



Before the
FEDERAL ELECTION COMMISSION

In the matter of:

Yukon Kusko PAC

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MUR No. 7528

**INITIAL RESPONSE OF CALISTA CORPORATION TO THE COMPLAINT OF MR.
RAYMOND BRAKE**

This Response issues on behalf of Calista Corporation, (hereinafter “Calista” or the “Respondent”) in regard to the complaint (the "Complaint") submitted to the Federal Election Commission ("FEC" or the "Commission") by Mr. Raymond Brake (the "Complainant") on October 16, 2018. As discussed in substantial detail herein, the Complaint filed by Mr. Brake is based upon both incorrect conclusions about the legal status of the Yukon Kusko Political Action Committee (“YK PAC” or the “Committee”) and erroneous factual assumptions regarding YK PAC’s solicitation methods, which were perfectly legal and permissible under the Federal Election Campaign Act ("FECA"), 52 U.S.C. § 30101, *et seq.* and its associated regulations. Given that the allegations set forth in the Complaint have no cognizable basis in either law or fact, the Respondent hereby requests that the FEC refrain from initiating any further review or investigation into this matter and immediately dismiss the instant Complaint against the Respondent.

I. Introduction

Respondent Calista Corporation is an Alaska Native Claims Settlement Act regional corporation established under the laws of the state of Alaska. Its CEO, Andrew Guy is also

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chairman of the Board of the YK PAC, which is a nonconnected political committee as recognized under FEC regulations.¹ The Committee filed its Statement of Organization on August 1, 2018, which clearly identifies its status as a nonconnected committee (attached hereto as “Exhibit A”). The purpose of YK PAC, as stated in its Bylaws, is to educate the American people about a number of issues of import to Alaska Natives. As part of its initial fundraising efforts, the Committee endeavored to solicit a diverse segment of the Alaska general population, including key stakeholders in the Yukon-Kuskokwim region and individuals working for various businesses with a presence in and/or tie to Western Alaska. One such email solicitation from August 21, 2018 included a general fundraising request letter from Committee Chairman Andrew Guy (attached hereto as “Exhibit B”) paired with a donor participation form (attached hereto as “Exhibit C”). Such materials were circulated through various means by Committee stakeholders, including YK PAC Assistant Treasurer Jennine Jordan, who forwarded the materials on to permissible donors within the general public.

One recipient of the described materials was Ms. Whitney Dorning, an employee of Yulista Holding LLC, who appears to have forwarded both the letter and participation form on to prospective donors with an accompanying message from Mr. Josh Herren (attached hereto as “Exhibit D”). The Complainant in this matter appears to have been a recipient of Ms. Dorning’s email. The Complainant responded to Ms. Dorning on September 7, 2018, stating his belief, based upon individual research and without any apparent consultation with a campaign finance attorney, that the YK PAC violated FEC rules because the solicitation did not contain a “Statement of Right to Refuse” (attached hereto as “Exhibit E”). This belief serves as the basis for the instant Complaint. (Complaint, p. 1).

¹ 11 CFR § 100.5(a); 106.6(a).

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The Complainant incorrectly asserts that 11 CFR § 114.5(a)(4) obligated the YK PAC to include a “Statement of Right to Refuse” within the solicitation in question, and that therefore it failed to comply with FEC regulations. (Complaint, p. 1). As a nonconnected committee, YK PAC is not subject to the regulations that relate to solicitations by separate segregated funds (SSFs), found at 11 CFR § 114.5 *et seq.*, and therefore the Complaint fails to assert a claim upon which relief can be granted. Had Mr. Brake consulted counsel before filing the instant Complaint, he would have been informed of the Committee’s legal status as a nonconnected committee and educated as to the fact that YK PAC solicitations were thus not required to include a “Statement of Right to Refuse” disclaimer.

As demonstrated below, the allegations advanced by the Complainant in this matter are wholly misguided, unsupported by both law and fact, and insufficient to merit any further review by the Commission. At no point did Calista and/or the YK PAC violate any of the solicitation disclaimer requirements applicable to nonconnected committees under federal campaign finance law, nor did the Committee violate any other FEC rules related to its operations or activities. Given these facts and the Complainants failure to raise any allegation upon which relief can be granted, the Commission should dismiss the instant Complaint against Respondents without further action.

