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Phone 541.672.2648
Fax 541.673.7868
www.RoseburgAreaChamber.org

Digitally signed
by Kathryn Ross
Date: 2018.12.06
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December 3, 2018

VIA Email: CELA@FEC.Gov

Jeff S. Jordan
Assistant General Counsel
ATTN: Kathryn Ross, Paralegal
Federal Election Commission
Office of Complaints Examination &
Legal Administration
1050 First Street, NE
Washington, DC 20463

Re: MUR 7512

Dear Mr. Jordan:

On behalf of the Roseburg Area Chamber Political Action Committee (RACPAC), I am submitting the following in response to an October 9, 2018 complaint and November 1, 2018 amended complaint filed by Wim de Vriend of Coos Bay, Oregon, your reference MUR 7512, received by the RACPAC on November 19, 2018.

As you know, the complaint (and amended complaint) is against Jordan Cove LNG, alleging violation of the Federal Election Campaign Act, asserting Jordan Cove LNG made contributions in state and local elections as a foreign company. It is alleged that Jordan Cove LNG is wholly owned by Pembina Pipeline Corporation, a Canadian corporation.

While neither the complaint nor amended complaint contain allegations against the RACPAC, the attachments reflect a \$15,000 contribution to the RACPAC on October 5, 2017.

The Roseburg Area Chamber of Commerce is a 501(c)(6), nonprofit membership organization. Jordan Cove & Pacific Connector has been a member of the Roseburg Area Chamber of Commerce since January 2014. The address on the original application for this member, attached, was a Portland, Oregon address. The address in the Roseburg Area Chamber's 2018-19 membership/business directory, page attached, was a Portland Oregon address. The address in the chamber's membership database for physical location and billing address is 125 Central Avenue, Suite 250, Coos Bay, Oregon.



To advocate for and be the voice of the business community in the greater Roseburg area.

To strengthen, enhance and protect our members through political advocacy, economical development, community promotion and member programs and services.

Page Two

To: Federal Election Commission
From: RACPAC
Re: MUR 7512

The RACPAC is the Roseburg Area Chamber of Commerce's political action committee. The \$15,000 contribution from Jordan Cove to the RACPAC on October 5 was made via ACH (automated clearing house) deposit. As this deposit was made directly into the RACPAC bank account, the RACPAC was made aware of the deposit by its bank.

The Roseburg Area Chamber of Commerce and the RACPAC are aware of, and as addressed in the amended complaint, six Jordan Cove entities registered in Oregon. Corporate filing indicates Jordan Cove Energy Group was organized in Oregon, with its primary place of business in Portland, Oregon. The other five Jordan Cove entities were organized in Delaware.

In December of 2017, the Oregon Office of the Secretary of State received a complaint alleging possible violations of Oregon Election Law related to the \$15,000 contribution to the RACPAC from Jordan Cove in October of 2017. In January 2018, the Office of the Secretary of State issued its final determination related to this matter. The Secretary of State's found insufficient evidence to indicate a violation of Oregon's election law. A copy of the Secretary of State's determination is enclosed.

The Federal Election Campaign Act prohibits a person from knowingly accepting or receiving a contribution from a foreign national in connection with a Federal, State or local election. The Act and FEC regulations define "foreign national" to include "foreign principals" and individuals who are not citizens or nationals of the United States and who are not lawfully admitted to the United States for permanent residence. Additionally, "foreign principal" includes corporations organized under the laws of or having its principal place of business in a foreign country.

In this matter, MUR 7512, the RACPAC is not mentioned in the complaints and there are no allegations brought forward or facts presented showing the RACPAC knowingly accepted a contribution from a foreign national. According to the Federal Election Campaign Act, "knowledge" is an essential component to establish a violation has occurred—i.e. actual knowledge; substantial reason to know; or willful blindness.

RACPAC had/has no knowledge that Jordan Cove was/is a foreign national. Actually, the information provided by Wim de Vriend in the complaints shows that Jordan Cove is a domestic limited partnership that has a domestic principal place of business.

