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GARVEY SCHUBERT BARER

A PROFESSIONAL SERVICE CORPORATION

Please reply to BRAD C. DEUTSCH
bdeutsch@gsblaw.com
TEL EXT 1793

December 19, 2018

BY EMAIL

Ms. Lisa J. Stevenson
Acting General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Re: MUR 7512 - Response of ChamberPAC and David P. Hyatt, in his capacity as Treasurer

Dear Ms. Stevenson:

This response is submitted on behalf of ChamberPAC and David P. Hyatt, in his capacity as Treasurer (the "Committee"),¹ in response to the Commission's letters dated October 19, 2018, and November 8, 2018, notifying the Committee of a complaint filed by Mr. Wim de Vriend, designated by the Commission as MUR 7512.²

Mr. de Vriend's complaint relates, in part, to donations received by ChamberPAC from Jordan Cove Energy Project LP and Jordan Cove LNG LLC PAC, which Mr. de Vriend alleges were impermissible because "Jordan Cove is a purely Canadian enterprise."³

As a threshold matter, it should be noted that Mr. de Vriend's "proof" that Jordan Cove is "foreign" appears to hinge on his misunderstanding of the meaning of the "foreign" entity designation on the Oregon Secretary of State Corporate Division's website – specifically, such a designation merely refers to an entity being incorporated or formed outside of Oregon (and therefore "foreign" to Oregon). To the best of ChamberPAC's knowledge, *Delaware* is the

¹ ChamberPAC is an Oregon state Political Action Committee registered with the Oregon Secretary of State since 2004 (Committee ID 5067). See

<https://secure.sos.state.or.us/orestar/committeeSearchSOOHistory.do?committeeId=5067>.

² Mr. de Vriend filed an original complaint by letter dated October 9, 2018 ("Complaint"), and an amended complaint by letter dated November 1, 2018 ("Amended Complaint"). This response is filed timely pursuant to an extension granted by Commission staff.

³ See *Complaint* at page 4. Section 30121 of the Federal Election Campaign Act, 52 U.S.C. § 30121, prohibits foreign nationals from making "a contribution or donation of money or other thing of value . . . in connection with a Federal, State or local election." See also 11 C.F.R. § 110.20.



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“jurisdiction” for each Jordan Cove entity registered with the Corporation Division of the Oregon Secretary of State, thereby making these entities “foreign” to Oregon.⁴

As for the donations received by ChamberPAC, ChamberPAC did receive three donations from Jordan Cove Energy Project LP – (1) one on November 1, 2016, for \$10,050, (2) one on August 24, 2018, for \$25,000, and (3) one on October 5, 2018, for \$45,000.⁵ On November 1, 2018, ChamberPAC received an email communication from Perkins Coie attorney Shanna Reulbach, writing as counsel to Jordan Cove Energy Project LP, which attached a letter from Jordan Cove’s Manager of Government Affairs representing that “Jordan Cove’s political donations are generated in the U.S., stay in the U.S., are made from a U.S. domestic company, and are drawn from the project’s U.S. bank account. All decisions regarding the contributions are made by U.S. citizens.” This email communication from Ms. Reulbach, and the attachments thereto, are included in this response as Exhibit 1.

ChamberPAC also received one donation from Jordan Cove LNG LLC PAC on October 6, 2016, for \$5,000. Jordan Cove LNG LLC PAC is a currently active connected Federal political committee and has been registered with the Commission since October 2015 (Committee ID No. C00590265).⁶ ChamberPAC notes that Jordan Cove LNG LLC PAC filed its original FEC Form 1 (Statement of Organization) with a cover letter indicating that “the PAC’s name and its connected organization have been disclosed pursuant to FEC Advisory Opinion 2004-42 which is indistinguishable in all material aspects.”⁷

Based on the facts described above, and pursuant to 52 U.S.C. § 30109, this matter should be dismissed.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Brad Deutsch", written over a horizontal line.

Brad Deutsch

Counsel to ChamberPAC

Attachment

⁴ See Amended Complaint at Attachment 1.

⁵ Although ChamberPAC originally reported to the Oregon Secretary of State that the November 1, 2016, donation was received from *Jordan Cove LNG LLC PAC* (see footnotes 6-7 and accompanying text, below), in the process of preparing this response ChamberPAC became aware that, in fact, this donation was received from *Jordan Cove Energy Project LP*. Similarly, ChamberPAC originally reported to the Oregon Secretary of State that the August 24, 2018, and October 5, 2018, donations were received from *Jordan Cove LNG*, but, likewise, in the process of preparing this response became aware that the donations were received actually from *Jordan Cove Energy Project LP*. ChamberPAC has amended its reports filed with the Oregon Secretary of State accordingly.

