

FEDERAL ELECTION COMMISSION

In the Matter of:

*League of Conservation Voters Action Fund, and
Montana Conservation Voters Fund.*

MUR No. 7718RECEIVED
FEC MAIL CENTER
2020 MAR 12 2:12:00**Complaint**

1. The Montana Republican State Central Committee brings this complaint before the Federal Election Commission ("FEC") requesting an immediate investigation of and enforcement action against the League of Conservation Voters Action Fund ("the League") and Montana Conservation Voters Fund ("Montana Voters Fund").

2. Montana Voters Fund actively engaged in express advocacy in recent 2019 local elections in Montana.

3. When asked about its source of primary funding from the League, a representative of Montana Voters stated that the League's funding is from "big foundations and donors from around the country and world."

4. Foreign interference in any election in the United States through foreign-sourced contributions are prohibited under federal law.

5. The source of funds contributed from the League to Montana Voters must be investigated to ensure that knowing donations from foreign nationals are not among the "big foundations and donors from around the country and world" involved in the advocacy and support of Montana candidates.

2020 MAR 12 PM 1:16
OFFICE OF
GENERAL COUNSEL

Parties

6. The Montana Republican State Central Committee is a Republican political party committee that supports Montana candidates at the federal level, registered with the FEC under FED ID C00008086. It “subscribes to a set of principles that transcend specific policy issues while guiding the positions the Party takes on those issues” that “derive directly from the wisdom of America’s Founders, as expressed in the Declaration of Independence and the Constitution of the United States of America.”¹

7. The League of Conservation Voters Action Fund (“the League”) is a federal PAC registered with the FEC under FEC ID C00252940. The League’s stated purpose is “to elect environmental champions who will address the climate crisis and advance a more equitable clean energy future.”²

8. The Montana Conservation Voters Fund (“Montana Voters Fund”) is a Montana political committee registered with the Montana Commissioner of Political Practices. The Montana Voters Fund stated purpose is to “advocate[] strong conservation laws and policies, hold[] elected officials accountable for their votes and actions, and elect[] pro-conservation candidates to champion [their] priority issues.”³

Factual Allegations

9. On September 6, 2019, the League contributed \$38,000 to the Montana Voters Fund. (Ex. 1.)

¹ MTGOP Platform, Preamble (June 23, 2018), <https://mtgop.org/wp-content/uploads/2019/03/Preamble-Platform-2018.pdf>.

² LCV Action Fund, <https://af.lcv.org/page/content/home/>.

³ Montana Conservation Voters, <https://mtvoters.org/>.

10. During that same period, the Montana Voters Fund made campaign expenditures in local municipal elections. Mailers, text messages, and other communications were circulated from Montana Voters Fund explicitly urging support for the organization's endorsed candidates campaigning for Missoula City Council. (Ex. 2.)

11. Candidates in that race that received Montana Voters Fund endorsements included Heidi West, Mirtha Becerra, Gwen Jones, Amber Sherrill, Alex Fregerio, and Nick Shontz. (Ex. 3.)

12. In one particular text message exchange, an individual identifying himself as a member and/or employee of Montana Voters Fund urged the support of Mirtha Becerra. (Ex. 4.) When questioned about Montana Voters Fund's funding from the League, the Montana Voter's Fund employee stated that the League is an organization that works on "federal races," gives Montana Voter Fund "support grants from ... time to time," and "is all legal work." (*Id.*) The individual then asserted that the League receives its support from "big foundations and donors from around the country and world." (*Id.*)

Legal Analysis

13. 52 U.S.C. § 30121(a) states:

It shall be unlawful for—

(1) a foreign national, directly or indirectly, to make—

(A) a contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election;

(B) a contribution or donation to a committee of a political party; or

(C) an expenditure, independent expenditure, or disbursement for an electioneering communication (within the meaning of section 30104(f)(3) of this title); or

(2) a person to solicit, accept, or receive a contribution or donation described in subparagraph (A) or (B) of paragraph (1) from a foreign national.

See also 11 C.F.R. § 110.20(b) (“A foreign national shall not, directly or indirectly, make a contribution or a donation of money or other thing of value, or expressly or impliedly promise to make a contribution or a donation, in connection with any Federal, State, or local election.”); 11 C.F.R. § 110.20(g) (“No person shall knowingly solicit, accept, or receive from a foreign national any contribution or donation prohibited by paragraphs (b) through (d) of this section.

