambled on risky investments."*

**We need your help to hold her accountable.**

Join the Real Alex Sink Truth Team and help us get the facts to Pinellas County families.


**DONATE**

Stay informed. Share these facts to help spread the truth about Alex Sink's dismal record as CFO and her plans to continue pushing Obamacare on Pinellas families.

**Truth 1: Alex Sink DID Hurt Florida's Pension Fund System**

Chief Financial Officer Alex Sink served on a board responsible for the oversight of Florida's pension fund while it lost \$27 billion in value. (State Board of Administration Investment Reports, 2006-2007 & 2009-2010).

While serving on this board, Sink and her board members were also criticized in an audit for "significant management deficiencies" and a lack of oversight when it came to risky investments in the local government investment pool. (Palm Beach Post, 4/25/08)

 **Tweet** (<http://ctt.ec/krShv>)

**Truth 2: Alex Sink has a history of adding MORE Debt to Florida**

PolitiFact said that while Alex Sink was CFO of Florida she, "did watch the debt increase over her term" by \$3.4 billion. Even a University of South Florida professor said: "You can't say that she

(<https://www.nrcc.org/alex-sink-congress/contribute/>)

Sign up to learn the real truth about Alex Sink

First Name\*

Last Name

Email\*

Zip Code\*

**SUBMIT**

(Sink) has no responsibility for it (debt)" (PolitiFact, 11/7/13)



**Tweet** (<http://ctt.ec/hXb7l>)

### Truth 3: Alex Sink Supports HIGHER Taxes

Alex Sink has consistently supported higher taxes, including property taxes, sales taxes, and taxes on water, sewer and cable television. She even supported a tax on homeowners insurance policies. (St. Petersburg Times, 1/23/08; Palm Beach Post, 12/16/08; St. Petersburg Times, 2/28/97; Palm Beach Post, 6/11/08)



**Tweet** (<http://ctt.ec/58Q2y>)

### Truth 4: Alex Sink is a PARTISAN Politician

Alex Sink is a typical career politician who is already beholden to Washington Democrats. Sink's campaign for Congress is being funded by some of the same people who created the train wreck that is Obamacare.

30 current Members of Congress who voted for Obamacare donated to Sink's congressional campaign totaling \$132,500. (Sink's Pre-Primary FEC Report)

Why would so many Washington politicians give so much money to Alex Sink? Because they know she is a strong supporter of the law they created and will do everything in her power to protect it if sent to Washington.




**Tweet** (<http://ctt.ec/hXb7l>)

### Truth 5: Alex Sink SUPPORTS Obamacare

Obamacare is hurting Florida families. The law cuts \$716 billion from Medicare while causing premiums to increase. (Washington Post, 8/14/12; CBS News, 10/30/13)

Even though 300,000 Floridians are losing their current health care coverage, Alex Sink continues to support Obamacare. (floridatoday.com, 11/25/13; CBS News, 10/30/13)

Alex Sink wants to go to Congress so she can stand with Nancy Pelosi and protect Obamacare.

 **Tweet** (<http://ctt.ec/2bbZb>)

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# KIRKPATRICK FOR CONGRESS

A career politician and insider, Kirkpatrick was boxed out of Congress by Arizona in 2010 after she sided with Nancy Pelosi and supported ObamaCare. But in 2012, she managed to return after Pelosi's allies came to her rescue with millions of dollars.

That probably explains why Kirkpatrick continues to be in in Pelosi's back pocket.

Kirkpatrick is a huge embarrassment to Arizona. Now?

- Kirkpatrick walked out on her own town hall because she didn't want to answer questions about voting for ObamaCare.
- After she lost the election, Kirkpatrick brought campaign staffers on the official House payroll then spent over \$100,000 in taxpayer funds on salaries and bonuses for just two days of work.
- Kirkpatrick voted to keep the Grand Canyon shut down so she could protest ObamaCare.
- Kirkpatrick isn't just liberal - she doesn't even do her job as a representative. She missed 16 votes in just her first few days back in Congress.

