

JAMES BOPP, JR
jboppjr@aol.com

THE BOPP LAW FIRM, PC
ATTORNEYS AT LAW

JEFFREY P. GALLANT
jgallant@bopplaw.com

THE NATIONAL BUILDING
1 South Sixth Street
TERRE HAUTE, INDIANA 47807-3510
Telephone 812/232-2434 Facsimile 812/235-3685
www.bopplaw.com

August 3, 2020

Jeff S. Jordan
Assistant General Counsel
Complaints Examination &
Legal Administration

Response: MUR 7731; Respondents National
Right to Life Victory Fund Wayne Cockfield,
Treasurer; Minnesota Citizens Concerned for
Life, Inc. Federal PAC Catherine Blaeser,
Treasurer

Dear Mr. Jordan,

This Firm represents the Respondents National Right to Life Victory Fund Wayne Cockfield, Treasurer (“NRL-VF”) and the Minnesota Citizens Concerned for Life, Inc. Federal PAC Catherine Blaeser, Treasurer (“MCCL Fed. PAC”) with respect to the above-noted Matter Under Review (“MUR”). This MUR addresses a complaint filed by “Hughes for Congress 2020” (the “Hughes Campaign”) that baldly claims that NRL-VF and MCCL Fed. PAC coordinated express advocacy “public communications” with Michelle Fischbach and/or Fischbach for Congress (collectively, the “Fischbach Campaign”¹). Because it is patently deficient, the Complaint should be dismissed outright to avoid additional staff time to this matter. Or, if the Commission chooses to substantively analyze the matter, it should find no reason to believe that a violation occurred and close the matter.

I. The Complaint should be dismissed outright as legally deficient.

The Complaint does not allege facts “that would constitute a proper basis for finding reason to believe the respondents violated the Act on . . . these grounds.” *See* Statement of Reasons of Chairman Scott E. Thomas, Vice Chairman Michael E. Toner, and Commissioners David M. Mason, Danny L. McDonald, and Ellen L. Weintraub in MUR 5461 (Fan_the_Vote.com *et al*). (“Stmnt of Reasons MUR 5461”). While the Complaint notes that NRL-VF and MCCL Fed. PAC each made and reported expenditures for a mail piece, Compl. Exh. C, E, it fails to even describe an action or circumstance that could satisfy a conduct standard of 11 C.F.R. § 109.21(d).

¹For the sake of brevity, this Response uses the “Fischbach Campaign” to include Michelle Fischbach, Fischbach for Congress, or any agent of either. *See* 11 C.F.R. § 109.20(a).

Jeff S. Jordan
 August 3, 2020
 Page 2 of 8

The Complaint recognizes that there is a conduct prong in the federal definition of coordination, Compl. at 3, yet it simply asserts that because (a) Michelle Fischbach is a candidate, (b) is the daughter of Darla St. Martin, Co-Executive Director of the National Right to Life Committee,² (c) is married to the Executive Director of Minnesota Citizens Concerned for Life,³ and (d) both NRL-VF and MCCL Fed. PAC made and properly reported independent expenditures in favor of Michelle Fischbach's election to federal office,⁴ that it is "inconceivable that Michelle Fischbach did not coordinate with, or at a minimum was made aware of, either her mother's or husband's . . . independent expenditure related activity." Compl. at 3-4.

To assert that familial relationship in itself satisfies the federal regulations' conduct standard for coordination⁵ is a legal deficiency so critical and fundamental as to suggest that the Complaint's purpose is political theater. The Complainant should not be allowed to consume further resources of the Respondents or the Commission and the Complaint should instead be dismissed outright.

II. The Complaint offers no support for finding reason to believe that Respondents violated the Act.

Finding "reason to believe" that a conduct prong has been satisfied "requires analysis of affirmative acts taken by the parties who are alleged to have engaged in the coordinated activity." *See* Factual and Legal Analysis, MUR 6059 (Sean Parnell for Congress/Club for Growth PAC) at 6. Historically, the Commission finds no reason to believe communications were coordinated when a complaint asserts that "it can be assumed," speculated, or inferred that conduct standards

²NRL-VF is a federally registered independent-expenditure-only committee established by the National Right to Life Committee and first registered with the Federal Election Commission (the "Commission") in January of 2012. *See* Declaration of David O'Steen ¶ 3.

³MCCL is the "connected organization" of MCCL Fed. PAC, a separate segregated fund. *See* Declaration of Leo LaLonde ¶ 3 (July 31, 2020). Mr. LaLonde is the President of MCCL. LaLonde Decl. ¶ 1.

⁴The Complaint also offers the fact that Michelle Fischbach was paid a salary from the National Right to Life Committee, Inc. ("NRLC") in 2018 and 2019. Compl. at 3-4. Respondents will not speculate as to this fact's relevance to coordination, but note that Mrs. Fischbach had been the Director/Coordinator of the annual national oratory and essay contests but resigned from that employment effective August 31, 2019 and that Scott Fischbach assumed those positions effective September 1. *See* Declaration of David O'Steen ¶ 4 (August 2, 2020).

⁵And even if a factfinder could, as a matter of law, infer from familial relationships alone that a campaign has been "made aware of" a communication or activity—a proposition that Respondents do not concede—to be "aware of" a communication falls far short of satisfying a conduct standard.

Jeff S. Jordan
 August 3, 2020
 Page 3 of 8

were satisfied. *Id.* at 7 (collecting instances). The Hughes Campaign’s Complaint only assumes, speculates, or infers that any conduct standard was satisfied.

It alleges no affirmative acts from which to even infer that the Fischbach Campaign, directly or otherwise, conveyed to NRL-VF or MCCL Fed. PAC “any information at all, much less information about the [Fischbach] campaign’s plans, projects, activities, or needs.” Stmtnt of Reasons MUR 5461 (citing 11 C.F.R. § 109.21(d)(3)). It alleges no affirmative acts from which to infer that (a) the communications were made at the request or suggestion of or with the assent of the Fischbach Campaign (11 C.F.R. § 109.21(d)(1)), or; (b) that the Fischbach Campaign was “materially involved” in any aspect of the communications’ content, audience, means or mode of communication, size or prominence, (11 C.F.R. § 109.21(d)(2)).⁶

The Complaint simply recites the familial relationships between the candidate Michelle Fischbach, Darla St. Martin, the Co-Executive Director of NRLC, and Scott Fischbach, the Executive Director of MCCL, and asserts that it must accordingly be assumed, speculated or inferred that coordinating conduct occurred. The Complaint provides no basis for finding reason to believe that a conduct prong has been satisfied and, hence, the Commission should find no “sufficient legal justification to open an investigation to determine whether a violation of the Act has occurred.” *Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process*, 72 Fed. Reg. 12545 (2007).

III. There is in fact no reason to believe that any communications of NRL-VF or MCCL Fed. PAC were coordinated with the Fischbach Campaign.

As has been noted, the Complaint fails to allege that NRL-VF or MCCL Fed. PAC took affirmative steps that satisfied any of the conduct standards of 11 C.F.R. § 109.21(d). In fact, both NRL-VF and MCCL Fed. PAC took affirmative steps to *avoid* satisfying a conduct standard, including through Darla St. Martin and Scott Fischbach.

A. Respondents “firewalled” Scott Fischbach and Darla St. Martin.

1. MCCL Fed. PAC’s firewall

Respondent MCCL Fed. PAC learned sometime in the second week of August 2019 that Michelle Fischbach planned to run for election to the United States House of Representatives for District 7 in Minnesota. LaLonde Decl. ¶ 5. By August 19, MCCL had drafted and implemented a firewall policy that

⁶The Complaint does not allege a basis to infer that any of the other conduct standards might have been met. Notwithstanding this, on information and belief, NRL-VF’s regular printing and mailing vendor—the vendor used for the mailing at issue here—has never printed or mailed for *anyone* in Minnesota, Declaration of Jacki Ragan (July 31, 2020) ¶ 8, and thus could not have provided or relied on material information gleaned from the Fischbach Campaign. *See* 11 C.F.R. § 109.21(d)(4).

Jeff S. Jordan
 August 3, 2020
 Page 4 of 8

- (1) excluded Scott Fischbach from any decision-making of MCCL Fed. PAC activities;
- (2) removed Scott Fischbach’s check-signing privileges for MCCL Fed. PAC;
- (3) prohibited Scott Fischbach’s being involved in any MCCL Fed. PAC activity, and;
- (4) required all MCCL and MCCL Fed. PAC personnel to exercise special caution to ensure that Scott Fischbach not be involved in any conversations regarding endorsement and/or expenditures in the Minnesota Congressional District 7 race. LaLonde Decl. ¶¶ 6-7, Exh. 1, 2.

As a result, Scott Fischbach took no part in any MCCL Fed. PAC decision or activity, signed no checks for MCCL Fed. PAC and had no conversations with Leo or any other MCCL or MCCL Fed. PAC personnel about any plans or activities in connection with the Minnesota Congressional District 7 race. LaLonde Decl. ¶ 8; Stark Decl. ¶¶ 4, 6.

2. The NRLC/NRL-PAC/NR-VF firewall

On September 23, the NRLC Executive Committee met and passed two resolutions that, together, established (1) that neither Darla St. Martin nor Scott Fischbach would participate in or have knowledge of any plans or activities of National Right to Life PAC (“NRL-PAC”) or NRL-VF in Minnesota 2020 federal elections, and; (2) that neither Darla St. Martin nor Scott Fischbach would convey any information to any employee or agent of NRLC, NRL-PAC, or NRL-VF about any needs or plans of a federal candidate in Minnesota for the 2020 elections. *See* O’Steen Decl. ¶6, Exh. 3. The resolutions were provided to Darla St. Martin and Scott Fischbach on or about September 24, 2019, O’Steen Decl. ¶ 7, and personnel received the firewall on or about that same day. *See, e.g.*, Declaration of Karen Cross (July 31, 2020) ¶ 5 (acknowledging so); Ragan Decl. ¶ 4 (same).

As a result, Karen Cross, NRLC’s Political Director, who administers the endorsement process, drafts endorsements, and drafts and designs NRL-VF’s independent expenditures, attests that she had no contact with Darla St. Martin or Scott Fischbach regarding the plans or activities of NRL-PAC or NRL-VF in Minnesota 2020 federal elections, Cross Decl. ¶ 6, and that she took prudent measures to keep them from inadvertently viewing pertinent information. *Id.*

Likewise, Jacki Ragan, who manages NRL-VF’s independent expenditure mailings, attests that she had no contact with Darla St. Martin or Scott Fischbach regarding the plans or activities of NRL-PAC or NRL-VF in Minnesota 2020 federal elections, Ragan Decl. ¶ 4, and that she also took prudent measures to prevent exposing pertinent information to Darla St. Martin or Scott Fischbach. *Id.*

B. The record of Respondents’ actual activities overwhelmingly support a finding of no reason to believe that any conduct standard was satisfied.