II. Argument

The language of the present Complaint alleges that YK PAC violated 11 CFR § 114.5(a)(4) by failing to include a “Statement of Right to Refuse” in its solicitation materials. (Complaint, p. 1). As is demonstrated below, YK PAC is under no obligation to include such a statement in its public solicitations, as it is a nonconnected committee and thus not subject to the regulations that apply to SSFs. Furthermore, as should be readily apparent from the language of

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the solicitations at issue, YK PAC included all proper disclaimers in its solicitations as required by FEC regulations.

11 CFR § 114.5(a)(4) states in relevant part that:

§ 114.5 Separate segregated funds.

(4) Any persons soliciting an employee or member for a contribution to a separate segregated fund must inform the employee or member at the time of such solicitation of his or her right to refuse to so contribute without any reprisal.

As evidenced by the text of this provision, in addition to the fact that the section is entitled “Separate segregated funds”, the requirement to inform employees of their right to refuse to contribute without any reprisal applies *only* to SSFs. Contrary to the Complainant’s misguided assertions, the fact that the solicitation at issue in this matter was forwarded to the Complainant by a fellow employee at his company has no bearing on the non-application of the SSF regulations to a nonconnected committee such as YK PAC. Likewise, despite Mr. Brake’s frustration with the Committee solicitations, the fact that Respondent’s personnel did not send follow up emails to indirect recipients of forwarded solicitation materials “to further clarify and comply with ... rules” that do not apply to the Committee in the first place, has no bearing on this matter.

While Respondent certainly regrets any confusion or frustration that the Complainant experienced in this matter vis-à-vis his co-workers², the internal happenings of a nonconnected

² To the extent that direct recipients of YK PAC fundraising materials created confusion as to the nature of the Committee among indirect recipients by forwarding solicitations from business email accounts or not expressly explaining the nonconnected nature of the PAC, such activity ostensibly lies outside of the control of the Committee and its officers. Nevertheless, to help alleviate such confusion on a going forward basis, YK PAC will endeavor to include additional language in its written PAC materials clearly stating its nonconnected status, and seek to further educate direct fundraising recipients that they must also clarify this point when forwarding materials along - particularly when making occasional, isolated, and incidental use of corporate resources for voluntary political engagement on behalf of YK PAC.

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company are wholly irrelevant to whether the Committee complied with applicable FEC rules and regulations in its solicitation materials. While the Commission often seeks to uncover whether there may be supplemental motivations for the filing of a complaint (beyond campaign finance law), Respondent will not take the time in this Response to speculate as to whether those alternative impetuses apply in this matter. The fact remains, however, that it is clearly not the role of the FEC to interject itself into what appears to be an tangential employment dispute between the Complainant and a non-party corporate entity when the allegations raised against the actual Respondents in the matter are wholly unfounded and entirely unrelated to outside disagreement.

As detailed above, FECA and its associated regulations place no obligation on nonconnected committees to include a “Statement of Right to Refuse” in their solicitation communications. Rather, applicable law requires nonconnected PAC solicitations to include disclaimer language that complies with 11 CFR § 110.11(a)(1), noting that the solicitation was paid for by the Committee and not authorized by any candidate or candidate’s committee. Applicable FEC regulations also mandate that nonconnected committee solicitation communications contain disclaimer notices that indicate the PAC’s federal election purpose and advise donors of the committee’s obligation to use “best efforts” in collecting contributor background information (*see* 11 CFR §§ 102.5(a)(2)(ii & ii) and 102.9(d)). These required disclaimer components were clearly contained in the general fundraising request letter and donor request form prepared by YK PAC (*see* Exhibits B & C) and received by the Complainant via indirect circulation. Also included in the YK PAC solicitation materials received by the Complainant were additional contextual disclaimers not expressly required for nonconnected committees. Specifically, the Committee materials explained to all prospective contributors that

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donations to YK PAC were purely voluntary, that participation could be discontinued at any time, that donations were not tax deductible, and that contributions were subject to specific limits under federal law. The inclusion of these additional disclaimers - some of which are applicable only to SSFs, some of which are purely optional, and some of which are only applicable to PACs anticipating taking in large amounts of annual funds - are clear evidence of the Committee's commitment to providing would-be donors with as much information as possible about the rules relating to their prospective contribution. Based upon these facts, it should be readily apparent to the Commission that the Complainant's allegations are wholly misguided, and that the Committee's solicitation materials go above and beyond full compliance with applicable law regarding nonconnected committee solicitations.