## DONATE

Fed up with Ann Kirkpatrick? - Sign up Today

First Name

Last Name

Email

Zip Code

SUBMIT

Twitter

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Thank you for your donation. Your contribution will be used to support the campaign of Ann Kirkpatrick for Congress. We appreciate your support and will contact you with more information about the campaign.

1004440001  
A career politician and insider, Kirkpatrick was booted out of Congress by Arizonans in 2010 after she sided with Nancy Pelosi and supported ObamaCare. But in 2012, she managed to return after Pelosi's allies came to her rescue with millions of dollars.

That probably explains why Kirkpatrick continues to be in in Pelosi's back pocket.

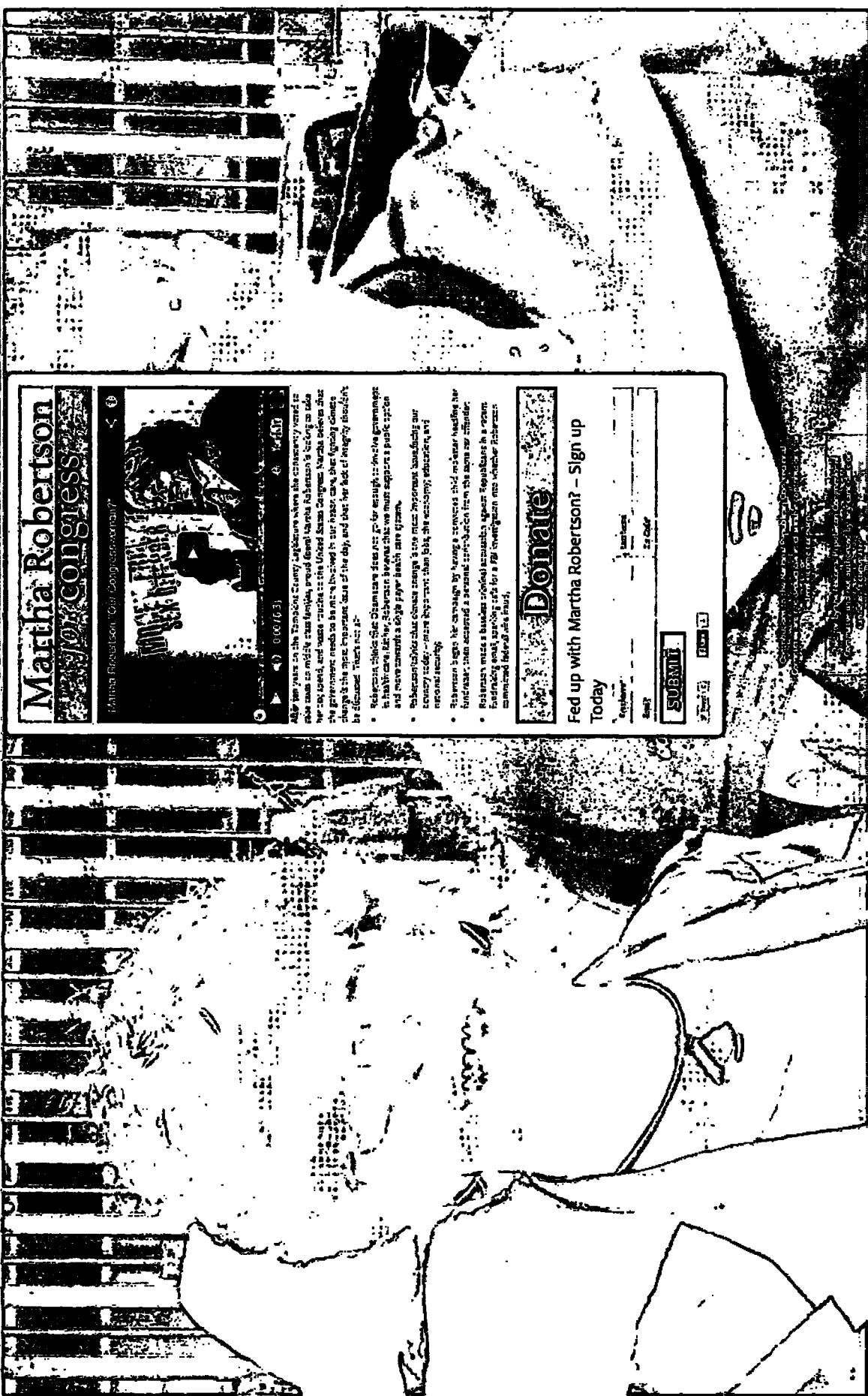
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**DONATE**

