

From: Raymond Brake

Byron, GA 31008

RECEIVED  
FEC MAIL CENTER  
2018 OCT 22 AM 11:12

16  
18 October 2018  
RJB

2018 OCT 22 PM 1:31

OFFICE OF  
GENERAL COUNSEL

TO: Office of the General Council  
Federal Election Commission  
1050 First Street NE  
Washington, DC 20463

MUR # 7528

I believe the Yukon Political Action Committee (YKPAC), members Andrew Guy, Chairman, Jennine Jordan, Treasurer, Josh Herron and Andy Cole, have violated the rules regarding solicitation of funds. I read the FEC document for corporations and labor organizations and believe they are in violation as described in section three.

On September 6<sup>th</sup>, 2018 our entire company received an email, attachment 1, from Whitney Dorning on behalf of Josh Herron where he had described the formation of the PAC. Attached to this email were a letter from Andrew Guy, attachment 2, and the contribution form, attachment 3. It appears to me that they did not comply with the requirements to indicate the right to refuse properly.

I sent an email to Whitney, attachment 4, expressing not only my concern that the email sort of put pressure on employees as well as passing on to her the specific reference that the PAC is required to follow. I did that in an effort to help the folks in senior leadership positions within my corporate organization. I did receive an email back from Whitney as well, attachment 5, to tell me that there was no pressure to have anyone contribute and that she was simply passing on the information from our parent company. Whitney also took the email and my concern to Josh Herron, CEO of Yulista Holdings, who then called in my leadership at Yulista Aviation and took them to task over my email, indicating that he felt I was questioning his authority. I know this to be true because my leadership at Yulista Aviation then contacted my direct boss to pass on the displeasure. My boss also followed that up with an email explain what I had done and why I had done it, attachment 6.

I have waited until now to see if the folks associated with the PAC would send out a follow up email to further clarify and comply with the rules but to this date it has not happened. To be clear, I have no axe to grind with my employer, I am actually very happy in my position, and I am reporting and may face retribution, just a gut feeling, but as a citizen I take politics seriously and think everyone should be required to follow the rules as they have been set. If the people associated with YK PAC don't understand all the rules, as they are new to it, it is incumbent upon them to understand them, and if they do understand the rules and did this anyway it is more egregious.

  
Ray Brake

Signed and Sworn to me under penalty of perjury

This certificate is attached to a 1 page document dealing with/entitled

*Letter from Raymond Brake  
to office of the General Council*  
and dated 10/16/18

**Jurat Certificate (Verification on Oath or Affirmation)**

State of Georgia

County of HOUSTON

Signed and sworn to (or affirmed) before me on 10-16-18  
Date

by Raymond Brake  
Printed name(s) of individual(s) making statement

who proved to me on the basis of satisfactory evidence to be the person(s)  
who appeared before me.

☐ Personally Known

or

☒ Produced Identification

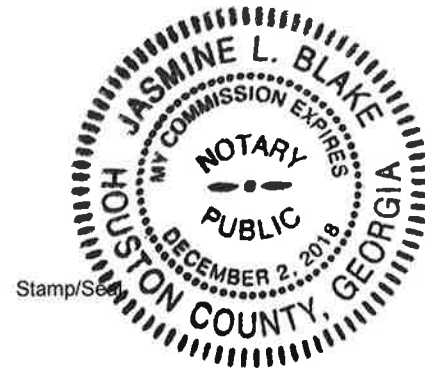
Type of ID Georgia Drivers License

Jasmine L Blake  
Signature of notary public

Jasmine L Blake  
(Name of notary, typed, stamped or printed)

Notary Public State of Georgia

My commission expires: 12/2/18



Att. 1

**Ray Brake**

---

**From:** Dorning, Whitney  
**Sent:** Thursday, September 6, 2018 4:04 PM  
**Subject:** FW: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)  
**Attachments:** YK PAC letter.pdf; YK PAC Participation Form.pdf

Message from Josh Herren:

Team Yulista:

Over the years, many of our competitors have been active in the political environment that affects and impacts our business. From government spending, programs, and more the companies in our market are constantly applying political pressure to advance their position in the marketplace. In fact, our largest competitor on the PIF contract has offices in DC and maintains a strong political influence. Yulista has, in general, been politically neutral and has relied on upon performance and great team members to grow the business. With our growth over the last five years, we have gained a tremendous amount of influence and we've seen new doors opened for additional opportunities with much more visibility than in the past. The time is now for Calista/Yulista to generate more political influence. And importantly we have a collective voice that matters and should be heard. The concept of the PAC is to position ourselves to get our voices heard and influence the political process. Please see the note from Jennine Jordan, a Calista employee on the Gov't Relations side, the Treasurer of the Political Action Committee. Also attached is a letter from Andrew Guy, the YK PAC Chairman as well as a form for contribution. The other two members of the PAC are myself and Andy Cole, the President of Donlin Gold.