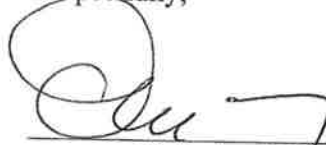
12. A statement made by a Montana Voter Fund member/employee suggests that the Montana Voter Fund received contributions from the League, knowing the League had foreign sources. (Ex. 5.)

13. The League’s foreign sources could include foreign nationals.

Request for Investigation

21. Because the knowing receipt of foreign money for express advocacy is unlawful under federal law, the Montana Republican State Political Committee requests an immediate investigation of and enforcement action against the League and Montana Voters Fund.

Respectfully,



Don “K” Kaltschmidt, Chairman
Montana Republican State Central Committee
P.O. Box 935
Helena, MT 59624

Verification

I hereby verify that the statements made in the attached Complaint are, on information or belief, true.


 Don "K" Kaltschmidt, Chairman
 Montana Republican Party

Sworn and subscribed to me under penalty of perjury this 27 day of February, 2020.

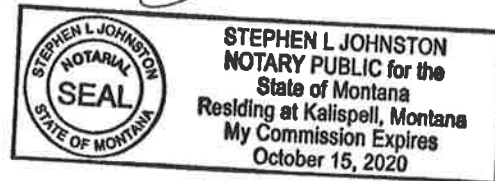
State of Montana)

County of Flathead)


 Notary Public

My Commission Expires: 10/15/2020

My Notary Number is: _____



2/14/2020

Campaign Electronic Reporting System (viewFinanceReport)

Committee Finance Report (C-6)

Committee Information

Date Filed: 09/10/2014

Original Filing for: 03/06/2019 - 09/10/2019

Report Type: Periodic

Receive and File Date: 09/06/2019

Report Status: Filed

Montana Conservation Voters Action Fund
PO Box 63 Billings, MT 59103

Committee Type: Independent

Treasurer:

Ericsson, Sally
PO Box 63 Billings, MT 59103

Bank Information:

Yellowstone Bank
310 3rd Ave North Billings, MT 59101

Summary Report

Cash Summary: Money Received and Spent

1. Cash in Bank - Balance from previous report		\$553.44
2. Receipts - Total Received and deposited this period	+	<u>\$38,500.00</u>
	Subtotal	\$39,053.44
3. Expenditures - Total paid out this period	-	<u>\$0.00</u>
4. Cash in Bank - Ending Balance this report		\$39,053.44

Loans

No entries found.

Fundraisers

No entries found.

Refunds, Etc ...

No entries found.

Committee Contributions

Entity	Committee Type	Election	Date	In-Kind Description	In-Kind Value	Cash/Check Amount	Total to Date
League of Conservation Voters Victory Fund 1920 L Street, NW Suite 8, Washington, DC 20036	Political Party Committee Contributions	General	09/06/2019		\$0.00	\$38,000.00	\$0.00(P) \$38,000.00(G)

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Employer	Election	In-Kind Description	In-Kind Value	Cash/Check Amount	Total to Date
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Ex. 1

2/14/2020

Campaign Electronic Reporting System (viewFinanceReport)

Entity	Employer	Election	In-Kind Description	In-Kind Value	Cash/Check Amount	Total to Date
Smith, Farwell PO Box 1650, Big Timber, MT 59011	retired Retired	General		\$0.00	\$500.00	\$0.00(P) \$500.00(G)

Expenditures

No entries found.

Expenditures: Independent

No entries found.

Debts

No entries found.

Payments Only

No entries found.

2/14/2020

Campaign Electronic Reporting System (viewFinanceReport)

Committee Finance Report (C-6)

Committee Information

Date Filed: 09/10/2014

Original Filing for: 09/26/2019 - 10/31/2019

Report Type: Periodic

Receive and File Date: 10/30/2019

Report Status: Filed

Montana Conservation Voters Action Fund
PO Box 63 Billings, MT 59103

Committee Type: Independent

Treasurer:

Ericsson, Sally
PO Box 63 Billings, MT 59103

Bank Information:

Yellowstone Bank
310 3rd Ave North Billings, MT 59101

Summary Report

Cash Summary: Money Received and Spent

1. Cash in Bank - Balance from previous report		\$48,973.44
2. Receipts - Total Received and deposited this period	+	<u>\$0.00</u>
	Subtotal	\$48,973.44
3. Expenditures - Total paid out this period	-	<u>\$18,195.92</u>
4. Cash in Bank - Ending Balance this report		\$30,777.52

Loans

No entries found.