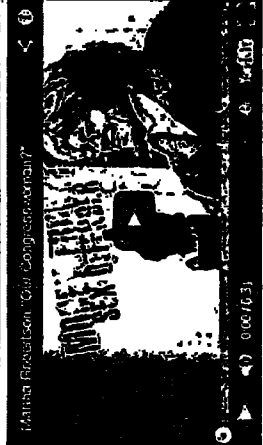
**Fed up with Ann Kirkpatrick? – Sign up Today**

10044440001



# Martha Robertson

## for congress



After ten years in the Tennessee County Legislature where the consensus voted to raise taxes to middle class families, proud Democrat Martha Robertson is looking to take her seat, and make "taxes" a thing of the past. She believes that the government needs to be more involved in our lives, and that fighting climate change is the most important issue of the day, and that her list of integrity should be discussed. That's not all.

- Robertson thinks that climate change does not go far enough to make the government in Washington take action. She believes that we must support a public option and move towards a single payer health care system.
- Robertson believes that climate change is the most important issue facing our country today - more important than jobs, the economy, education and national security.
- Robertson began her campaign by keeping a secret child molester heading her fund-raiser, then accused a married reproduction from the same sex offender.
- Robertson made a bad decision to run against a Republican in a seat that had been held for a full 100 years and she was elected.

## Donate

Fed up with Martha Robertson? - Sign up Today

SUBMIT

10044440001



After ten years on the Tompkins County Legislature where she consistently voted to raise taxes on middle class families, proud liberal Martha Robertson is looking to take her tax, spend, and waste routine to the United States Congress. Martha believes that the government needs to be more involved in our health care, that fighting climate change is the most important issue of the day, and that her lack of integrity shouldn't be discussed. That's not all:

- Robertson thinks that Obamacare does not go far enough to involve government in health care. Rather, Robertson believes that we must support a public option and move towards a single payer health care system.
- Robertson thinks that climate change is the most important issue facing our country today – more important than jobs, the economy, education, and national security.
- Robertson began her campaign by having a convicted child molester headline her fundraiser, then accepted a personal contribution from the same sex offender.
- Robertson made a baseless criminal accusation against Republicans in a recent fundraising email, sparking calls for a FBI investigation into whether Robertson committed federal wire fraud.

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**Donate**

**Fed up with Martha Robertson? – Sign up  
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# Kyrsten Sinema for CONGRESS

A longtime partisan Democrat and career politician, Kyrsten Sinema took her show on the road for 2014, when she was elected to the United States Congress. Concerned about rising student debt, rising student loan rates, and keeping Obamacare—the law she helped craft—on the books, she has right in hering the legions of Nancy Pelosi Democrats in Washington.