Apart from implementing firewalls to isolate Scott Fischbach and Darla St. Martin, the facts here—the actual actions taken by Respondents—overwhelming support a finding of no reason to believe that any coordination occurred between Respondents and the Fischbach Campaign with respect to the expenditures identified in the Complaint or any other communication or activity.

Jeff S. Jordan
August 3, 2020
Page 5 of 8

1. NRLC's endorsement decision

On October 2, 2019, the Fischbach Campaign asked for a meeting to discuss NRLC's Congressional Candidate Questionnaire, Cross Decl. ¶ 7, and the meeting was scheduled for October 15. Cross Decl. ¶ 9. Karen Cross, the Political Director, "scored" Michelle Fischbach's Questionnaire and conducted the endorsement interview.⁷ As she recalls, as is NRLC's practice, the campaign was affirmatively warned against providing any information about campaign plans, projects, activities, or needs, Cross Decl. ¶ 11, and no endorsement was offered at that time. Cross Decl. ¶ 12.

On November 20, the Fischbach Campaign asked if NRLC would be making endorsements before Christmas. The Political Director relayed this to NRLC's Executive Director, noting that Michelle Fischbach qualified for endorsement given her pro-life record in Minnesota and her Questionnaire responses. Cross Decl. ¶ 13. NRLC decided to do the endorsement in January, when pro-life issues are in the news because of the annual March for Life. Cross Decl. ¶ 13.

2. MCCL Fed. PAC's endorsement decision

On or about October 24, the Fischbach Campaign asked if MCCL Fed. PAC would endorse Michelle Fischbach for election to the United States House of Representatives for District 7 in Minnesota. LaLonde Decl. ¶ 10. Michelle's record and positions qualified her for the endorsement, LaLonde Decl. ¶ 10, Exh. 4, but MCCL Fed. PAC decided to make its endorsement to coincide with the annual March for Life, when interest in the pro-life issue is highest. LaLonde Decl. ¶ 11.

3. The plan to release endorsements

Beginning about the third week in November, NRLC and MCCL-Fed. PAC discussed releasing endorsements of Michelle Fischbach together at an event in January. Cross Decl. ¶ 14; LaLonde Decl. ¶ 12. The plan for an event in Minnesota was abandoned in early January, after MCCL Fed. PAC pointed out that attendance would likely be greatly limited because of the weather. LaLonde Decl. ¶ 14. MCCL Fed. PAC provided to NRLC a plan for endorsements and releases, including talking points and answers to possible questions about the endorsements, that was drafted by Paul Stark, Communications Director of MCCL.

As Mr. Stark attests, (1) he had no contact with Michelle Fischbach or any agent of her campaign in creating the plan including its talking points and answers to possible questions; (2) he used no information provided directly or indirectly by the Fischbach Campaign in drafting the plan, and (3) all of the information that was used about Michelle Fischbach came from Stark's own research or the research of other MCCL personnel of publicly-available information, and; Stark had no contact or discussions with Scott Fischbach or Darla St. Martin about the plan. Stark Decl. ¶ 4.

⁷See 11 C.F.R. § 109.21(f) (legislative or policy issues safe harbor).

Jeff S. Jordan
 August 3, 2020
 Page 6 of 8

4. MCCL Fed. PAC's actual endorsement

With Leo LaLonde's supervision and approval, Stark drafted MCCL Fed. PAC's endorsement of Michelle Fischbach and MCCL Fed. PAC's press release announcing the endorsement. Stark Decl. ¶ 5; LaLonde Decl. ¶ 17. Neither Stark nor LaLonde (1) had any contact with the Fischbach Campaign creating, reviewing or editing the endorsement or the press release announcing the endorsement; (2) used any information provided either directly or indirectly by the Fischbach Campaign in reviewing or editing the endorsement or the press release, or (3) had any contact or discussions with Scott Fischbach or Darla St. Martin about the endorsement or the press release. Stark Decl. ¶ 6; LaLonde Decl. ¶ 17.⁸

5. NRL-VF's actual endorsement

On January 8, Karen Cross, NRLC's Political Director, circulated a proposed endorsement letter for Michelle Fischbach's election to the U.S. Congress. As she attests, (1) she had no contact with the Fischbach Campaign in creating the endorsement letter; (2) she used no information provided directly or indirectly by the Fischbach Campaign in drafting the endorsement; (3) she used only information about Michelle Fischbach that came from her own research or that of other personnel of NRLC or MCCL of publicly-available information, and (4) she had no contact or discussions with Scott Fischbach or Darla St. Martin about the endorsement. Cross Decl. ¶ 17.⁹

6. The Mailer

In late January, NRL-VF and MCCL Fed. PAC agreed to jointly fund a mailer urging voters in the Seventh District to attend the Republican precinct caucuses to support Michelle Fischbach as the Republican candidate for U.S. Congress. LaLonde Decl. ¶ 19; Cross Decl. ¶ 19. Using a template developed for similar communications, Karen Cross prepared a mailer and sent it to Leo LaLonde for his approval on or about February 4, 2020. Cross Decl. ¶ 20.

As Ms. Cross attests, (1) she had no contact with the Fischbach Campaign in creating the piece; (2) she had no discussion, directly or indirectly, with the Fischbach Campaign about making the expenditure for the mailer; (3) the Fischbach Campaign was not involved in any decision regarding the means or mode to be used to urge support of Michelle Fischbach, the piece's content or intended audience, the timing of the piece, or any detail of its printing; (4) she had no discussion, directly or indirectly, with the Fischbach Campaign's plans in considering, reviewing, or distributing the piece, and (5) she had no contact or discussions with Scott Fischbach or Darla St. Martin about the piece whatsoever. Cross Decl. ¶ 21.

Leo LaLonde reviewed and approved the piece on or about February 4, 2020. As he attests, (1) he had no contact with the Fischbach Campaign in creating the piece; (2) he had no

⁸And because the press release was distributed to normal contacts, LaLonde Decl. ¶ 18, the disbursement for it was *de minimis* and not a federal expenditure.

⁹Like MCCL-Fed. PAC's, NRL-VF's press release was distributed to normal contacts, Cross Decl. ¶ 18, and so was a *de minimis* disbursement and not a federal expenditure.

Jeff S. Jordan
 August 3, 2020
 Page 7 of 8

discussion, directly or indirectly, with the Fischbach Campaign about making the expenditure for the mailer; (3) the Fischbach Campaign was not involved in any decision regarding the means or mode to be used to urge support of Michelle Fischbach, the piece's content or intended audience, the timing of the piece, or any detail of its printing; (4) he had no discussion, directly or indirectly, with the Fischbach Campaign's plans in considering, reviewing, or distributing the piece, and; (5) he had no contact or discussions with Scott Fischbach or Darla St. Martin about the piece whatsoever. LaLonde Decl. ¶ 21.

The distribution of the mailer was based entirely on combining and de-duplicating the pertinent mailing lists of MCCL Fed. PAC and NRL-VF. LaLonde Decl. ¶ 22; Ragan Decl. ¶ 7. As Jacki Ragan, who handled the mailing logistics attests, (1) the mailing was made without contact, discussion, or communication, directly or indirectly, with the Fischbach Campaign, Scott Fischbach, or Darla St. Martin with regard to the mailer or its distribution, including but not limited to its content, its intended audience, or its timing; (2) it was made without discussion, directly or indirectly, with the Fischbach Campaign, Scott Fischbach or Darla St. Martin about Michelle Fischbach's campaign plans, projects, or needs. Ragan Decl. ¶ 9.¹⁰

Both NRL-VF and MCCL Fed. PAC timely reported their expenditure. *See* <https://docquery.fec.gov/cgi-bin/fecimg/?202002149186504307> (NRL-VF); <https://docquery.fec.gov/cgi-bin/fecimg/?202002139186502046> (MCCL Fed. PAC).

The Complaint fails to allege any affirmative steps taken by NRL-VF or MCCL Fed. PAC that satisfied any of the conduct standards of 11 C.F.R. § 109.21(d). In fact, both NRL-VF and MCCL Fed. PAC took affirmative steps to *avoid* satisfying a conduct standard and did not, in fact, coordinate with the Fischbach Campaign.

Conclusion

To file a complaint on the eve of an election and appeal to “the court of public opinion” invites skepticism. A complaint that nakedly asserts that familial relationship in itself satisfies 11 C.F.R. § 109.21's conduct standard for coordination includes so obvious and fundamental a legal deficiency that it all but confirms its purpose as political theater. The Complaint should be dismissed outright as legally deficient without consuming further resources of the Respondents or the Commission.

If the Commission chooses to read the Complaint charitably, it should find no “sufficient legal justification to open an investigation to determine whether a violation of the Act has occurred,” *Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process*, 72 Fed. Reg. 12545 (2007), because there is no reason to believe communications were coordinated when, as here, a complaint asserts that “it can be assumed,” speculated or inferred that conduct standards were triggered. Factual and Legal Analysis, MUR 6059 at 7.

¹⁰Because, as agreed, MCCL Fed. PAC and NRL-VF split the costs of the mailer evenly, both were named in the required disclaimer and both reported expenditures in exactly the same amount.

Jeff S. Jordan
August 3, 2020
Page 8 of 8

Finally, the actual facts, assembled here, overwhelmingly support a finding of no reason to believe that any violation has occurred, and the Commission should make such a finding without further investigation.

Sincerely,

THE BOPP LAW FIRM, PC

A handwritten signature in black ink, appearing to read "James Bopp, Jr.", with a stylized flourish extending to the right.

James Bopp, Jr.
Jeffrey P. Gallant

Declaration of Karen Cross

I, Karen Cross, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am the Political Director for the National Right to Life Committee (NRLC) and I have personal knowledge of the facts presented herein.

2. I am offering this declaration in support of the response of National Right to Life Victory Fund (“NRLC-VF”) to Federal Election Commission Matter Under Review 7731.

3. As part of my duties, I do interviews and write articles and pieces providing the pro-life perspective in the context of elections. In addition, I administer questionnaires and interviews of candidates for federal office to aid in endorsement decisions. I also work with other personnel to design and draft communications for NRLC-VF’s independent expenditures.

4. On September 2, Michelle Fiscbach announced that she would run for U.S. Congress in the 7th District of Minnesota.

5. On or about September 24, 2019, I learned that the Executive Committee of the NRLC Board of Directors had met and passed resolutions that Darla St. Martin and Scott Fischbach would have no participation in or knowledge of any activities or plans of National Right to Life PAC (NRL-PAC) or NRL-VF in Minnesota 2020 federal elections and that neither Darla St. Martin nor Scott Fischbach would convey any information to any employee or agent of NRLC, NRL-PAC, or NRL-VF about any needs or plans of any federal candidate’s campaign in Minnesota for the 2020 elections.