Page Three

To: Federal Election Commission
From: RACPAC
Re: MUR 7512

The original complaint alleges a Canadian company wholly owns Jordan Cove LNG. Even if this were true, it would not prohibit the contributions because a domestic subsidiary of a foreign corporation may make political donations to state and local elections when the funds originated in the United States and are controlled by U.S. citizens.

The amended complaint says the six Jordan Cove entities registered in Oregon are foreign and cites the state business filings. However, these business filings designate the Jordan Cove entities as "foreign" only because they were organized outside of Oregon, in Delaware. This designation does not mean the Jordan Cove entities were organized in a foreign country. In fact, just the opposite, these findings show the entities were organized in Delaware and have principal places of business in the United States. Therefore, the Jordan Cove entities are not foreign nationals. Additionally, Jordan Cove's Federal Energy Regulatory Commission (FERC) application in October 2017 shows it as a Delaware limited partnership with a primary place of business in Houston, Texas.

The Roseburg Area Chamber Political Action Committee is not alleged in the complaints to have violated the Federal Election Campaign Act and the information provided herein, confirms no violation. Therefore, the RACPAC respectfully requests to be immediately dismissed from this matter.

Best regards,

RACPAC



Debra L. Fromdahl
RACPAC Board Secretary on Behalf of
Barry Robinson, 2018 Treasurer

Enclosures



**ROSEBURG
AREA** Chamber of
Commerce
& Visitors Center

410 SE Spruce Street
PO Box 1026
Roseburg, OR 97470

Tel 541-672-2648
Fax 541-673-7868

Application Date: 1/15/14
Membership # _____

*Mailed
letter
1/22/14*

Business Name: Jordan Cove & Pacific Connector

Voting Representative: Michael Hinrichs

Publication Contact: Michael Hinrichs

Street Address: 1400 NW Marshall St, Ste 529 City / State: Portland, OR Zip: 97209

Phone: 503-432-8153 Fax: _____ Toll Free Number: 503-432-8153

Mailing Address (if different): _____ City / State: _____ Zip: _____

Billing Address: (if different) _____ City / State: _____ Zip: _____

Billing Phone: 503-432-8153 Billing Fax: _____

Email: mhinrichs@jordancoveenergy.com Web Site: www.jordancoveenergy.com

Category (as in Yellow Pages): Utility # of Employees: 6
(Full Time) (Half Time)

Business Description: Proposed natural gas pipeline and LNG export facility

Applicant Signature: *Michael Hinrichs* Chamber Approval Date: 1/21/14

- Please attach a business card with application.
- Membership organizations are listed alphabetically and categorically on the web site and in the Community Profile and Business Directory.
- Membership is based on number of employees (see chart on back). Two half-time employees equal one full-time employee.
- Members receive one category title; additional categories are \$25 each.
- All memberships shall be continuous unless canceled (A) in writing by the member, (B) by the Chamber for non-payment of dues after 90 days or (C) for non-compliance with the Chamber policies or conduct unbecoming per Article II, Section 4 of the Chamber bylaws.
- Membership dues investment is non-refundable.
- Membership has voting privileges. Please indicate who your voting representative will be. If you would like another person listed as main contact for the company in publications, please indicate under Publication Contact.
- Membership not valid until approved by the Chamber Board of Directors.
- 90% of membership dues are deductible as an ordinary and necessary business expense. The 10% used for government affairs and lobbying expenses is not deductible. Dues paid to the Chamber are not a charitable tax deduction for federal tax purposes.
- A Chamber Associate is not affiliated with any business or organization, does not have voting rights, can not serve on the Board of Directors or take advantage of other business member opportunities as set forth in the Chamber's Policies and Procedures.
- Payment is due in full upon receipt of annual billing statement and is considered past due if payment is not received within 30 days. Partial payments will not be accepted.
- Political campaign committees are not eligible for application to membership with the Chamber.
- A trade association or community organization membership covers only that association or organization and their employees not members of the association or organization.