When it comes down to it, Arizona Senator just can't trust Kyrsten Sinema. Here's why:

- Sinema can't be trusted to fix our nation's fiscal crisis because she voted against a plan to balance the federal budget and has signed on for the worst of Congress. (For [Sen. Sinema's record](#).)
- How can Sinema be trusted to fix Obamacare, when she helped craft the law and campaigned across Arizona to support it?
- Women just can't trust Sinema to stand up for them. After all, she said women who sign up for the "free" birth control are "stealing off their husbands or boyfriends."
- Sinema trusted Obama to look out for them. Yet she voted to let Obama's own vice president hold a bipartisan plan to lower their taxes. (For [Sen. Sinema's record](#).)
- Why should Arizona's trust a career politician like her to change Washington? She's too busy spending her time in Congress doing nothing to fix the country's problems.

## DONATE

Fed up with Kyrsten Sinema? - Sign up Today

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="button" value="SUBMIT"/>	

Stop Obamap, Stop Sinema.  
 

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A longtime partisan liberal and career politician, Kyrsten Sinema took her show on the road in 2012, when she was elected to the United States Congress. Obsessed with voting against a balanced budget, hiking student loan rates, and keeping ObamaCare—the law she helped craft—on the books, she fits right in among the legions of Nancy Pelosi Democrats in Washington.

**When it comes down to it, Arizona families just can't trust Kyrsten Sinema.**

**Here's why:**

- Sinema can't be trusted to fix our nation's fiscal crisis because she voted against a plan to balance the federal budget and ban taxpayer-funded travel for Members of Congress. (Roll Call #88, 3/20/13)
- How can Sinema be expected to fix ObamaCare, when she helped craft the law and campaigned across Arizona in support of it?
- Women just can't trust Sinema to stand up for them. After all, she said women who stay-at-home are "leeching off their husbands or boyfriends."
- Students trusted Sinema to look out for them. Yet she voted to let student loan rates increase and held a bipartisan plan to lower them hostage. (Roll Call #183, 5/23/13)
- Why should Arizona's trust a career politician like her to change Washington? She's too busy spending her time in Congress doing national TV interviews and fawning magazine profiles.

**DONATE**

**Fed up with Kyrsten Sinema? – Sign up Today**

# Appendix

## B


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TWEET (<http://twitter.com/share?url=http%3A%2F%2Fwww.nrcc.org%2F2013%2F10%2F30%2Fnrcc-statement-alex-sink-running-congress%2F&text=NRCC%20Statement%20on%20Alex%20Sink%20Running%20for%20Congress&via=nrcc>) 9 tweets  
(<http://www.nrcc.org/category/blog>)

## NRCC Statement on Alex Sink Running for Congress Katie Prill

(<http://www.nrcc.org/author/kprill/>) | October 30th, 2013

The Tampa Bay Times (<http://www.tampabay.com/news/politics/national/alex-sink-announcement/2149702>) broke the news last night that Alex Sink is running for Congress. While Washington Democrats are excited their hand-picked candidate has entered the race, it may not be great news for Sink who will have to re-explain to Florida families why she wasted hundreds of millions of their dollars while Chief Financial Officer in Florida.

(<http://www.nrcc.org/2013/10/30/nrcc-statement-alex-sink-running-congress/sink/>)

**The National Republican Congressional Committee has launched a new website and targeted search ads today against Sink.** The website, which can be seen [HERE](http://www.nrcc.org/alex-sink-congress/) (<http://www.nrcc.org/alex-sink-congress/>), highlights Sink's long career of wasting Florida voters' money with no remorse. The targeted search ads will direct people searching for more information about Sink to the NRCC's website which will give the viewer a more accurate picture of Sink's dismal record in Florida.