6. As a result of this, I had no contact with Darla St. Martin or Scott Fischbach regarding the plans or activities of NRL-PAC or NRL-VF in Minnesota 2020 federal elections and I no longer kept NRLC PAC or NRL-VF materials in view on my desk, in case Darla came to my office.

Declaration of Karen Cross

7. On October 2, I sent Michelle Fischbach's campaign the NRLC Congressional Candidate Questionnaire. Attached as **Exhibit 1** is a true and correct copy of my email to the campaign and of the Questionnaire.

8. That same day, Michelle Fischbach's campaign contacted me and asked for a meeting to discuss the Questionnaire. We set a date for October 15.

9. On October 15, Michelle Fischbach came for an interview, bringing the completed Questionnaire. **Exhibit 3** is a true and correct copy of the completed Questionnaire. I scored the completed Questionnaire and to the best of my recollection, we discussed Planned Parenthood's status and activities in Minnesota.

10. To the best of my recollection, NRLC Executive Director David O'Steen was in the room during part of the meeting and Darla St. Martin came at the end of the meeting.

11. To the best of my recollection, David warned the campaign that it should not provide any information about campaign plans, projects, activities, or needs.

12. We did not offer an endorsement at that time.

13. On November 20, Michelle Fischbach's campaign asked if NRLC would be making endorsements before Christmas. I relayed this to David O'Steen, noting that she qualified for endorsement given her pro-life record in Minnesota and her Questionnaire responses, and that I had planned to endorse in January, when the pro-life issue is in the news because of the annual March for Life. We decided to wait until January to do an endorsement.

14. About this time, we contacted the Minnesota Citizens Concerned for Life, Inc. Federal PAC ("MCCL Fed. PAC") and began discussing releasing endorsements of Michelle Fischbach together at an event in Minnesota in January.

15. Concerned about the weather, MCCL Fed. PAC proposed that the announcements be

made through a joint release or separate releases instead of at a press event. Leo LaLonde, President of Minnesota Citizens Concerned for Life, sent a plan with talking points and answers to possible questions following the endorsements.

16. During the second week in January, NRLC and MCCL Fed. PAC agreed to the plan to distribute written endorsements and separate press releases announcing the endorsements rather than hold a press conference.

17. On January 8, I circulated a proposed endorsement letter for Michelle Fischbach's election to the U.S. Congress. I had no contact with Michelle Fischbach or her campaign in creating the endorsement letter and I used no information provided directly or indirectly by Michelle Fischbach or her campaign in drafting the letter. All of the information about Michelle Fischbach that I used came from either my own research or that of other personnel of NRLC or MCCL of publicly-available information. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the endorsement. A true and correct copy of the final version is attached here as **Exhibit 4**.

18. The endorsement letter was sent to Michelle Fischbach's campaign and a press release announcing the endorsement was distributed to NRLC's normal contacts on January 14.

19. Some time in late January, NRL-VF and MCCL Fed. PAC agreed to jointly fund a mailer to urge Minnesota's Seventh District voters to attend the Republican precinct caucuses and support Michelle Fischbach as the Republican candidate for Congress.

20. Using a template that I have developed for similar mailers, I prepared a mailer, and sent it to Leo LaLonde for his approval on or about February 4, 2020. A true and correct copy of the mailer is attached hereto as **Exhibit 5**.

21. I had no contact with Michelle Fischbach or any agent of her campaign in creating the

piece and at no time did I have any discussion, directly or indirectly, with Michelle Fischbach or any agent of her campaign about making the expenditure for the mailer. Michelle Fischbach or any agent of her campaign was not involved in any decision regarding the means or mode to be used to urge support of Michelle Fischbach, the piece's content or intended audience, the timing of the piece, or any detail of its printing. I had no discussion, directly or indirectly, with Michelle Fischbach or any agent of her campaign about the campaign's plans in considering, reviewing, or distributing the piece. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the piece whatsoever.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30th

day of July.


Karen Cross, Political Director,
National Right to Life Committee,
Inc.

Exhibit 1 to Declaration of Karen Cross



Karen Cross <kcross@nrlc.org>

Karen Cross <kcross@nrlc.org>
To: info@fischbachforcongress.com

Wed, Oct 2, 2019 at 9:07 AM

Dear Senator Fischbach,

Attached is the pdf version of National Right to Life's Congressional Candidate Questionnaire.

Please complete and email the questionnaire to me (kcross@nrlc.org) or mail a hard copy to:

National Right to Life
Attn: Karen Cross, Political Director
1446 Duke Street
Alexandria, VA 22314

Feel free to call with any questions.

Thank you!

Have a great day!

Karen

Karen Cross
Political Director
National Right to Life Committee
1446 Duke Street
Alexandria, VA 22314
202.626.8808
kcross@nrlc.org

 **2020 NRLC Congressional Questionnaire.pdf**
445K



Exhibit 1 to Declaration of Karen Cross

1446 Duke Street | Alexandria, Virginia 22314
(202) 626-8800 (voice) | www.nrlc.org | nrlc@nrlc.org



2020 CONGRESSIONAL CANDIDATE QUESTIONNAIRE

ABORTION

The National Right to Life Committee (NRLC) believes that unborn children should be protected by law, and that abortion should be permitted only when necessary to prevent the death of the mother. Under what circumstances, if any, do you believe that abortion should be legal?

(a) _____ Only to prevent the death of the mother (the NRLC position).

(b) _____ To prevent the death of the mother, or in cases of rape reported to a law enforcement agency, or incest against a minor reported to a child abuse agency.

(c) Other (please explain): _____

PLEASE NOTE: In every question below, a "yes" response indicates agreement with the position of NRLC.

ROE v. WADE and CASEY v. PLANNED PARENTHOOD

In its 1973 rulings in *Roe v. Wade* and *Doe v. Bolton*, the U.S. Supreme Court created a "right to abortion" for any reason until "viability" (into the sixth month), and for any "health" reasons – including "emotional" health – even during the final three months of pregnancy. This ruling invalidated the abortion laws that were in effect in all 50 states at that time. In the 1992 ruling of *Casey v. Planned Parenthood*, the Supreme Court reaffirmed the "core holdings" of *Roe v. Wade* and said that any law placing an "undue burden" on access to abortion would be struck down.

(1) Do you advocate changing the *Roe v. Wade*, *Doe v. Bolton*, and *Casey v. Planned Parenthood* decisions, so that elected legislative bodies (the state legislatures and Congress) may once again protect unborn children by limiting and/or prohibiting abortion?

YES _____ NO _____

ABORTION POLICIES

(2) Would you vote against any legislation that would weaken any pro-life law or policy that is in effect on the day that you are elected?

YES _____ NO _____

(3) Would you vote against any federal legislation that would place new limits on the ability of states to regulate abortion – for example, the so-called "Women's Health Protection Act" (S. 1645, H.R. 2975 in the 116th Congress), sometimes referred to by critics as the "Abortion Without Limits Until Birth Act," which is successor to the so-called "Freedom of Choice Act"?

YES _____ NO _____

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

There is now compelling scientific evidence that at least by 20 weeks fetal age the unborn child is capable of experiencing pain when subjected to abortion. On this basis, in 2010, Nebraska enacted the Pain-Capable Unborn Child Protection Act to prohibit abortions after that point (with narrow exceptions), and a number of other states subsequently passed bills based on the same model. On October 3, 2017, similar national legislation (H.R. 36) was approved by the U.S. House of Representatives. On January 29, 2018, the companion bill was voted on in the U.S. Senate, but fell short of the 60 votes needed to invoke cloture.

(4) Would you vote for the Pain-Capable Unborn Child Protection Act, to strictly limit abortion from 20 weeks fetal age, the point in development at which evidence currently suggests an unborn child has the capacity to feel pain?

YES _____ NO _____

DISMEMBERMENT ABORTION BAN ACT

The Saving Children Act to ban dismemberment abortions, (H.R. 956) has been introduced in the U.S. House of Representatives by Congresswoman Debbie Lesko (R-AZ). The companion bill, The Dismemberment Abortion Ban (S. 1035), also was introduced in the U.S. Senate by Sens. Mike Rounds (R-SD) and James Lankford (R-OK).

This bill is based on a model state bill proposed by National Right to Life, which was enacted in 2015 in Kansas and Oklahoma, and a number of other states subsequently passed bills based on the same model. The bill defines "dismemberment abortion" as "knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush or grasp a portion of the unborn child's body in order to cut

Exhibit 1 to Declaration of Karen Cross

or rip it off . . .” This definition largely overlaps with what those in the abortion trade currently refer to as “dilation and evacuation” or “dilation and extraction” (D&E) abortions. This brutal method is commonly used starting at about 14 weeks of pregnancy and extending into the third trimester.

(5) Would you vote for the Dismemberment Abortion Ban Act, to place a national ban on the use of dismemberment abortion?

YES _____ NO _____

GOVERNMENT SUBSIDIES FOR ABORTION

On January 24, 2017, the U.S. House of Representatives approved the No Taxpayer Funding for Abortion Act (H.R. 7). This bill would establish a permanent policy against funding abortions and health plans that cover abortions, consistent with the principles of the Hyde Amendment, to all federal programs, including those created by the Patient Protection and Affordable Care Act of 2010 (Pub. L. No. 111-148) (“ObamaCare”).

(6) Would you vote for the No Taxpayer Funding for Abortion Act?

YES _____ NO _____

Congress votes from time to time on the “Hyde Amendment,” a law that prohibits federal Medicaid money from being used to pay for abortions or for health care plans that include abortion, except to save the life of the mother, or in cases of rape or incest. Other similar provisions of law restrict federal subsidies for abortion in certain other federal health programs, including those covering the military and federal employees, but, regrettably, not major components of the Patient Protection and Affordable Care Act of 2010 (“ObamaCare”).

(7) Would you oppose any legislation that would weaken the Hyde Amendment, or other current laws that restrict federal subsidies for abortion; and, would you support measures to ensure the fullest possible enforcement of such laws and application, wherever appropriate, of their underlying principles?

YES _____ NO _____

The District of Columbia is an exclusively federal jurisdiction. Article I of the Constitution provides that Congress must exercise “exclusive legislation in all cases whatsoever” over the District.

In December 2009, at the urging of President Obama, Congress effectively repealed a longstanding ban on government funding of abortions in the District. However, in April 2011, at the insistence of congressional Republican leaders, a prohibition was restored to prohibit any use of government funds for abortion in the District, whether

designated as “federal” funds or so-called “local” funds (except to save the life of the mother, or in cases of rape or incest). This issue will continue to arise during future congressional appropriations cycles.

(8) Would you vote to preserve the prohibition on public funding of abortion in the District of Columbia, applicable to all government funds however they are labeled?