Finally, although unrelated to the central allegation at issue in this matter, we do note for the Commission that Mr. Brake makes passive reference to perceived retaliation that he may face at work for filing the present Complaint. Despite the fact that Mr. Brake has offered no evidence to support his "gut feeling" regarding actual or anticipated retaliation by Yulista Aviation personnel, any such alleged conduct by his employer would be wholly unrelated to the operations of YK PAC - as an independent and nonconnected PAC that does not employ Mr. Brake - and irrelevant to the current matter. Additionally, even if there were cause to believe such actual or anticipated retaliation might exist, the FEC would not be the proper body to address such claims, and Calista would not be the appropriate party in interest to such a matter. Given these facts, any consideration of Mr. Brake's anticipatory retaliation assertions would be inappropriate in the setting of the instant Complaint. For that reason, we have limited this Response to the single campaign finance allegation identified in the Complaint, and do not seek

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to address the Complainant's tangential and unsubstantiated assertions about non-parties to this matter.

III. Conclusion

As the information contained within this Response clearly sets forth, Calista has done nothing to run afoul of the legal requirements of FECA and associated FEC regulations. To the contrary, it is quite apparent that the Committee has acted in full compliance with federal campaign finance law, and gone above and beyond what is required of nonconnected political committees in the solicitation disclaimer context. Despite this fact, however, the Complainant has needlessly, and without proper due diligence, made an unsubstantiated accusation regarding the Committee and its officers. As a result of the meritless nature of the Complainant's allegations, the Commission should summarily dismiss the Complaint against Calista in short order, and find that there is no reason to believe that Calista violated the Act or its associated rules and regulations.

Respectfully Submitted,



Kyle R. Smith | General Counsel
Calista Corporation

5015 Business Park Blvd., Suite 3000
Anchorage, Alaska 99503

Office Direct Line: 907.275.2874

Remote Direct Line: 907.313.0371

Mobile:

Fax: 907.275.2919

Email: ksmith@calistacorp.com

Exhibit "A"

FEC
FORM 1STATEMENT OF
ORGANIZATIONRECEIVED
FEC MAIL CENTER
2018 AUG -6 AM 10:50
12FE4M51. NAME OF
COMMITTEE (in full)(Check if name
is changed)Example: If typing, type
over the lines.

YUKON KUSKO, POLITICAL ACTION COMMITTEE, INC.

ADDRESS (number and street)

P.O. BOX 2018

(Check if address
is changed)

BETHEL

CITY ▲

AK

STATE ▲

99559

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address
is changed)

yukonkusko.pace@gmail.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address
is changed)

2. DATE

08 / 01 / 2018

3. FEC IDENTIFICATION NUMBER ►

C

4. IS THIS STATEMENT



NEW (N)

OR



AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer MARGARET POHJOLA

Signature of Treasurer

Margaret Pohjola

Date

08 / 01 / 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100FEC FORM 1
(Revised 06/2012)

5. TYPE OF COMMITTEE

Candidate Committee:

- (a) ☐ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Candidate Party Affiliation

Office Sought:

House

Senate

President

State

District

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

Party Committee:

- (d) ☐ This committee is a ☐ (National, State or subordinate) committee of the ☐ (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization
- ☐ Membership Organization ☐ Trade Association ☐ Cooperative
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- (f) ☒ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- ☐ In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

- | | | | |
|----|----------------------|---------------|----------------------|
| 1. | <input type="text"/> | FEC ID number | <input type="text"/> |
| 2. | <input type="text"/> | FEC ID number | <input type="text"/> |
| 3. | <input type="text"/> | FEC ID number | <input type="text"/> |
| 4. | <input type="text"/> | FEC ID number | <input type="text"/> |

FEC Form 1 (Revised 02/2009)

Page 3

Write or Type Committee Name

YUKON KUSKO POLITICAL ACTION COMMITTEE, INC.