As you cover this announcement from Alex Sink, please consider the following quote:

***"How can Florida families trust Alex Sink in Washington when she wasted their money at home with no remorse? After wasting hundreds of millions of taxpayer dollars as the Chief Financial Officer for Florida through risky investments and losing billions through Florida's state pension fund, it's clear that Sink has no problem hurting Florida seniors and families. The truth of the matter is, Floridians can't trust Alex Sink's poor judgment in Congress."*** – NRCC Spokeswoman Katie Prill

Alex Sink for Congress (<http://sinkforcongress2014.com/>)

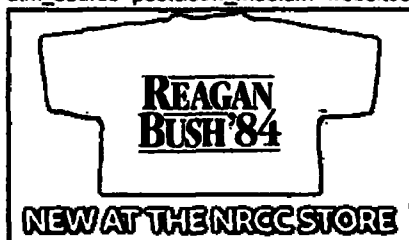
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[lois-lerner-hoped-get-job-ofa/](http://www.nrcc.org/2014/04/09/new-bombshell-email-reveals-irs-official-lois-lerner-hoped-get-job-ofa/))New Bombshell Email Reveals IRS Official Lois Lerner Hoped To Get A Job At OFA

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([http://www.nrcc.org/2014/04/11/kathleen-sebelius-11-worst-moments-hhs-](http://www.nrcc.org/2014/04/11/kathleen-sebelius-11-worst-moments-hhs-secretary/)

[secretary/](http://www.nrcc.org/2014/04/11/kathleen-sebelius-11-worst-moments-hhs-secretary/))Kathleen Sebelius' 11 Worst Moments As HHS Secretary (<http://www.nrcc.org/2014/04/11/kathleen-sebelius-11-worst-moments-hhs-secretary/>)



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[quadrupled-rate-increase-insurance-premiums/](http://www.nrcc.org/2014/04/08/new-report-confirms-obamacare-quadrupled-rate-increase-insurance-premiums/))This New Report Confirms That ObamaCare Quadrupled The Rate of Increase In Insurance Premiums (<http://www.nrcc.org/2014/04/08/new-report-confirms-obamacare-quadrupled-rate-increase-insurance-premiums/>)





([http://www.nrcc.org/2014/04/13/watch-dccc-chair-steve-israel-call-house-](http://www.nrcc.org/2014/04/13/watch-dccc-chair-steve-israel-call-house-republicans-racist/)

[republicans-racist/](http://www.nrcc.org/2014/04/13/watch-dccc-chair-steve-israel-call-house-republicans-racist/)) Watch DCCC Chair Steve Israel Call "Some" House Republicans Racist (<http://www.nrcc.org/2014/04/13/watch-dccc-chair-steve-israel-call-house-republicans-racist/>)



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[conservatives/](http://www.nrcc.org/2014/04/09/heres-timeline-lois-lerners-irs-targeting-conservatives/)) Here's The Timeline of The IRS' Targeting of Conservatives (<http://www.nrcc.org/2014/04/09/heres-timeline-lois-lerners-irs-targeting-conservatives/>)



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[higher-taxes-quality-healthcare/](http://www.nrcc.org/2014/04/08/democrat-congresswoman-thinks-need-higher-taxes-quality-healthcare/)) This Democrat Congresswoman Thinks You Need Higher Taxes For Quality Healthcare

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[campaign-targets-red-zone-democrats-microsites%2F](http://www.facebook.com/sharer.php?u=http%3A%2F%2Fwww.nrcc.org%2F2013%2F11%2F06%2Fnew-nrcc-campaign-targets-red-zone-democrats-microsites%2F)) 0 shares



(<http://twitter.com/share?url=http%3A%2F%2Fwww.nrcc.org%2F2013%2F11%2F06%2Fnew-nrcc-campaign-targets-red-zone-democrats-microsites%2F&text=New%20NRCC%20Campaign%20Targets%20%E2%80%9CRed%20Zone%E2%80%9D%20Democrats%20with%20Microsites&via=nrcc>) 1 tweets