We will provide more information on the PAC in upcoming Newsletters and Town Hall Meetings.

Thanks,

Josh Herren  
 Member, YK PAC

----- Forwarded message -----

**From:** Yukon Kusko PAC <[yukonkuskopac@gmail.com](mailto:yukonkuskopac@gmail.com)>  
**Date:** Tue, Aug 21, 2018 at 2:39 PM  
**Subject:** Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)  
**To:**

Dear Calista employees,

Happy Primary Election Day! I encourage all of you to get out and vote today. It is important to engage in the political process. That is why we created the YK PAC. It is newly launched and will be supporting candidates that understand the YK region and Calista business's unique needs. Attached you will find the introduction letter by the YK PAC by Chairman, Andrew Guy and a contribution request form. Please fill out the form and send/give checks directly to me (Jennine Jordan, Assistant Treasurer). I may be reached via this email address | to discuss

the YK PAC. I am very excited about the launch of this PAC. We will have a new website in the next coming months, so please stay tuned.

Your voice matters.

Sincerely,

Jennine Jordan  
Assistant Treasurer  
YK PAC

---

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"22 CFR Part 125.4 (b) (9) applicable."

**Yukon Kusko PAC**

8/21/18

Dear Employees:

As stakeholders in the Calista region, it is critically important that we work together to bring awareness to the public policy issues and challenges facing our businesses, employees, constituents and residents. A key component of this mission is building and maintaining relationships with our elected representatives and government officials. This is the primary role and function of the Yukon Kusko PAC

In public affairs, as in most things, there is strength in numbers. The more voices we raise and the more resources we have at our disposal, the more successful we will be at getting our message heard. For that reason, we formed the Yukon Kusko PAC as a vehicle for voluntary participation in the political process on behalf of the Calista region. Yukon Kusko PAC seeks to raise our profile and ensure that our voice is heard both in the public arena and in the corridors of power. I hope you will consider supporting this work through a contribution to the Yukon Kusko PAC.

In deciding whether to participate in the work of Yukon Kusko PAC, please consider the following:

- You may contribute up to \$5,000 each calendar year. This does not limit the amount you may contribute directly to other political action committees or to individual candidates.
- Only U.S. citizens or permanent legal residents holding valid "green cards" may make contributions, and Yukon Kusko PAC may not accept anonymous contributions or contributions earmarked for any particular candidate, party or political committee.
- Your contribution is not considered tax-deductible by the Internal Revenue Service and may not be reimbursed by anyone.

Yukon Kusko PAC is a powerful tool to advance our common interests as representatives of the Calista region. I hope you will consider making a contribution today by completing the attached form. If you have any questions or would like further information regarding the activities of Yukon Kusko PAC, please contact me directly at [andrewguy@gci.net](mailto:andrewguy@gci.net).

Sincerely,

  
\_\_\_\_\_  
Andrew Guy, Chairman

*Paid for by the Yukon Kusko Political Action Committee, Inc. and not authorized by any candidate or candidate's committee.*

**Yukon Kusko PAC - P.O. Box 2018, Bethel, AK 99559**

**Yukon Kusko PAC  
PARTICIPATION FORM**

Amount of donation: \$ \_\_\_\_\_

\_\_\_\_\_  
Full Name

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Home Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Home Telephone Number

I understand that donations to Yukon Kusko PAC will be used for political purposes in connection with federal elections, and confirm that my contribution to the committee is completely voluntary. I may contribute any amount I choose to Yukon Kusko PAC (up to \$5,000 per year), or not at all. I certify that I am a U.S. citizen or permanent U.S. resident with a valid "green card." I understand that my contributions to Yukon Kusko PAC are not tax deductible for federal income tax purposes, and that Federal law requires the committee to use its best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions to Yukon Kusko PAC exceed \$200 or more in a calendar year. I also understand that I may discontinue my participation in the Yukon Kusko PAC at any time.

Signed

\_\_\_\_\_  
Date

*Paid for by the Yukon Kusko Political Action Committee, Inc. and not authorized by any candidate or candidate's committee.*

**Yukon Kusko PAC - P.O. Box 2018, Bethel, AK 99559**

ATT 4

**Ray Brake**

---

**From:** Ray Brake  
**Sent:** Friday, September 7, 2018 8:40 AM  
**To:** Dorning, Whitney  
**Subject:** RE: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

Good Morning Whitney,

I realize you are only the messenger on this but if you could pass the info in the link on to the appropriate parties it might be helpful.