YES _____ NO _____

The federal government annually provides many millions of dollars to organizations that operate abortion clinics. For example, affiliates of the Planned Parenthood Federation of America (PPFA) provide over one-third of all the abortions performed in the U.S., yet PPFA also receives over a half-billion dollars annually from government sources, mostly federal (including Medicaid and the Title X “family planning” program).

(9) Would you vote for legislation that would make organizations that perform abortions (other than bona fide hospitals), including Planned Parenthood, ineligible to receive federal funding, including federal Medicaid funds?

YES _____ NO _____

FOREIGN AID FOR ABORTION

The U.S. spends about \$600 million annually for birth control programs overseas. Under Presidents Ronald Reagan, George H.W. Bush, George W. Bush, and Donald Trump, executive orders collectively referred to as the “Mexico City Policy” (renamed and expanded under the Trump Administration as the “Protecting Life in Global Health Assistance” program) established that in order to be eligible for U.S. population control funds, a private overseas organization must agree not to perform abortions (except to save the life of the mother, or in cases of rape or incest) or to “actively promote abortion as a method of family planning.” However, during the administrations of Presidents Clinton and Obama, this pro-life policy was overturned by executive order.

(10) Would you vote for legislation to codify (enact into permanent law) the principles of the “Mexico City Policy,” that U.S. funds should not go to overseas organizations that perform or promote abortion?

YES _____ NO _____

The United Nations Population Fund (UNFPA) has participated in China’s population control program, which relies heavily on coerced abortion. The UNFPA has also promoted expanded access to abortion in developing nations, and has promoted the abortion pill, RU 486. The administrations of Presidents Ronald Reagan, George H.W. Bush, George W. Bush, and Donald Trump cut off U.S. funding to the UNFPA because of its role in China.

(11) Would you vote for legislation to prevent U.S. funding of

Exhibit 1 to Declaration of Karen Cross

the United Nations Population Fund (UNFPA), and to prevent any other disregard for, or weakening or repeal of, the 1985 Kemp-Kasten anti-coercion law, which prohibits U.S. funding of any agency that supports a program of coercive abortion?

YES _____ NO _____

PARENTAL NOTIFICATION/CONSENT FOR MINORS' ABORTIONS

Laws are already in effect in about half the states that require notification or consent of at least one parent (or authorization by a judge) before an abortion can be performed on a minor. However, these laws are often circumvented by minors who cross state lines in order to evade parental notification requirements (often with the aid of older boyfriends, abortion clinic staff, or other adults lacking parental authority).

The Child Interstate Abortion Notification Act (CIANA), (S. 119, H.R. 611 in the 116th Congress) would require any abortionist, encountering a minor client from another state, to notify one parent before performing an abortion, unless presented with authorization from a court, or in cases of life endangerment, or in cases of sexual or physical abuse or neglect by a parent, in which case the appropriate state agency must be notified instead of a parent. The bill would also make it an offense to transport a minor across state lines to evade a parental involvement requirement.

(12) Would you oppose weakening amendments to the Child Interstate Abortion Notification Act (CIANA), and vote for the bill?

YES _____ NO _____

CONSCIENCE PROTECTION

For many years, pro-abortion officials and advocacy groups have sought to use the compulsory powers of government to compel health care providers to participate in abortion. The Obama Administration broadened the assault on conscience rights by issuing "ObamaCare" regulations that require employers (including religious schools and hospitals) to provide health coverage that will provide drugs and procedures to which the employers have religious or moral objections. In response, pro-life members of Congress have proposed the Conscience Protection Act (S. 183 and H.R. 2014 in the 116th Congress), which would greatly strengthen the rights of private individuals and employers to refuse to participate in abortion or other procedures that violate their deeply held beliefs. Among other things, the bill would prohibit any government agency -- federal, state, or local -- from penalizing health care providers for refusing to participate in providing abortions and would allow health care providers to sue when subjected to such attacks from government entities.

(13) Would you vote for legislation, such as the Conscience Protection Act, to protect the conscience rights of pro-life health care providers and others, and advocate for vigorous

enforcement of existing laws to protect conscience rights?

YES _____ NO _____

SEX DISCRIMINATION

Some federal and state courts have construed laws that ban discrimination "on account of sex" or "on the basis of sex" as inconsistent with limitations on abortion or government funding of abortion. In addition, some U.N. agencies and other international bodies have adopted the position that limits on abortion are a form of gender-based discrimination.

(14) Would you oppose any legislation or regulatory actions that are based on claims that laws protecting unborn children are a form of gender-based discrimination, and would you insist on the addition of "abortion-neutral" language to any proposed federal statutes, regulations, or constitutional amendments that would mandate "gender equality" or that restrict distinctions on the basis of sex, to ensure that such laws or executive actions cannot be misused to advance pro-abortion policies?

YES _____ NO _____

EQUAL RIGHTS AMENDMENT (ERA)

In 1972, Congress proposed to the states an amendment to the U.S. Constitution, known as the "Equal Rights Amendment" (ERA), to nullify any law or government policy that discriminates "on account of sex." The submitted resolution contained a seven-year deadline for the required ratification by 38 states, which did not occur. In 1982, the U.S. Supreme Court recognized that the ERA had failed to achieve ratification. Nevertheless, ignoring constitutional requirements, some activist groups now insist that Congress has power to retroactively erase the deadline, after which the 1972 ERA will become part of the Constitution if just one additional state ratifies it.

NRLC has long opposed the 1972 ERA because of its potential use as a powerful pro-abortion legal weapon -- and in recent years, leading pro-abortion activist groups have begun to openly proclaim that this is indeed what they intend. For example, in March 2019, NARAL Pro-Choice America asserted the ERA "would reinforce the constitutional right to abortion . . . [it] would require judges to strike down anti-abortion laws." The NOW said the ERA "properly interpreted -- could negate the hundreds of laws that have been passed restricting access to abortion . . ."

(15) Will you oppose any attempt to retroactively nullify the ratification deadline on the 1972 Equal Rights Amendment?

YES _____ NO _____

The abortion-neutralization language proposed by NRLC since 1982 is: "Nothing in this article [the ERA] shall be construed

Exhibit 1 to Declaration of Karen Cross

to grant, secure, or deny any right relating to abortion or the funding thereof.”

(16) Will you oppose any proposal for Congress to submit any new ERA-like constitutional amendment to the states, unless it contains “abortion-neutralization” language to ensure that it will not change abortion policy in either direction?

YES _____ NO _____

(17) Will you also require such “abortion-neutral” language in other legislative proposals dealing with discrimination on the basis of “sex” or gender, to ensure that they cannot be misused to invalidate pro-life laws or policies?

YES _____ NO _____

THE EQUALITY ACT

In 2019, the House of Representatives passed the Equality Act, a bill that would add “sexual orientation” and “gender identity” as protected classes under federal civil rights law.

Note: NRLC takes no position on these provisions. However, an additional provision of the Equality Act changes the definition of “sex” to include “pregnancy, childbirth, or a related medical condition.”

This language, along with other provisions, could be construed to create a right to demand abortion from health care providers and would destroy conscience protections for health care providers. Historically, when Congress has addressed discrimination based on sex, rules of construction have been added to ensure that any efforts do not require funding of abortion or preempt conscience laws.

(18) Will you oppose the Equality Act or any similar legislation unless it contains explicit language to ensure that it will not affect abortion policy?

YES _____ NO _____

PROTECTION OF HUMAN EMBRYOS

The right to life of human beings must be respected at every stage of their biological development. Human individuals who are at the embryonic stage of development should not be used for harmful or lethal medical experimentation. This applies equally to human beings whether their lives were begun by in vitro fertilization, by somatic cell nuclear transfer (human cloning), or by any other laboratory techniques.

NRLC opposes harvesting “stem cells” from living human embryos, since this kills the embryos. This includes any human embryos who might be created by somatic cell nuclear transfer (human cloning) or other laboratory manipulations. *Note:* NRLC is NOT opposed to other research on “stem cells” that are obtained without killing embryos – for example, stem

cells harvested from umbilical cord blood and from adult tissue.

In 2001, President George W. Bush issued an executive order to prevent the federal government from funding research that would encourage the destruction of human embryos, and vetoed bills that would have overturned that policy – but in 2009, President Obama issued a new executive order that nullified the previous pro-life policy, which has allowed federal funding of stem cell research that requires the destruction of human embryos.

(19) Would you vote for legislation to prevent Federal support of research or treatments that harm or destroy human embryos, or that use cells or tissues that are obtained by harming or killing human embryos (including any human embryos created by human cloning or other laboratory manipulations)?

YES _____ NO _____

HEALTH CARE RESTRUCTURING LEGISLATION

On March 23, 2010, President Obama signed into law “The Patient Protection and Affordable Care Act” (“ObamaCare”) (Pub. L. No. 111-148), which passed Congress over the objections of NRLC. When the government rations health care in a way that makes it illegal or impossible for Americans to choose life-saving medical treatment, food, and fluids, it imposes a type of involuntary euthanasia.

Through objectionable features separately described in questions 20-23 below, this legislation can result in unacceptable involuntary denial of life-saving medical treatment through rationing. It also provides subsidies for private health plans that cover elective abortion and contains provisions that are likely to result in further expansions of abortion through administrative actions by various federal agencies.

(20) Would you actively support repeal and replacement of the PPACA (“ObamaCare”)?

YES _____ NO _____

Regardless of your answer to question 20, please answer the following additional questions about the PPACA as well.

ABORTION IN HEALTH INSURANCE

The PPACA (“ObamaCare”) established a new program to assist tens of millions of Americans to purchase private health insurance, including plans that cover elective abortions. The law also created a program under which a federal agency, the Office of Personnel Management (OPM), will administer private plans that will be offered across the nation, but failed to prohibit the agency from including in the program health plans that cover elective abortion.

(21) Would you support legislation to revise ObamaCare

INITIAL _____

Exhibit 1 to Declaration of Karen Cross

to permanently prohibit federal premium subsidies from being spent on plans that cover elective abortions, prohibit federal agencies from administering plans that cover elective abortions, and prohibit federal mandates requiring private health plans to cover or provide access to abortions?

YES _____ NO _____

(22) Would you oppose any new health care legislation intended to comprehensively revise or replace ObamaCare, unless it contains explicit language covering all provisions of the legislation, prohibiting federal subsidies for elective abortion and for insurance plans that cover abortion, and preventing federal pro-abortion regulatory mandates, on a permanent basis?

YES _____ NO _____

RATIONING IN HEALTH CARE

ObamaCare, as well as proposals to create so-called Medicare for All, has made Americans increasingly concerned about denial of life-saving medical treatment for themselves or their family members resulting from its implementation.

(23) As a general principle, do you agree with this statement? "Federal law ought not to limit what private citizens can choose, out of their own funds, to spend on medical treatment to save the lives of their own family." See generally www.nrlc.org/medethics/healthcarerationing/

YES _____ NO _____

Single-payer health care, similar to what is being proposed in many of the Medicare for All proposals, would eliminate privately funded health plans, will lead to government price setting, and will lessen access to healthcare.