Fundraisers

No entries found.

Refunds, Etc ...

No entries found.

Committee Contributions

No entries found.

Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Employer	Election	In-Kind Description	In-Kind Value	Cash/Check Amount	Total to Date
Kind, In - PO Box 63, Billings, MT 59103	In Kind In Kind	General	In-Kind - one staff preparing and sending Mailing Lists - See Addendum Total \$388.40	\$388.40	\$0.00	\$0.00(P) \$388.40(G)

Expenditures

Ex. 2

2/14/2020

Campaign Electronic Reporting System (viewFinanceReport)

Entity	Election	Electioneer ing Communica tion	Purpose	Platform	Quantity	Subject Matter	Date	Amount
French Impressions 2214 Azalea Ln., Billings, MT 59102	General	No	Design Endorsement Logo				09/30/2019	\$127.50
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Aaron Murphy				10/31/2019	\$50.92
TOSKR, Inc. 1330 BROADWAY - 3RD FLOOR, OAKLAND, CA 94612	General	No	Pre-Pay 26,000 Text for GetThru! Get Out To Vote				09/30/2019	\$1,660.00
Trister, Ross, Schadler & Gold, PLLC 1666 Connecticut Ave NW Fifth Floor, Washington, DC 20009	General	No	Firewall Document review				10/31/2019	\$50.00

Expenditures: Independent

Entity	Election	Electioneer ing Communica tion	Purpose	Candidate/Is sue	Platform	Quantity	Subject Matter	Date	Amount
Choriki, Danny S PO Box 211, Billings, MT 59103	General	No	Campaign Contribution	Billings City Council Ward 3				10/01/2019	\$92.20
DEAN, EMILY K 1535 MADISON AVE, HELENA, MT 59601	General	No	Campaign Contribution	Emily Dean for Helena City Commission				10/01/2019	\$117.50
Dominguez, Carmelita 4440 Laredo PL, Billings, MT 59106	General	No	Campaign Contribution	Billings City Council Ward 4				10/01/2019	\$92.20
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Tax Canvass RP 2338.66, JB 144.91, KH 556.16, DLS 1423.10, RS 503	Carmelita Dominguez for Billings City Council Ward 4				10/31/2019	\$4,965.83
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Jake Brown	Nick Shontz Missoula City Council Ward 6				10/31/2019	\$28.98
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Canvass Jake Brown	Alex Fregerio Missoula City Council Ward 5				10/31/2019	\$86.95
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Canvass Jake Brown	Mirtha Becerra Missoula City Council Ward 2				10/31/2019	\$86.95
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Canvass Jake Brown- 165.89, Travel 119, Legal Consult 68.75, Indeed Advertise for Canvass 166.96	Carmelita Dominguez Billings City Council Ward 4				09/30/2019	\$520.60
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Canvass Jake Brown	Kendra Shaw Billings City Council Ward 1				10/31/2019	\$86.95
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Canvass Travel 1378.34, supplies 49.70, telephone 30, Indeed Ads for canvass hire 161.94	Carmelita Dominguez for Billings City Council				10/31/2019	\$1,619.98

2/14/2020

Campaign Electronic Reporting System (viewFinanceReport)