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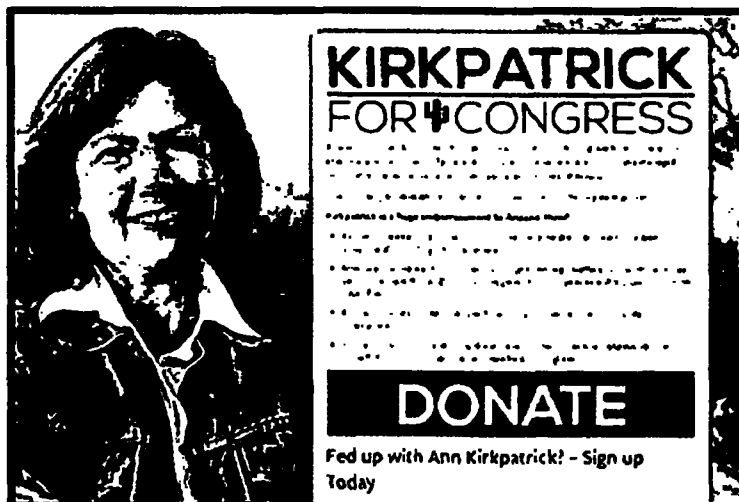
## New NRCC Campaign Targets "Red Zone" Democrats with Microsites NRCC (<http://www.nrcc.org/author/admin/>) | November 6th, 2013

The seven most vulnerable politicians in Congress are about to get a wake-up call. The National Republican Congressional Committee is launching attack microsites against the seven Democrats in the NRCC's Red Zone a year out from the election.

The sites show voters where these Democrats really stand, and will provide a stark contrast to their own campaign Web sites. The targeted races are part of the NRCC's Red Zone program, launched earlier this year in districts won on the presidential level by Bush, McCain, and Romney. The districts are: Ann Kirkpatrick (AZ-01), Ron Barber (AZ-02), John Barrow (GA-12), Collin Peterson (MN-07), Mike McIntyre (NC-07), Jim Matheson (UT-04), and Nick Rahall (WV-03).

"These Democrats are frauds and don't fit their districts," said NRCC Communications Director Andrea Bozek. "They continuously say one thing back home, then vote with Nancy Pelosi in Washington. With this new NRCC campaign, voters will finally learn the truth about these two-faced politicians."

Here's an example of one of the sites, against Ann Kirkpatrick:



The website URLs are as follows:

<http://rahallforcongress.com/> (<http://rahallforcongress.com/>)

<http://johnbarrow2014.com/> (<http://johnbarrow2014.com/>)

<http://ronbarber2014.com/> (<http://ronbarber2014.com/>)

<http://annkirkpatrick.com/> (<http://annkirkpatrick.com/>)

<http://collinpetereson2014.com/> (<http://collinpetereson2014.com/>)

<http://mikemcintyre2014.com/> (<http://mikemcintyre2014.com/>)

<http://mathesonforutah.com/> (<http://mathesonforutah.com/>)

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utm\_source=nrccsidebar&utm\_medium=website&utm\_campaign=ReaganBushShirt\_sidebar\_s\_v1)

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For Immediate Release  
November 6, 2013

Contact: Press Office  
(202) 479-7070

## New NRCC Web Campaign Targets Arizona Democrats with Microsites

*Voters looking for info on Kirkpatrick, Barber and Sinema will now learn the truth*

WASHINGTON – They are three of the most vulnerable incumbents in the country and they all reside in Arizona: Ann Kirkpatrick (AZ-01), Ron Barber (AZ-02), and Kyrsten Sinema (AZ-09).

Starting today, The National Republican Congressional Committee is launching microsites so voters can finally learn the truth about these two-faced politicians. The sites show voters where these Democrats really stand, and will provide a stark contrast to their own campaign Web sites.

"These three Arizona Democrats are frauds and don't fit their districts," said NRCC National Press Secretary Daniel Scarpinato. "From ObamaCare to spending, Ann Kirkpatrick, Ron Barber and Kyrsten Sinema continuously try to scam voters in Arizona, then vote with Nancy Pelosi in Washington. With this new NRCC campaign, Arizonans can finally learn the truth about these two-faced politicians."