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The Roseburg Area Chamber Political Action Committee (13156)

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Type * : Business Entity

Individual Name :

Business/Organization Name : Jordan Cove & Pacific Connector

Committee :

Street/P.O. Box : 3411 NE Alameda Street

City, State, Zip-Ext : Portland , OR , 97212

County : Multnomah County

Work Phone :

Home Phone :

FAX :

Email address :

Occupation :

Employer's Name :

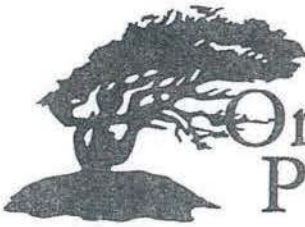
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ROSEBURG AREA CHAMBER
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BUSINESS I

Account No
Statement Date 10/31/2017
Last Statement Date 09/29/2017

0 Statement Period

Previous Balance	12,799.57	# of Days-Stmt Period	32
3 Deposits/Credits	16,275.00		
0 Checks/withdrawals	0.00	Average Balance	26,120.66
Ending Balance	29,074.57		
Total Srv Chg Today	0.00	YTD Interest	0.00

Deposits

Date	Description	Amount
10/05/17	JORDAN COVE ENER THE ROSEBURG AREA CHAM ACH CREDIT JOR031017 0000000000000000	15,000.00
10/11/17	REGULAR DEPOSIT	1,000.00
10/31/17	REGULAR DEPOSIT	275.00

Daily Balance Summary

Date	Amount	Date	Amount
10/05/2017	27,799.57	10/31/2017	29,074.57
10/11/2017	28,799.57		

From: Rheanna Mosier [<mailto:Rheanna.Mosier@elwoodstaffing.com>]
Sent: Monday, December 18, 2017 4:32 PM
To: HERTEL Jennifer S * SOS
Cc: Debbie Fromdahl
Subject: RE: 17-C&E-16 complaint (The Roseburg Area Chamber Political Action Committee)

Dear Ms. Hertel,

In response to the complaint referenced above:

1. Re: Roseburg Area Chamber Political Action Committee (13156) Transaction ID 2655410 which posted a cash contribution of \$20,000 was an unfortunate but, honest, posting error by the PAC board secretary. It should have been posted as a cash expenditure. On December 18, the transaction was amended to reflect an expenditure, not a contribution (ID 2693511).
2. Re: Roseburg Area Chamber Political Action Committee (13156) Transaction ID 2634153 a cash contribution from our chamber member Jordan Cove & Pacific Connector, please see the attached PDF document. The document contains Jordan Cove's membership application listing a Portland address, the Roseburg Chamber's 2017 membership directory listing Jordan Cove's current Portland address, the PAC's address book reflecting the same Portland address for Jordan Cove and a copy of the PAC's October bank statement showing Jordan Cove's direct deposit to the PAC account.

Please let me or Debra Fromdahl, PAC board secretary and president/CEO of the Roseburg Area Chamber (541-672-2648, ext 12 or debbie@roseburgareachamber.org) know if there is any additional information you require. Thank you.

Rheanna Mosier
Treasurer
Roseburg Area Chamber Political Action Committee

OFFICE OF THE SECRETARY OF STATE

DENNIS RICHARDSON

SECRETARY OF STATE

LESLIE CUMMINGS, PhD

DEPUTY SECRETARY OF STATE



ELECTIONS DIVISION

STEPHEN N. TROUT

DIRECTOR

255 CAPITOL STREET NE, SUITE 501
SALEM, OREGON 97310-0722

(503) 986-1518

January 24, 2018

Stacey McLaughlin
stacey@mountaintopinsight.comSENT VIA EMAIL

Final Determination Case No. 17-C&E-16

Dear Ms. McLaughlin:

Complaint

On December 15, 2017, the Elections Division received your complaint in which you alleged possible violations of Oregon Election Law. Specifically, you alleged that Protect Douglas County Public Safety and Jobs PAC (PDCPSJ PAC) and The Roseburg Area Chamber Political Action Committee (TRAC PAC) violated Oregon Election Law because each failed to report a campaign finance transaction, a possible violation of ORS 260.057. The complaint also alleged that a \$15,000 contribution from Jordan Cove & Pacific Connector (JCPC), reported by TRAC PAC, incorrectly reported the address of JCPC as being in Portland, Oregon. Included with the complaint was a copy of the most recent business registry filing with the Oregon Corporations Division which reported Jordan Cove Energy Project LLC's primary place of business as Calgary, Alberta and its registered agent in Salem, Oregon.