(24) Would you oppose any Medicare for All plan that did not allow the option of private health insurance (both individual or employer sponsored) as an alternative?

YES _____ NO _____

FEDERAL GOVERNMENT DRUG PRICE-FIXING

Under current law, drug prices in both Medicare and the private market are negotiated by competing private insurers, not simply accepted at a level set by the drug companies. However, there are checks and balances on these negotiations by private parties that help prevent them from driving prices so low as to result in rationing and harm to new drug development - - checks and balances not present when the government steps in to set prices.

While we understand the goal of reducing drug costs down for the Medicare program, we believe that government "negotiation," which is in reality fixing of prices for covered

drugs, will deter drug innovation and reduce access to life-saving medication for patients.

(25) Would you vote against legislation that would impose government price-fixing or "negotiation" on prescription drugs in either Medicare or the private market?

YES _____ NO _____

TAX INCREASES ON HEALTH INSURANCE

EXCESS BENEFITS TAX: The law ("ObamaCare") would impose a 40% excise tax (the so-called Cadillac tax) on premiums for employer-paid health insurance exceeding an ObamaCare-set limit (26USC §4980I). As explained in a September 30, 2013 Politico article, the level at which the tax kicks in will "be linked to the increase in the consumer price index, but medical inflation generally rises faster than general inflation.

Think of the Cadillac tax as the slow-moving car in the right lane, chugging along at 45 miles per hour. It may be pretty far in the distance, but if you're...moving along at a reasonable clip in the same lane – say, 60 miles an hour – and you don't slow down, you're going to run smack into it." When, in the not-too-distant future, the "collision point" is reached, health insurance benefits for employees will effectively be prevented from keeping up with medical inflation, forcing compounding cutbacks in the health care they are permitted to receive.

DOCUMENTATION for this and the subsequent three questions: <http://www.nrlc.org/uploads/communications/healthcarereport2014.pdf>

On July 17, 2019, the U.S. House of Representatives voted to repeal the excess benefits tax.

(26) Would you vote for legislation to eliminate ObamaCare's so-called Cadillac Tax?

YES _____ NO _____

Health insurers will be excluded from the state-based insurance exchanges whenever government officials think plans offered by the insurers inside or outside the exchange allow private citizens to choose to spend whatever the government officials, in their standardless discretion, think is an "excessive or unjustified" amount on their own health insurance.

(27) Would you vote for legislation that would remove the authority of state-based insurance exchange officials to exclude health insurers from competing within the exchange on the basis of how much the insurers permit private citizens to choose to spend on health insurance?

YES _____ NO _____

More Americans receive their health insurance through an

Exhibit 1 to Declaration of Karen Cross

employer-sponsored plan than any other way. Under current law, apart from the so-called Cadillac Tax discussed above if it goes into effect, what employers spend to obtain health insurance for their employees is not treated as taxable employee income. However, some have proposed to impose federal taxes on some or all of these insurance premiums, making it significantly harder to obtain adequate health insurance and, in effect, imposing a new tax on working Americans.

(28) Would you oppose legislation that would impose federal taxes on health insurance premiums?

YES _____ NO _____

(29) Regardless of your answer to the preceding question, would you oppose legislation raising taxes on health insurance premiums above a limit if that limit was not indexed to medical inflation?

YES _____ NO _____

ADVANCE CARE PLANNING

Effective beginning in 2016, the Obama Administration directed that Medicare funds pay health care professionals to provide “advance care planning” to senior citizens in which they are asked if they want to execute advance directives that limit or reject the life-preserving health care they will be provided.

As documented in National Right to Life’s report, “The Bias Against Life-Preserving Treatment in Advance Care Planning,” available at <http://www.nrlc.org/uploads/advancecareplanning/advanceplanningbias2015.pdf>, in practice advance care planning typically uses unbalanced, distorted, and often inaccurate information in an acknowledged effort to “nudge” those subjected to it to reduce health care spending on them by getting them to agree to forego life-preserving treatment and assisted feeding and fluids.

(30) Would you support legislation to require the Department of Health and Human Services to take steps to ensure that advance care planning paid for with federal tax dollars neutrally assists beneficiaries to implement their own values and health care choices, rather than using unbalanced information and counseling that pressures them into agreeing to reject life-preserving treatment and assisted feeding?

YES _____ NO _____

ASSISTING SUICIDE

Seven states and the District of Columbia have adopted laws affirmatively legalizing prescription of lethal drugs to assist suicide in certain cases.

(31) Would you oppose the Federal legalization of

assisting suicide through lethal prescription?

YES _____ NO _____

(32) Would you support Federal law to strengthen policy against “assisting suicide,” including overturning the D.C. law?

YES _____ NO _____

POLITICAL SPEECH, GRASSROOTS ADVOCACY, and RIGHT TO PETITION

Some members of Congress have pushed for enactment of legislation (such as the so-called “For the People Act, H.R. 1, S. 949 or the DISCLOSE Act, H.R. 2977, S. 1147 in the 116th Congress”) that attempts to discourage donations to organizations (such as NRLC) that comment on the actions of elected federal officials, by requiring the publication of the identities of donors to such organizations. Such restrictions would harm organizations engaged in advocacy on contentious issues, including pro-life issues, because many businessmen and others would be deterred from supporting advocacy organizations for fear of harassment, abuse, or boycotts by people who do not share their political opinions.

(33) Would you oppose enactment of any legislation that would curb the right of private citizens to support advocacy organizations without being “outed” by the government?

YES _____ NO _____

In its January 2010 ruling in *Citizens United v. FEC*, the U.S. Supreme Court ruled that the First Amendment to the U.S. Constitution protects the right of corporations (which includes nonprofit corporations, such as NRLC) to spend money to express viewpoints regarding those who hold or seek political office. Subsequently, some members of Congress have advocated adoption of new restrictions to discourage corporations from exercising this right – for example, by telling corporations that if they engage in constitutionally protected speech on political matters, they will lose other rights.

(34) Would you oppose any legislation that would penalize corporations, including nonprofit corporations such as NRLC, for engaging in the types of free speech that the U.S. Supreme Court has ruled are protected by the First Amendment?

YES _____ NO _____

The federal Lobbying Disclosure Act is a law that already requires organizations that lobby Congress to report, on a quarterly basis, all of the legislative matters on which they contacted members of Congress or Executive Branch agencies, but the law does not require the reporting of the names of specific lawmakers or officials with whom they

Exhibit 1 to Declaration of Karen Cross

communicated. In January 2010, President Obama urged Congress to adopt legislation under which every contact between lobbying organizations and lawmakers would be reported into a publicly accessible database. NRLC believes that such “contact reporting” is an infringement on the First Amendment right to petition government officials, is exceedingly burdensome, and serves no legitimate public policy purpose.

between candidates (including incumbent members of Congress and incumbent presidents) and citizen groups. The rules specifically do not require that there be “formal agreement or collaboration” with a member of Congress or other candidate in order for an expenditure by a citizen group or political action committee to be a “coordinated expenditure” and thus a campaign “contribution.”

(35) Would you oppose any legislation that would require members of Congress or Executive Branch officials to report, into a public database, contacts they receive from an advocacy organization such as NRLC, or that would require an advocacy organization such as NRLC to report its contacts with individual elected officials?

YES _____ NO _____

Under the Bipartisan Campaign Reform Act (McCain-Feingold), the Federal Election Commission promulgated new rules on defining what constitutes illegal “coordination”

Under the loose new definition of “coordination,” citizen groups and PACs that communicate with Congress on legislative matters and conduct independent expenditures are at risk of being unintentionally “coordinated,” thereby making their independent expenditures illegal campaign “contributions.”

(36) Would you support regulatory reforms and/or new legislation to reestablish that “coordination” means only a formal agreement or collaboration on a specific project between a candidate and a citizen group or PAC?

YES _____ NO _____

PLEASE NOTE: The following question is for Senate candidates only:

NOMINATIONS TO THE U.S. SUPREME COURT

The fundamental documents of American democracy and freedom, the Constitution and the Declaration of Independence, have given us essential principles such as the “unalienable” right to life which must be respected by the courts.

(37) Will you advocate for and support nominations to the U.S. Supreme Court of only well-qualified persons who will respect the sanctity of innocent human life, who will interpret the Constitution according to its text, and who will be willing to reconsider precedents inconsistent with the text of the Constitution?

YES _____ NO _____

Signature of Candidate		Please Print or Type Name			Date Signed
State	Congressional District #	Political Party	Contact Person	Phone Number	
Name of Campaign Committee				Campaign Website	
Campaign Address					
Email Address					

Exhibit 2 to Declaration of Karen Cross



Karen Cross <kcross@nrlc.org>

Olivia Maxwell <olivia@twelveoaksco.com>
To: Karen Cross <kcross@nrlc.org>

Wed, Oct 2, 2019 at 11:02 AM

Hi Karen,

I hope you had a great weekend!

I am reaching out to you today on behalf of Michelle Fischbach, a former Lt. Governor from Minnesota and the Republican Candidate for MN-07's Congressional district. Michelle will be in town on October 15th and 16th and I wanted to see if you might have time to meet with her in person.

Michelle is challenging longtime incumbent Collin Peterson for the 7th district seat.

I appreciate your help and consideration, and I look forward to hearing from you.

Olivia

Olivia Maxwell

Twelve Oaks Consulting

2776 S Arlington Mill Drive #161

Arlington, VA 22206

979-450-6231

olivia@twelveoaksco.com

Karen Cross <kcross@nrlc.org>
To: Olivia Maxwell <olivia@twelveoaksco.com>

Wed, Oct 2, 2019 at 11:24 AM

Yes, I would be happy to meet with Michelle Fischbach! Both days work for me between the hours of 7 a.m. and 2:15 p.m. What time works best for you?

Will she be able to come to our office? We have moved and are now located at:

1446-1448 Duke Street

Exhibit 2 to Declaration of Karen Cross

Alexandria, VA 22314

We have free parking behind the building (spots marked "NRLC").

I'm looking forward to it!

Karen

—
Karen Cross

Political Director

National Right to Life Committee

1446 Duke Street

Alexandria, VA 22314

202.626.8808

kcross@nrlc.org

[Quoted text hidden]

Olivia Maxwell <olivia@twelveoaksco.com>
To: Karen Cross <kcross@nrlc.org>

Wed, Oct 2, 2019 at 12:10 PM

Can we do 8:15am on Tuesday, October 15th?

We will come to your office. We would have to leave by 9:15am.

[Quoted text hidden]

Karen Cross <kcross@nrlc.org>
To: Olivia Maxwell <olivia@twelveoaksco.com>

Wed, Oct 2, 2019 at 12:15 PM

Yes, that works for me. See you then!