<http://annkirkpatrick.com/>

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<http://ronbarber2014.com/>

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<http://sinemaforcongress.com>

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For Immediate Release  
November 7, 2013

Contact: Press Office  
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## **NRCC Launches Website Against New York Congressional Candidate Martha Robertson**

### ***Robertson's Big-Government Agenda is Wrong for New York***

**WASHINGTON** – The National Republican Congressional Committee launched a website against New York Congressional Candidate Martha Robertson today, which highlights her out-of-touch priorities, liberal agenda, and lack of integrity.

The website, which will pop up on search engines for viewers to learn the truth about Robertson, will be housed at [www.martha-robertson.com](http://www.martha-robertson.com). The site shows visitors the real side of Robertson, which includes her support for a Canadian-style single payer healthcare system, her campaign's involvement with a convicted child molester, her lies about her Republican opposition that have led to calls for an FBI investigation, and her belief that climate change is more important than jobs, the economy, and education.

"Martha Robertson has her priorities all wrong, and it's time that voters in Western New York and the Southern tier see the truth about her out-of-touch her values and views," said NRCC Spokesman Ian Prior. "While Robertson is campaigning with a child molester, deceiving her supporters for money, and pushing an agenda that is far to the left of most Democrats, Congressman Reed is fighting for pro-growth policies that will usher in a new era of economic expansion for this and future generations of New Yorkers."

You can view the website here:

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55 tweets

(<http://www.nrcc.org/category/blog>)

## Latest NRCC Web Campaign Targets Nancy Pelosi With New Microsite

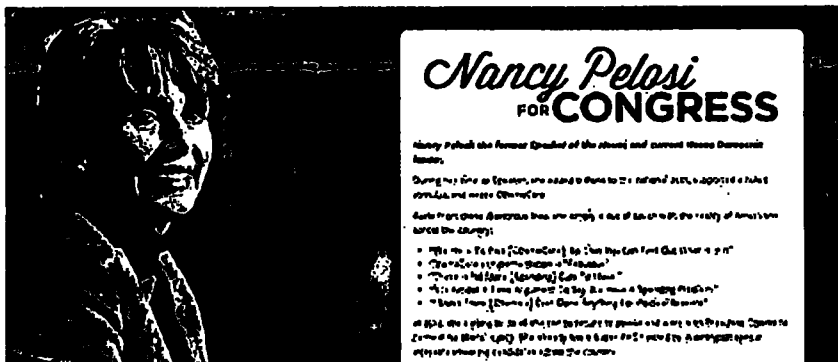
NRCC (<http://www.nrcc.org/author/admin/>) | February 5th, 2014

*On NancyPelosi2014.com (<http://nancypelosi2014.com/>), Voters Can See The Risk Of Putting Her Back In The Speaker's Chair*

**WASHINGTON** – As part of a new and ongoing microsite campaign this cycle, the National Republican Congressional Committee is launching a web site today highlighting Nancy Pelosi's destructive record —so voters can learn just how high the cost will be if Democrats regain the majority in the House. The site will show voters Pelosi's real record and provide a stark contrast to her own campaign web site.

With NancyPelosi2014.com (<http://nancypelosi2014.com/>), voters from across the country will be able to see Pelosi's history of crafting ObamaCare, adding trillions in debt, and making outrageous statements. Today, the committee is also launching a similar site on Pelosi ally and Colorado congressional candidate Andrew Romanoff. Like Pelosi's site, AndrewRomanoff2014.com (<http://andrewromanoff2014.com/>) will inform Colorado voters on his history of raising taxes and supporting ObamaCare.

"Like the others, these new sites make it clear how big the stakes are this November," said NRCC Communications Director Andrea Bozek. "With Nancy Pelosi and Barack Obama in control of Washington, we saw record debt, a failed stimulus, and the disaster that is ObamaCare. We're not going back."