Investigative Authority

Pursuant to ORS 260.205, the Elections Division opened an investigation into the allegations. On December 18, 2017, a copy of the complaint and a letter requesting a response to the allegation was emailed to Carol Russell, Treasurer of PDCPSJ PAC and to Rheanna Mosier, Treasurer of TRAC PAC. The letter requested a response to the allegations by January 4, 2018. The Elections Division conducted a search of the Corporation Division's business registry database and found multiple businesses whose registration included the name "Jordan Cove" but none were registered as Jordan Cove & Pacific Connector.

Response to Complaint

On December 18, 2017, a response to the allegations was received from Ms. Russell and Ms. Mosier. Ms. Russell's response stated that PDCPSJ PAC did not make an expenditure to TRAC PAC, but they did receive, and timely report, a contribution from TRAC PAC; the transaction was reported on November 9, 2017.

Final Determination

17-C&E-16

Page 2

Ms. Mosier stated that TRAC PAC erroneously reported the \$20,000 contribution from PDCPSJ PAC when it should have been reported as an expenditure to PDCPSJ PAC. She also stated that the transaction was amended on December 18, 2017, to correctly identify the transaction as an expenditure to PDCPSJ PAC.¹

Ms. Mosier explained that JCPC is a member of the Roseburg Chamber of Commerce; the membership application filed in 2014 provided an address in Portland. The 2017 Chamber Membership Directory lists the most current address for JCPC, which is also a Portland address, and is the address that was reported when the contribution from JCPC was disclosed. She also provided documentation of the contribution which was electronically transferred to TRAC PAC's bank account.

Statutory Requirements

ORS 260.057 sets forth the deadlines for filing campaign finance transactions electronically using the ORESTAR application. Generally, a transaction is due not later than 30 calendar days after the date of the transaction; a transaction that occurs 42 days before the date of the election and ending on the date of the election is due not later than seven calendar days after the date of the transaction. A transaction that occurs prior to the 42nd day before the date of the election and has not been filed by the 43rd day before the election is due by the 35th day before the election.

ORS 260.083(1)(a)(A) provides in part that when a contribution is disclosed it shall include the name and address of each person that has contributed an aggregate amount of more than \$100 in a calendar year.

ORS 260.156 provides that the Secretary of State may adopt rules for the manner of determining and reporting contributions and expenditures. Oregon Administrative Rule (OAR) 165-012-0005 adopts the 2016 Campaign Finance Manual (CFM) which states on page 56 that a contributor's address includes street number and street name or post office box, along with the city, state, and zip code.

The CFM also defines what is considered a late transaction, which in part includes filing a transaction after its due date, changing the amount of a transaction after its due date, or if a transaction type is amended from any transaction type other than a contribution or expenditure to a contribution or expenditure. See pages 68-69 of the CFM.

Determination

After a review of the information submitted, the Elections Division has found insufficient evidence to indicate a violation of ORS 260.057 and ORS 260.083 by either committee treasurer. Ms. Russell disclosed the contribution that was received by PDCPSJ PAC by the deadline.

¹ The Elections Division searched for and confirmed the amended transaction was filed on December 18, 2017; it is transaction #2693511.

Final Determination

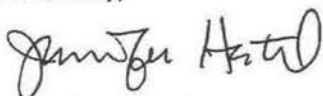
17-C&E-16

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The amendment Ms. Mosier filed changed the transaction type from a contribution to an expenditure which does not constitute a late filing under the penalty matrix in the CFM, and there is insufficient evidence to support that Ms. Mosier incorrectly reported the address for JCPC. Even if Ms. Mosier did report an inaccurate contributor address, there is no penalty associated with amending the address of a previously reported contribution. That being said, Ms. Mosier should contact JCPC in the immediate future to ensure the address for JCPC is in Portland as opposed to Salem or Calgary, Alberta.

This concludes the investigation into the complaint; this case is closed. Please contact me at 503-986-1518 if you have any questions about the content of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Hertel", with a stylized flourish at the end.

Jennifer Hertel
Compliance Specialist

c: rheanna.mosier@elwoodstaffing.com