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

DONNA BACH

Mailing Address

P.O. BOX 2018

BETHEL

AK

99559

Title or Position

CITY

STATE

ZIP CODE

ASSISTANT TREASURER

Telephone number

907 - 545 - 2262

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name
of Treasurer

MARGARET POHJOLA

Mailing Address

P.O. BOX 2018

BETHEL

AK

99559

Title or Position

CITY

STATE

ZIP CODE

TREASURER

Telephone number

907 - 229 - 0866

Full Name of
Designated
Agent

DONNA BACH

Mailing Address

P.O. BOX 2018

BETHEL

CITY

AK

STATE

99559

ZIP CODE

Title or Position

ASSISTANT TREASURER

Telephone number

907

541-5

2262

- B. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

KEYBANK

Mailing Address

9041 OLD SEWARD HWY

ANCHORAGE

CITY

AK

STATE

99515

ZIP CODE

Name of Bank, Depository, etc.

Mailing Address

CITY

STATE

ZIP CODE

5(g) or (h). Joint Fundraising Participant:

1. _____
 2. _____
 3. _____
 4. _____

FEC ID number

C _____
 C _____
 C _____
 C _____

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Mailing Address

Relationship:

CITY ▲

STATE ▲

ZIP CODE ▲

☐

Connected Organization

☐

Affiliated Committee

☐

Joint Fundraising Representative

☐

Leadership PAC Sponsor

8. Designated Agent: Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼

CITY ▲

STATE ▲

ZIP CODE ▲

Telephone Number

_____-_____-_____

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank,
Depository, etc.

Mailing Address

CITY ▲

STATE ▲

ZIP CODE ▲

Exhibit B

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@pci.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

Exhibit "C"

**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

Exhibit "D"

Ray Brake

From: Dornig, 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 <yukonkusko@comcast.net>
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

This information is intended only for the use of the individual (s) or entity (ies) named above and may contain confidential or privileged information. If you are not the intended recipient or have received this information in error, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this transmission in error, please delete it and any attachments from your system and notify me immediately.

THIS DOCUMENT AND/OR SHIPMENT MAY CONTAIN COMMODITY ITEMS, SOFTWARE OR TECHNICAL DATA THAT IS CONTROLLED BY U.S. EXPORT LAW, AND MAY NOT BE EXPORTED OUTSIDE THE UNITED STATES OR TO NON U.S. PERSONS WITHOUT THE APPROPRIATE EXPORT LICENSE FROM EITHER THE U.S. DEPARTMENT OF STATE OR DEPARTMENT OF COMMERCE.

"22 CFR Part 125.4 (b) (8) applicable."

Exhibit "E"

From: Raymond Brake

RECEIVED
FEDERAL CENTER16
15 October 2018
RB

Byron, GA 31008

28 OCT 2018 11:12

TO: Office of the General Council
Federal Election Commission
1050 First Street NE
Washington, DC 20463MUR # 7528

2018 OCT 27 PM 1:31

OFFICE OF
GENERAL COUNSEL

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 6th, 2018 our entire company received an email, attachment 1, from Whitney Doring 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

Att. 1

Ray Brake

From: Doming, 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:

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

Thanks,

Josh Herren
 Member, YK PAC

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

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Date: Tue, Aug 21, 2018 at 2:39 PM
Subject: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)
To:

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Att 2

Yukon Kusko PAC**8/21/18****Dear Employees:**

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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.

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- 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.

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

ATT 4

Ray Brake

From: Ray Brake
Sent: Friday, September 7, 2018 8:40 AM
To: Dornig, 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

 Yulista Aviation, Inc.
 309 Osigian Blvd
 Warner Robins, GA 31088
 (O)478-971-5020
 (C)
 E-Mail: ray.brake@yulista.com

From: Dornig, 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:

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

p15

Ray Brake

From: Dornig, 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: Dornig, Whitney <whitney.dornig@yulista.com>
Subject: RE: Invitation to Participate in Yukon Kusko Political Action Committee (YK PAC)

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YK PAC

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"22 CFR Part 125.4 (b) (8) applicable."

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