Entity	Election	Electioneer g Communicat ion	Purpose	Candidate/Is sue	Platform	Quantity	Subject Matter	Date	Amount
Montana Conservation Voters PO Box 63, Billings, MT 59103	General	No	Payroll/Taxes Canvass Jake Brown	Danny Choriki Billings City Council Ward 3				10/31/2019	\$144.91
MTS 850 S. 27th Street, Billings, MT 59101	General	No	Postage 1,908 endorsement postcards	Kendra Shaw Billings City Council Ward 1				10/31/2019	\$558.45
MTS 850 S. 27th Street, Billings, MT 59101	General	No	Postage 2,551 Endorsement cards 10/17, 2,551 endorsement cards 10/21	Danny Choriki Billings City Council Ward 3				10/31/2019	\$1,496.74
MTS 850 S. 27th Street, Billings, MT 59101	General	No	Postage 2,822 endorsement postcards 10/17, 2,822 endorsement cards 10/21	Carmelita Dominguez for Billings City Council Ward 4				10/31/2019	\$1,677.75
Shaw, Kendra 934 N. 31st St., Billings, MT 59101	General	No	Campaign Contribution	Kendra Shaw Billings City Council Ward 1				10/01/2019	\$92.20
Strange Sister Creative 550 Park Lane, Billings, MT 59102	General	No	Design Safety Mailer	Danny Choriki Billings City Council Ward 3				10/31/2019	\$121.25
Strange Sister Creative 550 Park Lane, Billings, MT 59102	General	No	Design Safety Mailer	Carmelita Dominguez for Billings City Council Ward 4				10/31/2019	\$121.25
The Billings Times 2919 Montana Avenue, Billings, MT 59101	General	No	Print 6,000 walk cards, 3,975 Endorsement cards, 2,824 Endorsement cards	Carmelita Dominguez Billings City Council Ward 4				10/31/2019	\$2,576.81
The Billings Times 2919 Montana Avenue, Billings, MT 59101	General	No	Print 2,750 endorsement cards, 2,511 endorsement cards	Danny Choriki Billings City Council Ward 3				10/31/2019	\$1,277.00
The Billings Times 2919 Montana Avenue, Billings, MT 59101	General	No	Print 1,850 endorsement cards	Kendra Shaw Billings City Council Ward 1				10/31/2019	\$425.50
Wicks, Kali E P.O. Box 4363, Helena, MT 59604	General	No	Campaign Contribution	Kali Wicks for Helena City Commission				10/01/2019	\$117.50

Debts**No entries found.****Payments Only****No entries found.**

2/14/2020

After mailers, Missoula conservatives push back on outside spending in City Council races - Missoula Current

After mailers, Missoula conservatives push back on outside spending in City Council races

Conservative members of Missoula's voting block on Thursday pushed back on claims of outside money in local politics, accusing the Montana League of Conservation Voters of participating in next month's City Council race with its own calls and endorsements.

Earlier this week, liberal candidates running for Missoula City Council sounded the alarm after a conservative political action committee based in Helena, dubbed "Missoulians for Missoula," [distributed misleading mailers](#) to mailboxes in three city wards, suggesting the candidates were "wrong for Missoula."

Social media took [flight](#), with many saying that outside money had no place in Missoula's [municipal](#) races. Three of the candidates targeted by the mailers also [pushed back in an op-ed](#), writing in part that "meddling in the election process for our City Council races is against our democratic values."

On Thursday, conservatives took similar issue with Montana Conservation Voters. The organization endorsed six City Council candidates, including Heidi West, Mirtha Becerra, Gwen Jones, Amber Sherrill, Alex Fregerio and Nick Shontz.

Missoula City Council member Jesse Ramos, who has assembled a team of candidates he's dubbed "Team Liberty," was critical of the organization. He said Montana Conservation Voters' support of its chosen candidates was no different than Missoulians for Missoula supporting his field of candidates.

"Montana Conservation Voters is a dark money organization funded largely by the League of Conservation Voters that is headquartered on K Street in (Washington) D.C. with contributors from all over the world," Ramos said. "We have no idea who these contributors are and have no way to monitor their dealings with the city."

The organization is actually headquartered at 740 15th Street in Washington, D.C.

Aaron Murphy, executive director of Montana Conservation Voters, said his organization is independent from the national organization. The state organization only endorses candidates that meet its core values, including the protection of public lands, open space, the environment and fighting climate change.

Murphy said any candidate from any party can seek the organization's endorsement. The endorsement process involves a volunteer board of directors from the Montana Conservation Voters Action Fund.

"For 20 years, the MCV Action Fund has proudly endorsed folks from across the political spectrum who are committed to protecting our climate, our environment, and Montana's public lands and open spaces," Murphy said. "We're not in the business of electing conservatives or liberals, Republicans or Democrats. We're in the business of electing champions who have the courage to prioritize conservation over partisan politics."