[Quoted text hidden]

Olivia Maxwell <olivia@twelveoaksco.com>
To: Karen Cross <kcross@nrlc.org>

Wed, Oct 2, 2019 at 12:17 PM

We are locked in! Thank you, Karen!

[Quoted text hidden]

Karen Cross <kcross@nrlc.org>
To: Olivia Maxwell <olivia@twelveoaksco.com>

Sat, Oct 12, 2019 at 10:54 AM

Hi Olivia,

Please call. I'm just checking to see if there's another time we can schedule Michelle's meeting.

Thanks!

Karen

On Wed, Oct 2, 2019 at 11:02 AM Olivia Maxwell <olivia@twelveoaksco.com> wrote:

[Quoted text hidden]

[Quoted text hidden]

Olivia Maxwell <olivia@twelveoaksco.com>
To: Karen Cross <kcross@nrlc.org>

Sat, Oct 12, 2019 at 11:20 AM

Exhibit 2 to Declaration of Karen Cross

Thank you for your phone call, Karen.

We are confirmed for 6pm on Tuesday.

Thank you so much!

Olivia Maxwell

Twelve Oaks Consulting

2776 S Arlington Mill Drive #161

Arlington, VA 22206

979-450-6231

olivia@twelveoaksco.com

From: Karen Cross <kcross@nrc.org>

Date: Saturday, October 12, 2019 at 10:54 AM

To: Olivia Maxwell <olivia@twelveoaksco.com>

Subject: Re: Michelle Fischbach, Republican Candidate for Minnesota's 7th District

Hi Olivia,

[Quoted text hidden]

[Quoted text hidden]



**national
RIGHT TO LIFE**

committee, inc.

444 Duke Street | Alexandria, Virginia 22314
(202) 626-8800 (voice) | www.nrlc.org | nrlc@nrlc.org

RECEIVED
15 Oct 2019

Michelle
Fuechbaen (MN7)
L(36/36)

2020 CONGRESSIONAL CANDIDATE QUESTIONNAIRE

ABORTION

The National Right to Life Committee (NRLC) believes that unborn children should be protected by law, and that abortion should be permitted only when necessary to prevent the death of the mother. Under what circumstances, if any, do you believe that abortion should be legal?

(a) Only to prevent the death of the mother (the NRLC position).

(b) To prevent the death of the mother, or in cases of rape reported to a law enforcement agency, or incest against a minor reported to a child abuse agency.

(c) Other (please explain): _____

PLEASE NOTE: In every question below, a "yes" response indicates agreement with the position of NRLC.

ROE v. WADE and CASEY v. PLANNED PARENTHOOD

In its 1973 rulings in *Roe v. Wade* and *Doe v. Bolton*, the U.S. Supreme Court created a "right to abortion" for any reason until "viability" (into the sixth month), and for any "health" reasons – including "emotional" health – even during the final three months of pregnancy. This ruling invalidated the abortion laws that were in effect in all 50 states at that time. In the 1992 ruling of *Casey v. Planned Parenthood*, the Supreme Court reaffirmed the "core holdings" of *Roe v. Wade* and said that any law placing an "undue burden" on access to abortion would be struck down.

(1) Do you advocate changing the *Roe v. Wade*, *Doe v. Bolton*, and *Casey v. Planned Parenthood* decisions, so that elected legislative bodies (the state legislatures and Congress) may once again protect unborn children by limiting and/or prohibiting abortion?

YES NO

ABORTION POLICIES

(2) Would you vote against any legislation that would weaken any pro-life law or policy that is in effect on the day that you are elected?

YES NO

(3) Would you vote against any federal legislation that would place new limits on the ability of states to regulate abortion – for example, the so-called "Women's Health Protection Act" (S. 1645, H.R. 2975 in the 116th Congress), sometimes referred to by critics as the "Abortion Without Limits Until Birth Act," which is successor to the so-called "Freedom of Choice Act"?

YES NO

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

There is now compelling scientific evidence that at least by 20 weeks fetal age the unborn child is capable of experiencing pain when subjected to abortion. On this basis, in 2010, Nebraska enacted the Pain-Capable Unborn Child Protection Act to prohibit abortions after that point (with narrow exceptions), and a number of other states subsequently passed bills based on the same model. On October 3, 2017, similar national legislation (H.R. 36) was approved by the U.S. House of Representatives. On January 29, 2018, the companion bill was voted on in the U.S. Senate, but fell short of the 60 votes needed to invoke cloture.

(4) Would you vote for the Pain-Capable Unborn Child Protection Act, to strictly limit abortion from 20 weeks fetal age, the point in development at which evidence currently suggests an unborn child has the capacity to feel pain?

YES NO

DISMEMBERMENT ABORTION BAN ACT

The Saving Children Act to ban dismemberment abortions, (H.R. 956) has been introduced in the U.S. House of Representatives by Congresswoman Debbie Lesko (R-AZ). The companion bill, The Dismemberment Abortion Ban (S. 1035), also was introduced in the U.S. Senate by Sens. Mike Rounds (R-SD) and James Lankford (R-OK).

This bill is based on a model state bill proposed by National Right to Life, which was enacted in 2015 in Kansas and Oklahoma, and a number of other states subsequently passed bills based on the same model. The bill defines "dismemberment abortion" as "knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush or grasp a portion of the unborn child's body in order to cut

or rip it off . . ." This definition largely overlaps with what those in the abortion trade currently refer to as "dilation and evacuation" or "dilation and extraction" (D&E) abortions. This brutal method is commonly used starting at about 14 weeks of pregnancy and extending into the third trimester.

(5) Would you vote for the Dismemberment Abortion Ban Act, to place a national ban on the use of dismemberment abortion?

YES NO

GOVERNMENT SUBSIDIES FOR ABORTION

On January 24, 2017, the U.S. House of Representatives approved the No Taxpayer Funding for Abortion Act (H.R. 7). This bill would establish a permanent policy against funding abortions and health plans that cover abortions, consistent with the principles of the Hyde Amendment, to all federal programs, including those created by the Patient Protection and Affordable Care Act of 2010 (Pub. L. No. 111-148) ("ObamaCare").

(6) Would you vote for the No Taxpayer Funding for Abortion Act?

YES NO

Congress votes from time to time on the "Hyde Amendment," a law that prohibits federal Medicaid money from being used to pay for abortions or for health care plans that include abortion, except to save the life of the mother, or in cases of rape or incest. Other similar provisions of law restrict federal subsidies for abortion in certain other federal health programs, including those covering the military and federal employees, but, regrettably, not major components of the Patient Protection and Affordable Care Act of 2010 ("ObamaCare").

(7) Would you oppose any legislation that would weaken the Hyde Amendment, or other current laws that restrict federal subsidies for abortion; and, would you support measures to ensure the fullest possible enforcement of such laws and application, wherever appropriate, of their underlying principles?

YES NO

The District of Columbia is an exclusively federal jurisdiction. Article I of the Constitution provides that Congress must exercise "exclusive legislation in all cases whatsoever" over the District.

In December 2009, at the urging of President Obama, Congress effectively repealed a longstanding ban on government funding of abortions in the District. However, in April 2011, at the insistence of congressional Republican leaders, a prohibition was restored to prohibit any use of government funds for abortion in the District whether

designated as "federal" funds or so-called "local" funds (except to save the life of the mother, or in cases of rape or incest). This issue will continue to arise during future congressional appropriations cycles.

(8) Would you vote to preserve the prohibition on public funding of abortion in the District of Columbia, applicable to all government funds however they are labeled?

YES NO

The federal government annually provides many millions of dollars to organizations that operate abortion clinics. For example, affiliates of the Planned Parenthood Federation of America (PPFA) provide over one-third of all the abortions performed in the U.S., yet PPFA also receives over a half-billion dollars annually from government sources, mostly federal (including Medicaid and the Title X "family planning" program).

(9) Would you vote for legislation that would make organizations that perform abortions (other than bona fide hospitals), including Planned Parenthood, ineligible to receive federal funding, including federal Medicaid funds?

YES NO

FOREIGN AID FOR ABORTION

The U.S. spends about \$600 million annually for birth control programs overseas. Under Presidents Ronald Reagan, George H.W. Bush, George W. Bush, and Donald Trump, executive orders collectively referred to as the "Mexico City Policy" (renamed and expanded under the Trump Administration as the "Protecting Life in Global Health Assistance" program) established that in order to be eligible for U.S. population control funds, a private overseas organization must agree not to perform abortions (except to save the life of the mother, or in cases of rape or incest) or to "actively promote abortion as a method of family planning." However, during the administrations of Presidents Clinton and Obama, this pro-life policy was overturned by executive order.

(10) Would you vote for legislation to codify (enact into permanent law) the principles of the "Mexico City Policy," that U.S. funds should not go to overseas organizations that perform or promote abortion?

YES NO

The United Nations Population Fund (UNFPA) has participated in China's population control program, which relies heavily on coerced abortion. The UNFPA has also promoted expanded access to abortion in developing nations, and has promoted the abortion pill, RU 486. The administrations of Presidents Ronald Reagan, George H.W. Bush, George W. Bush, and Donald Trump cut off U.S. funding to the UNFPA because of its role in China.

(11) Would you vote for legislation to prevent U.S. funding of

MUR778100077

the United Nations Population Fund (UNFPA), and to prevent any other disregard for, or weakening or repeal of, the 1985 Kemp-Kasten anti-coercion law, which prohibits U.S. funding of any agency that supports a program of coercive abortion?

YES NO

PARENTAL NOTIFICATION/CONSENT FOR MINORS' ABORTIONS

Laws are already in effect in about half the states that require notification or consent of at least one parent (or authorization by a judge) before an abortion can be performed on a minor. However, these laws are often circumvented by minors who cross state lines in order to evade parental notification requirements (often with the aid of older boyfriends, abortion clinic staff, or other adults lacking parental authority).

The Child Interstate Abortion Notification Act (CIANA), (S. 119, H.R. 611 in the 116th Congress) would require any abortionist, encountering a minor client from another state, to notify one parent before performing an abortion, unless presented with authorization from a court, or in cases of life endangerment, or in cases of sexual or physical abuse or neglect by a parent, in which case the appropriate state agency must be notified instead of a parent. The bill would also make it an offense to transport a minor across state lines to evade a parental involvement requirement.

(12) Would you oppose weakening amendments to the Child Interstate Abortion Notification Act (CIANA), and vote for the bill?

YES NO

CONSCIENCE PROTECTION

For many years, pro-abortion officials and advocacy groups have sought to use the compulsory powers of government to compel health care providers to participate in abortion. The Obama Administration broadened the assault on conscience rights by issuing "ObamaCare" regulations that require employers (including religious schools and hospitals) to provide health coverage that will provide drugs and procedures to which the employers have religious or moral objections. In response, pro-life members of Congress have proposed the Conscience Protection Act (S. 183 and H.R. 2014 in the 116th Congress), which would greatly strengthen the rights of private individuals and employers to refuse to participate in abortion or other procedures that violate their deeply held beliefs. Among other things, the bill would prohibit any government agency – federal, state, or local – from penalizing health care providers for refusing to participate in providing abortions and would allow health care providers to sue when subjected to such attacks from government entities.