<https://www.fec.gov/resources/cms-content/documents/colagui.pdf> If you look at Chapter 3, page 36 there is a section about "Statement of Right to Refuse" which when I read the email and the attachments I didn't see this area covered and frankly I felt a bit pressured by the email, I imagine others within the company did as well. I'm no lawyer so if I'm wrong I get it.

Thanks,

*Ray*

Ray Brake  
Warner Robins Operations Manager

**Y**ulista Aviation, Inc.  
309 Osigian Blvd  
Warner Robins, GA 31088  
(O)478-971-5020

E-Mail: [ray.brake@yulista.com](mailto:ray.brake@yulista.com)

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**From:** Dorning, Whitney  
**Sent:** Thursday, September 6, 2018 4:04 PM  
**Subject:** FW: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

Message from Josh Herren:

Team Yulista:

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should be heard. The concept of the PAC is to position ourselves to get our voices heard and influence the political process. Please see the note from Jennine Jordan, a Calista employee on the Gov't Relations side, the Treasurer of the Political Action Committee. Also attached is a letter from Andrew Guy, the YK PAC Chairman as well as a form for contribution. The other two members of the PAC are myself and Andy Cole, the President of Donlin Gold.

We will provide more information on the PAC in upcoming Newsletters and Town Hall Meetings.

Thanks,

Josh Herren  
Member, YK PAC

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From: **Yukon Kusko PAC** <[yukonkuskopac@gmail.com](mailto:yukonkuskopac@gmail.com)>

Date: Tue, Aug 21, 2018 at 2:39 PM

Subject: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

To:

Dear Calista employees,

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Your voice matters.

Sincerely,

Jennine Jordan  
Assistant Treasurer  
YK PAC

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"22 CFR Part 125.4 (b) (9) applicable."

pt 5

**Ray Brake**

---

**From:** Dorning, Whitney  
**Sent:** Friday, September 7, 2018 1:43 PM  
**To:** Ray Brake  
**Subject:** RE: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

Ray,  
 Thank you for your email. The purpose of the email was just to inform and to follow direction from our parent company Calista. The email is in no way meant as a platform to pressure anyone into contributing. Yulista Holding was given a directive to pass along the information, which is what we did.  
 I apologize if you felt pressured in anyway, as this was just an informative email and not an email to pressure any employee to contributing to the PACT.  
 Thank You and Have a Great Weekend,  
 Whitney

**From:** Ray Brake  
**Sent:** Friday, September 7, 2018 7:40 AM  
**To:** Dorning, Whitney <whitney.dorning@yulista.com>  
**Subject:** RE: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

Good Morning Whitney,

I realize you are only the messenger on this but if you could pass the info in the link on to the appropriate parties it might be helpful.

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Thanks,

*Ray*

Ray Brake  
 Warner Robins Operations Manager

**Y**ulista Aviation, Inc.

309 Osgian Blvd  
 Warner Robins, GA 31088  
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(  
 E-Mail: [ray.brake@yulista.com](mailto:ray.brake@yulista.com)

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Thanks,

Josh Herren  
Member, YK PAC

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To:

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Sincerely,

Jennine Jordan  
Assistant Treasurer

YK PAC

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"22 CFR Part 125.4 (b) (9) applicable."

Ad 6

**Ray Brake**

---

**From:** Chris Hendrix  
**Sent:** Friday, September 7, 2018 2:31 PM  
**To:** Timothy Smith (GM); Clark Taylor  
**Cc:** Ray Brake  
**Subject:** FW: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

Good afternoon Tim and Clark,

I just wanted to make you aware of the below e-mail traffic. Ray was/is trying to make leadership aware that a portion of the e-mail traffic about the Yukon Kusko PAC that was sent appears to violate FEC rules governing connected PACs. He sent it back to Whitney thinking she would go back to Josh ... that didn't appear to happen.

There is a required statement that is missing per that attached guidance chapter 3, page 36.

"Statement of right to refuse to contribute Along with the political purpose of the SSF, each solicitation must inform solicitees of their right to refuse to contribute without reprisal. 114.5(a)(4). Note that it is not sufficient merely to say that a contribution to the SSF is "voluntary." See AO 1998-19 (CUNA). See also AOs 2003-06 (PSE), 1997-25 (Hughes Electronics) and MURs 5681 and 5337."

Here is the guidance.

<https://www.fec.gov/resources/cms-content/documents/colagui.pdf>

Have a great weekend,  
 Chris

Chris Hendrix  
 Site/Program Manager  
 Yulista Aviation, Inc.  
 309 Osgian Blvd.  
 Warner Robins GA, 31088  
 Wk: 478-971-5009  
 Cell:  
 Fax: 478-971-5034  
 e-mail [chris.hendrix@yulista.com](mailto:chris.hendrix@yulista.com)

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Assistant Treasurer  
YK PAC

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