The Montana League of Conservation Voters Action Fund has endorsed six City Council candidates due to their support of public lands, conservation and fighting climate change. Area conservatives say the political action committee should receive the same scrutiny that Missoulians for Missoula received earlier this week in the local press. (Missoula Current file photo)

2/14/2020

After mailers, Missoula conservatives push back on outside spending in City Council races - Missoula Current

Summary Report

Cash Summary: Money Received and Spent

1. Cash in Bank - Balance from previous report		\$39,053.44
2. Receipts - Total Received and deposited this period		<u>\$10,000.00</u>
	Subtotal	\$49,053.44
3. Expenditures - Total paid out this period		<u>\$80.00</u>
4. Cash in Bank - Ending Balance this report:		\$48,973.44

Loans

Entity	Occupation/ Employer	Election	Date	Description	In-Kind
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Fundraisers

Entity	Election	Purpose	Date	Description	In-Kind
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Committee Contributions

Entity	Committee Type	Election	Date	Description	In-Kind
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Individual Contributors (Total Contributions < \$35: \$0.00) (Primary Contributions < \$35: \$0.00) (General Contributions < \$35: \$0.00)

Entity	Occupation/ Employer	Election	Description	In-Kind	Value
Weinberg, Dan 1524 West Shore Lake, Whitefish, MT 59937	Retired Retired	General			\$0.00

A screenshot of the most recent financial report from the Montana Conservation Voters Action Fund. The fund had one contribution and one

The Montana Conservation Voters Fund is listed by the Montana Commissioner of Political Practices as an independent political action committee with addresses in both Missoula and Billings. The committee is supported by its organization's members "to directly support the election of conservation candidates."

The organization's finance report showed a contribution to the committee of \$38,000 on Sept. 6 from the League of Conservation Voters Victory Fund in Washington, D.C. The most recent report, ending on Sept. 30, showed the Montana Action Fund had roughly \$48,000 in the bank.

"I and many of my friends have received text messages from the Montana Conservation Voters telling us to vote for Mirtha Becerra in Ward 2," said Thomas Graham, who accused the local media of being one-sided in its reporting of outside money in local races. "The League of Conservation Voters is a dark money group with massive national donors and transfers from one of the largest dark money groups in the nation."

The registration form submitted by the Montana Conservation Voters Action Fund to the Commissioner of Political Practices lists the names and contacts of its local officers, unlike Missoulians for Missoula, which only identifies its treasurer.

The treasurer for Missoulians for Missoula never responded to a request for comment this week, though Ramos defended the organization.

"The local business owners who contributed to the (Missoulians for Missoula) PAC are patriots taking on the Missoula establishment," he said. "The donors of Missoula Conservation Voters are risking nothing and hiding behind a dark money PAC."

Murphy said Ramo's remarks miss the point.

"Mr. Ramos can't even get basic facts straight, and that speaks volumes about what's going on here."



#

Mobile



3:15 PM

Hi [REDACTED] this is Ross with Montana Conservation Voters. We're supporting Mirtha Becerra for the upcoming City Council election because she has experience as a professional land use and transportation planner, expertise Missoula needs as it grows into the future. She also currently serves on the city council and is a trusted voice for our clean air, water, and open space. Can we count on your vote for Mirtha?

3:15 PM

3:55 PM

Ex-4



#

Mobile



3:55 PM

Where is Mirtha at on local option sales taxes? Also, where can I find information on who is funding MCVs campaigning?

3:55 PM

We're a membership organization

3:57 PM

Contact Mirtha about local option sales tax

3:57 PM

3:57 PM

Mobile

Do you disclose your donors.
I'm asking because of the
story today on some fliers
I received so I want to
understand who is paying
for what.

3:59 PM

4:07 PM

It's all at the Commission of
political practices like the
story dug up

4:07 PM

We have to file where our
money comes from like
everyone else

4:07 PM

4:33 PM

Mobile

4:33 PM

So who funds league of conservation voters, which has a K street address in Washington dc, and that appears to be MCVs major source of funding? I just want to know what actual people are paying for this stuff

4:33 PM

Sent

4:39 PM

4:39 PM



#

Mobile



are paying for this stuff

Sent

4:39 PM

4:39 PM

They work on Federal races

Their support comes from big foundations and donors from around the country and world.

4:39 PM

We do get support grants from them from time to time.

4:40 PM

This is all legal work. Don't hate the player hate the game

4:40 PM