(13) Would you vote for legislation, such as the Conscience Protection Act, to protect the conscience rights of pro-life health care providers and others, and advocate for vigorous

enforcement of existing laws to protect conscience rights?

YES NO

SEX DISCRIMINATION

Some federal and state courts have construed laws that ban discrimination "on account of sex" or "on the basis of sex" as inconsistent with limitations on abortion or government funding of abortion. In addition, some U.N. agencies and other international bodies have adopted the position that limits on abortion are a form of gender-based discrimination.

(14) Would you oppose any legislation or regulatory actions that are based on claims that laws protecting unborn children are a form of gender-based discrimination, and would you insist on the addition of "abortion-neutral" language to any proposed federal statutes, regulations, or constitutional amendments that would mandate "gender equality" or that restrict distinctions on the basis of sex, to ensure that such laws or executive actions cannot be misused to advance pro-abortion policies?

YES NO

EQUAL RIGHTS AMENDMENT (ERA)

In 1972, Congress proposed to the states an amendment to the U.S. Constitution, known as the "Equal Rights Amendment" (ERA), to nullify any law or government policy that discriminates "on account of sex." The submitted resolution contained a seven-year deadline for the required ratification by 38 states, which did not occur. In 1982, the U.S. Supreme Court recognized that the ERA had failed to achieve ratification. Nevertheless, ignoring constitutional requirements, some activist groups now insist that Congress has power to retroactively erase the deadline, after which the 1972 ERA will become part of the Constitution if just one additional state ratifies it.

NRLC has long opposed the 1972 ERA because of its potential use as a powerful pro-abortion legal weapon – and in recent years, leading pro-abortion activist groups have begun to openly proclaim that this is indeed what they intend. For example, in March 2019, NARAL Pro-Choice America asserted the ERA "would reinforce the constitutional right to abortion . . . [it] would require judges to strike down anti-abortion laws." The NOW said the ERA "properly interpreted – could negate the hundreds of laws that have been passed restricting access to abortion . . ."

(15) Will you oppose any attempt to retroactively nullify the ratification deadline on the 1972 Equal Rights Amendment?

YES NO

The abortion-neutralization language proposed by NRLC since 1982 is: "Nothing in this article (the ERA) shall be construed

to grant, secure, or deny any right relating to abortion or the funding thereof."

(16) Will you oppose any proposal for Congress to submit any new ERA-like constitutional amendment to the states, unless it contains "abortion-neutralization" language to ensure that it will not change abortion policy in either direction?

YES NO

(17) Will you also require such "abortion-neutral" language in other legislative proposals dealing with discrimination on the basis of "sex" or gender, to ensure that they cannot be misused to invalidate pro-life laws or policies?

YES NO

THE EQUALITY ACT

In 2019, the House of Representatives passed the Equality Act, a bill that would add "sexual orientation" and "gender identity" as protected classes under federal civil rights law.

Note: NRLC takes no position on these provisions. However, an additional provision of the Equality Act changes the definition of "sex" to include "pregnancy, childbirth, or a related medical condition."

This language, along with other provisions, could be construed to create a right to demand abortion from health care providers and would destroy conscience protections for health care providers. Historically, when Congress has addressed discrimination based on sex, rules of construction have been added to ensure that any efforts do not require funding of abortion or preempt conscience laws.

(18) Will you oppose the Equality Act or any similar legislation unless it contains explicit language to ensure that it will not affect abortion policy?

YES NO

PROTECTION OF HUMAN EMBRYOS

The right to life of human beings must be respected at every stage of their biological development. Human individuals who are at the embryonic stage of development should not be used for harmful or lethal medical experimentation. This applies equally to human beings whether their lives were begun by in vitro fertilization, by somatic cell nuclear transfer (human cloning), or by any other laboratory techniques.

NRLC opposes harvesting "stem cells" from living human embryos, since this kills the embryos. This includes any human embryos who might be created by somatic cell nuclear transfer (human cloning) or other laboratory manipulations. *Note:* NRLC is NOT opposed to other research on "stem cells" that are obtained without killing embryos – for example stem

cells harvested from umbilical cord blood and from adult tissue.

In 2001, President George W. Bush issued an executive order to prevent the federal government from funding research that would encourage the destruction of human embryos, and vetoed bills that would have overturned that policy – but in 2009, President Obama issued a new executive order that nullified the previous pro-life policy, which has allowed federal funding of stem cell research that requires the destruction of human embryos.

(19) Would you vote for legislation to prevent Federal support of research or treatments that harm or destroy human embryos, or that use cells or tissues that are obtained by harming or killing human embryos (including any human embryos created by human cloning or other laboratory manipulations)?

YES NO

**HEALTH CARE
 RESTRUCTURING LEGISLATION**

On March 23, 2010, President Obama signed into law "The Patient Protection and Affordable Care Act" ("ObamaCare") (Pub. L. No. 111-148), which passed Congress over the objections of NRLC. When the government rations health care in a way that makes it illegal or impossible for Americans to choose life-saving medical treatment, food, and fluids, it imposes a type of involuntary euthanasia.

Through objectionable features separately described in questions 20-23 below, this legislation can result in unacceptable involuntary denial of life-saving medical treatment through rationing. It also provides subsidies for private health plans that cover elective abortion and contains provisions that are likely to result in further expansions of abortion through administrative actions by various federal agencies.

(20) Would you actively support repeal and replacement of the PPACA ("ObamaCare")?

YES NO

Regardless of your answer to question 20, please answer the following additional questions about the PPACA as well.

ABORTION IN HEALTH INSURANCE

The PPACA ("ObamaCare") established a new program to assist tens of millions of Americans to purchase private health insurance, including plans that cover elective abortions. The law also created a program under which a federal agency, the Office of Personnel Management (OPM), will administer private plans that will be offered across the nation, but failed to prohibit the agency from including in the program health plans that cover elective abortion.

(21) Would you support legislation to revise ObamaCare

to permanently prohibit federal premium subsidies from being spent on plans that cover elective abortions, prohibit federal agencies from administering plans that cover elective abortions, and prohibit federal mandates requiring private health plans to cover or provide access to abortions?

YES NO

(22) Would you oppose any new health care legislation intended to comprehensively revise or replace ObamaCare, unless it contains explicit language covering all provisions of the legislation, prohibiting federal subsidies for elective abortion and for insurance plans that cover abortion, and preventing federal pro-abortion regulatory mandates, on a permanent basis?

YES NO

RATIONING IN HEALTH CARE

ObamaCare, as well as proposals to create so-called Medicare for All, has made Americans increasingly concerned about denial of life-saving medical treatment for themselves or their family members resulting from its implementation.

(23) As a general principle, do you agree with this statement? "Federal law ought not to limit what private citizens can choose, out of their own funds, to spend on medical treatment to save the lives of their own family." See generally www.nrlc.org/medethics/healthcarerationing/

YES NO

Single-payer health care, similar to what is being proposed in many of the Medicare for All proposals, would eliminate privately funded health plans, will lead to government price setting, and will lessen access to healthcare.

(24) Would you oppose any Medicare for All plan that did not allow the option of private health insurance (both individual or employer sponsored) as an alternative?

YES NO

FEDERAL GOVERNMENT DRUG PRICE-FIXING

Under current law, drug prices in both Medicare and the private market are negotiated by competing private insurers, not simply accepted at a level set by the drug companies. However, there are checks and balances on these negotiations by private parties that help prevent them from driving prices so low as to result in rationing and harm to new drug development - - checks and balances not present when the government steps in to set prices.

While we understand the goal of reducing drug costs down for the Medicare program, we believe that government "negotiation" which is in reality fixing of prices for covered

drugs, will deter drug innovation and reduce access to life-saving medication for patients.

(25) Would you vote against legislation that would impose government price-fixing or "negotiation" on prescription drugs in either Medicare or the private market?

YES NO

TAX INCREASES ON HEALTH INSURANCE

EXCESS BENEFITS TAX: The law ("ObamaCare") would impose a 40% excise tax (the so-called Cadillac tax) on premiums for employer-paid health insurance exceeding an ObamaCare-set limit (26USC §4980I). As explained in a September 30, 2013 Politico article, the level at which the tax kicks in will "be linked to the increase in the consumer price index, but medical inflation generally rises faster than general inflation.

Think of the Cadillac tax as the slow-moving car in the right lane, chugging along at 45 miles per hour. It may be pretty far in the distance, but if you're...moving along at a reasonable clip in the same lane - say, 60 miles an hour - and you don't slow down, you're going to run smack into it." When, in the not-too-distant future, the "collision point" is reached, health insurance benefits for employees will effectively be prevented from keeping up with medical inflation, forcing compounding cutbacks in the health care they are permitted to receive.

DOCUMENTATION for this and the subsequent three questions: <http://www.nrlc.org/uploads/communications/healthcarereport2014.pdf>

On July 17, 2019, the U.S. House of Representatives voted to repeal the excess benefits tax.

(26) Would you vote for legislation to eliminate ObamaCare's so-called Cadillac Tax?

YES NO

Health insurers will be excluded from the state-based insurance exchanges whenever government officials think plans offered by the insurers inside or outside the exchange allow private citizens to choose to spend whatever the government officials, in their standardless discretion, think is an "excessive or unjustified" amount on their own health insurance.

(27) Would you vote for legislation that would remove the authority of state-based insurance exchange officials to exclude health insurers from competing within the exchange on the basis of how much the insurers permit private citizens to choose to spend on health insurance?

YES NO

More Americans receive their health insurance through an

employer-sponsored plan than any other way. Under current law, apart from the so-called Cadillac Tax discussed above if it goes into effect, what employers spend to obtain health insurance for their employees is not treated as taxable employee income. However, some have proposed to impose federal taxes on some or all of these insurance premiums, making it significantly harder to obtain adequate health insurance and, in effect, imposing a new tax on working Americans.

(28) Would you oppose legislation that would impose federal taxes on health insurance premiums?

YES NO

(29) Regardless of your answer to the preceding question, would you oppose legislation raising taxes on health insurance premiums above a limit if that limit was not indexed to medical inflation?

YES NO

ADVANCE CARE PLANNING

Effective beginning in 2016, the Obama Administration directed that Medicare funds pay health care professionals to provide "advance care planning" to senior citizens in which they are asked if they want to execute advance directives that limit or reject the life-preserving health care they will be provided.

As documented in National Right to Life's report, "The Bias Against Life-Preserving Treatment in Advance Care Planning," available at <http://www.nrlc.org/uploads/advancecareplanning/advanceplanningbias2015.pdf>, in practice advance care planning typically uses unbalanced, distorted, and often inaccurate information in an acknowledged effort to "nudge" those subjected to it to reduce health care spending on them by getting them to agree to forego life-preserving treatment and assisted feeding and fluids.