⁶ See <https://www.fec.gov/data/committee/C00590265/>.

⁷ See <http://docquery.fec.gov/pdf/870/201510210300029870/201510210300029870.pdf>. See also FEC Advisory Opinion 2004-42 (Pharmavite), available at <https://www.fec.gov/files/legal/aos/2004-42/2004-42.pdf>.

EXHIBIT 1

Brad Deutsch

Subject: FW: Jordan Cove Contributions/FEC MUR 7512
Attachments: ChamberPAC ltr 31-OCT-18.pdf; JCEP LP OR registry 30766190.PDF

From: Reulbach, Shanna (Perkins Coie) <SReulbach@perkinscoie.com>
Sent: Thursday, November 1, 2018 10:35 AM
To: Stuart E. Foster <SFoster@fosterdenman.com>
Cc: Gordon, Rebecca (Perkins Coie) <RGordon@perkinscoie.com>; Reese, Ezra (Perkins Coie) <Ereese@perkinscoie.com>
Subject: Jordan Cove Contributions/FEC MUR 7512

Dear Mr. Foster,

I am writing as counsel to Jordan Cove Energy Project LP (JCEP). JCEP indicated to us that you, in your capacity as counsel to ChamberPAC, may have questions about certain political contributions JCEP made to ChamberPAC. We have attached here a letter addressed to the PAC, as well as a copy of JCEP's 2018 corporate filing with the Oregon Secretary of State. We trust that these materials will answer any questions you may have.

Please do not hesitate to contact me, Ezra Reese, or Rebecca Gordon should you have additional questions.

Thank you,

Shanna Reulbach | Perkins Coie LLP

ASSOCIATE*

700 Thirteenth Street, N.W. Suite 600

Washington, DC 20005-3960

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F. +1.202.654.9664

E. SReulbach@perkinscoie.com

*Admitted only in Virginia

**Pending approval of application for admission

to DC Bar. Practice supervised by DC Bar

Members pursuant to DC Court of Appeals

Rule 49(c)(8).

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Jordan Cove Energy Project LP

111 SW 5th Avenue, Suite 1100
Portland, OR 97204

October 31, 2018

David P. Hyatt
Treasurer
ChamberPAC
3551 E. Barnett Rd. Ste 105
Medford, OR 97504

Via email: david@davidhyattcpa.com

Dear David,

We support organizations and candidates who have a demonstrated interest in supporting economic development of all kinds.

In line with this we have previously contributed to ChamberPAC. The funds for Jordan Cove's political donations are generated in the U.S., stay in the U.S., are made from a U.S. domestic company, and are drawn from the project's U.S. bank account. All decisions regarding the contributions are made by U.S. citizens.

Our political donations should be reported with the Oregon Secretary of State as coming from:

Jordan Cove Energy Project LP
111 SW 5th Ave., Suite 1100
Portland, OR 97204

Sincerely,



Charles Deister
Manager, Government Affairs
Jordan Cove LNG
111 SW 5th Ave., Suite 1100
Portland, OR 97204

AMENDED ANNUAL REPORT

Corporation Division
www.filinginoregon.com

E-FILED

Oct 04, 2018

OREGON SECRETARY OF STATE**REGISTRY NUMBER**

30766190

REGISTRATION DATE

08/25/2005

BUSINESS NAME

JORDAN COVE ENERGY PROJECT L.P. LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP OF DELAWARE

BUSINESS ACTIVITY

DEVELOPMENT OF LIQUEFIED NATURAL GAS FACILITIES

MAILING ADDRESS

111 SW 5TH AVE STE 1100
PORTLAND OR 97204 USA

TYPE

FOREIGN LIMITED PARTNERSHIP

PRIMARY PLACE OF BUSINESS

111 SW 5TH AVE STE 1100
PORTLAND OR 97204 USA

JURISDICTION

DELAWARE

REGISTERED AGENT

329227 - C T CORPORATION SYSTEM

780 COMMERCIAL ST SE STE 100
SALEM OR 97301 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

GENERAL PARTNER

30763395 - JORDAN COVE ENERGY PROJECT L.L.C.

111 SW 5TH AVE STE 1100
PORTLAND OR 97204 USA



Corporation Division
www.filinginoregon.com

OREGON SECRETARY OF STATE

I declare as an authorized signer, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

KELLY SWANEK

TITLE

AUTHORIZED AGENT

DATE SIGNED

10-04-2018