(<http://nancypelosi2014.com/>)

In Addition To The Pelosi and Romanoff Sites, The NRCC Previously Launched The Following:

**John Tierney (MA-06)**

John Tierney for Congress (<http://www.johntierney2014.com/>)

**Sean Eldridge (NY-19)**

Sean Eldridge for Congress (<http://www.seaneldridgeforcongress2014.com/>)

**John Lewis (MT-AL)**

John Lewis for Congress (<http://johnlewis2014.com/>)

**Amanda Renteria (CA-21)**

Amanda Renteria for Congress (<http://amandarenteriaforcongress.com/>)

**Nick Rahall (WV-03)**

Nick Rahall for Congress (<http://rahallforcongress.com/>)

**Bill Hughes (NJ-02)**

Bill Hughes Jr. for Congress (<http://www.billhughesjrforcongress.com/>)

**Alex Sink (FL-13)**

Alex Sink for Congress (<http://www.sinkforcongress2014.com/>)

**John Barrow (GA-12)**

John Barrow for Congress (<http://www.johnbarrow2014.com/>)

**Ron Barber (AZ-02)**

Ron Barber for Congress (<http://www.ronbarber2014.com/>)

**Ann Kirkpatrick (AZ-01)**

Ann Kirkpatrick for Congress (<http://www.annkirkpatrick.com/>)

**Kyrsten Sinema (AZ-09)**

Kyrsten Sinema for Congress (<http://www.sinemaforcongress.com/>)

**Collin Peterson (MN-07)**

Collin Peterson for Congress (<http://www.collinpeterson2014.com/>)

**Martha Robertson (NY-23)**

Martha Robertson for Congress (<http://www.martha-robertson.com/>)

**Annie Kuster (NH-02)**

Annie Kuster for Congress (<http://www.anniekusterforcongress.com/>)

**Carol Shea Porter (NH-01)**

Carol Shea Porter for Congress (<http://www.sheaporterforcongress.com/>)

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This Democrat Congresswoman Thinks You Need Higher Taxes For Quality Healthcare

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# Appendix

## C

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November 08, 2013, 06:00 am

## NRCC hits top Democratic targets with attack microsites

The National Republican Congressional Committee (NRCC) is launching stand-alone attack sites hitting the seven Democratic targets in its Red Zone program, a GOP designation for Democrats' most vulnerable incumbents.

The Red Zone candidates are Reps. Ann Kirkpatrick (Ariz.), Ron Barber (Ariz.), John Barrow (Ga.), Collin Peterson (Minn.), Mike McIntyre (N.C.), Jim Matheson (Utah) and Nick Rahall (W.Va.), who are all running for reelection in districts won by Republicans in the past three presidential elections.

All seven are elusive GOP targets who have repeatedly managed to eke out reelection wins despite representing tough districts.

Democrats need 17 seats to regain the majority, a tall order for any party but a particularly difficult get in an off-year when the party holding the White House normally loses seats.

But Republicans aren't taking those 17 seats for granted, and their Red Zone program is an opportunity for the GOP to play offense and work to expand their already considerable margin.

The sites are all labeled like traditional campaign sites — AnnKirkpatrick.com is one; MathesonForUtah.com another — opening the possibility that a voter could stumble upon them while seeking information on a given candidate.

And each includes details on the candidates' voting history and Republican attack lines.

"Ron Barber is running for Congress because he is more interested in keeping his job than making sure there are jobs for you and your family," reads the site hitting Barber.

The sites all provide the option for a user to donate to the NRCC and sign up to the committee's mailing list.

NRCC Communications Director Andrea Bozek said the sites are meant to provide the truth about Democratic "frauds."

"These Democrats are frauds and don't fit their districts," she said in a statement. "They continuously say one thing back home, then vote with Nancy Pelosi in Washington. With this new NRCC campaign, voters will finally learn the truth about these two-faced politicians."

**TAGS:** John Barrow, Ann Kirkpatrick, Ron Barber, Mike McIntyre, Jim Matheson, Nick Rahall, Collin Peterson, NRCC Red Zone, House races 2014

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