(30) Would you support legislation to require the Department of Health and Human Services to take steps to ensure that advance care planning paid for with federal tax dollars neutrally assists beneficiaries to implement their own values and health care choices, rather than using unbalanced information and counseling that pressures them into agreeing to reject life-preserving treatment and assisted feeding?

YES NO

ASSISTING SUICIDE

Seven states and the District of Columbia have adopted laws affirmatively legalizing prescription of lethal drugs to assist suicide in certain cases.

(31) Would you oppose the Federal legalization of

assisting suicide through lethal prescription?

YES NO

(32) Would you support Federal law to strengthen policy against "assisting suicide," including overturning the D.C. law?

YES NO

POLITICAL SPEECH, GRASSROOTS ADVOCACY, and RIGHT TO PETITION

Some members of Congress have pushed for enactment of legislation (such as the so-called "For the People Act, H.R. 1, S. 949 or the DISCLOSE Act, H.R. 2977, S. 1147 in the 116th Congress") that attempts to discourage donations to organizations (such as NRLC) that comment on the actions of elected federal officials, by requiring the publication of the identities of donors to such organizations. Such restrictions would harm organizations engaged in advocacy on contentious issues, including pro-life issues, because many businessmen and others would be deterred from supporting advocacy organizations for fear of harassment, abuse, or boycotts by people who do not share their political opinions.

(33) Would you oppose enactment of any legislation that would curb the right of private citizens to support advocacy organizations without being "outed" by the government?

YES NO

In its January 2010 ruling in *Citizens United v. FEC*, the U.S. Supreme Court ruled that the First Amendment to the U.S. Constitution protects the right of corporations (which includes nonprofit corporations, such as NRLC) to spend money to express viewpoints regarding those who hold or seek political office. Subsequently, some members of Congress have advocated adoption of new restrictions to discourage corporations from exercising this right—for example, by telling corporations that if they engage in constitutionally protected speech on political matters, they will lose other rights.

(34) Would you oppose any legislation that would penalize corporations, including nonprofit corporations such as NRLC, for engaging in the types of free speech that the U.S. Supreme Court has ruled are protected by the First Amendment?

YES NO

The federal Lobbying Disclosure Act is a law that already requires organizations that lobby Congress to report, on a quarterly basis, all of the legislative matters on which they contacted members of Congress or Executive Branch agencies, but the law does not require the reporting of the names of specific lawmakers or officials with whom they

communicated. In January 2010, President Obama urged Congress to adopt legislation under which every contact between lobbying organizations and lawmakers would be reported into a publicly accessible database. NRLC believes that such "contact reporting" is an infringement on the First Amendment right to petition government officials, is exceedingly burdensome, and serves no legitimate public policy purpose.

between candidates (including incumbent members of Congress and incumbent presidents) and citizen groups. The rules specifically do not require that there be "formal agreement or collaboration" with a member of Congress or other candidate in order for an expenditure by a citizen group or political action committee to be a "coordinated expenditure" and thus a campaign "contribution."

(35) Would you oppose any legislation that would require members of Congress or Executive Branch officials to report, into a public database, contacts they receive from an advocacy organization such as NRLC, or that would require an advocacy organization such as NRLC to report its contacts with individual elected officials?

YES NO

Under the loose new definition of "coordination," citizen groups and PACs that communicate with Congress on legislative matters and conduct independent expenditures are at risk of being unintentionally "coordinated," thereby making their independent expenditures illegal campaign "contributions."

(36) Would you support regulatory reforms and/or new legislation to reestablish that "coordination" means only a formal agreement or collaboration on a specific project between a candidate and a citizen group or PAC?

YES NO

Under the Bipartisan Campaign Reform Act (McCain-Feingold), the Federal Election Commission promulgated new rules on defining what constitutes illegal "coordination"

PLEASE NOTE: The following question is for Senate candidates only:

NOMINATIONS TO THE U.S. SUPREME COURT

The fundamental documents of American democracy and freedom, the Constitution and the Declaration of Independence, have given us essential principles such as the "unalienable" right to life which must be respected by the courts.

(37) Will you advocate for and support nominations to the U.S. Supreme Court of only well-qualified persons who will respect the sanctity of innocent human life, who will interpret the Constitution according to its text, and who will be willing to reconsider precedents inconsistent with the text of the Constitution?

YES NO

Signature of Candidate 		Please Print or Type Name MICHELLE FISCHBACH		Date Signed 10/3/19
State MN	Congressional District # #7	Political Party R	Contact Person DAVID FITZSIMMONS	Phone Number 320 292-6078
Name of Campaign Committee FISCHBACH FOR CONGRESS		Campaign Website FischbachforCongress.com		
Campaign Address P.O. Box 190 Litchfield, MN 55355		Campaign Website		
Email Address info @ FischbachforCongress.com				

Exhibit 4 to Declaration of Karen Cross



1446 Duke Street | Alexandria, Virginia 22314
 (202) 626-8800 (voice) | www.nrlc.org | nrlc@nrlc.org



January 14, 2020

The Honorable Michelle Fischbach
 Fischbach for Congress
 Post Office Box 190
 Litchfield, Minnesota 55355

Dear Michelle:

National Right to Life is pleased to endorse you for election to the U.S. House of Representatives, to represent the seventh congressional district of Minnesota.

You are a proven and accomplished pro-life leader with a 100% lifetime pro-life voting record. For more than two decades you have worked to advance pro-life legislation, authoring or cosponsoring every major pro-life bill in Minnesota. As president of the Minnesota State Senate, you also took a leadership role in promoting pro-life legislation.

Unborn children deserve a 100% pro-life representative from Minnesota's 7th Congressional District.

Unfortunately, Rep. Collin Peterson does not have a 100% pro-life voting record. He even voted to overturn President Trump's pro-life policy of not allowing U.S. taxpayer dollars to be used to fund overseas organizations that perform or promote abortion.

We know you will vote 100% pro-life, including opposing taxpayer funding of abortion and abortion-providers. And you will vote to restore pro-life leadership to the U.S. House.

All voters in the 7th Congressional District who are concerned with the right to life and with the protection of the most vulnerable members of the human family should vote to send you to the U.S. House, so that you can work to advance vital pro-life public policies.

Sincerely,

Carol Tobias
 President

David N. O'Steen, Ph.D.
 Executive Director

Jennifer Popik, J.D.
 Legislative Director

Karen A. Cross
 Political Director

Defending Life in America Since 1968

**Babies deserve a 100% Pro-life
Representative in Congress!**

*Please attend the Republican
precinct caucus
on February 25
and support pro-life
Michelle Fischbach
for Congress*



Paid for by National Right to Life Victory Fund (www.nrlvictoryfund.org) and Minnesota Citizens Concerned for Life, Inc. Federal PAC (www.mccipac.org) Not authorized by any candidate or candidate's committee.



MN07MB

Non-Profit Org.
U.S. Postage
PAID
Indianapolis, IN
Permit No. 5877

Unborn babies deserve a 100% Pro-life U.S. Representative from Minnesota's 7th Congressional District!



National Right to Life and Minnesota Citizens for Life
have endorsed Michelle Fischbach



Michelle Fischbach

- ♥ Michelle Fischbach is pro-life. She opposes abortion on demand, and she supports protection for unborn children.
- ♥ Michelle Fischbach is a proven and accomplished pro-life leader with a 100% lifetime pro-life voting record. For more than two decades, she has worked to advance pro-life legislation, authoring or cosponsoring every major pro-life bill in Minnesota.
- ♥ During her tenure in the Minnesota Senate (1996-2018), Michelle Fischbach cast 149 pro-life votes out of a possible 149.
- ♥ As President of the Minnesota Senate, she took a leadership role in promoting pro-life legislation.
- ♥ Michelle Fischbach authored lifesaving laws such as the Positive Alternatives Act, which provides grants to life-affirming programs that offer practical assistance to pregnant women, and the Woman's Right to Know Act, which ensures informed consent prior to abortion.
- ♥ Michelle Fischbach opposes using your tax dollars to pay for abortion, and she supports the bill that would defund abortion providers.



On February 25, please vote in your Republican precinct
caucus for **MICHELLE FISCHBACH** delegates.

Declaration of Leo LaLonde

I, Leo LaLonde, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am President of Minnesota Citizens Concerned for Life (“MCCL”) and I have personal knowledge of the facts presented herein.
2. I am offering this declaration in support of the response of Respondent Minnesota Citizens Concerned for Life, Inc. Federal PAC (“MCCL Fed. PAC”) to Federal Election Commission Matter Under Review 7731.
3. MCCL Fed. PAC is a federally-registered political committee, established as a separate segregated fund of Minnesota Citizens Concerned for Life, Inc. MCCL Fed. PAC makes expenditures and contributions to influence federal elections.
4. Scott Fischbach is the Executive Director of MCCL. He has held that position since 2001. His wife is Michelle Fischbach. Michelle Fischbach was elected to the Minnesota Senate in 1996, 2000, 2002, 2006, 2010, 2012, and 2016. During that time, she established what MCCL considers a perfect pro-life voting record.
5. Some time during the second week of August 2019, MCCL Fed. PAC learned that Michelle Fischbach would run for election to the United States House of Representatives for District 7 in Minnesota.
6. On or about August 12, 2019, Andrea Rau, MCCL’s Legislative Director, drafted a Memorandum for my approval establishing a “firewall policy” to remove Scott Fischbach from any MCCL Fed. PAC activity and to isolate him from any conversations regarding activities in connection with the U.S. Congressional District 7 race. *See Exhibit 1*, a true and correct copy of the draft Memorandum.
7. On August 19, 2019, I approved and circulated the Memorandum which was identical

Declaration of Leo LaLonde

to the draft memorandum except with respect to formatting, which Memorandum (1) excluded Scott Fischbach from any decision-making of MCCL Fed. PAC activities; (2) removed Scott Fischbach's check-signing privileges for MCCL Fed. PAC; (3) prohibited Scott Fischbach's being involved in any MCCL Fed. PAC activity, and; (4) reminded all MCCL and MCCL Fed. PAC personnel that special caution should be taken to ensure that Scott Fischbach not be involved in any conversations regarding endorsement and/or expenditures in the Minnesota Congressional District 7 race. Attached as **Exhibits 2** is a true and correct copy of the email and **Exhibit 3** is a true and correct copy of the "firewall" Memorandum as it was adopted on August 30, 2019.

8. As a result, Scott Fischbach did not take part in any MCCL Fed. PAC decision or activity, signed no checks for MCCL Fed. PAC, and I had no conversations with Scott regarding endorsements and/or expenditures in the Minnesota Congressional District 7 race. On information and belief, no other MCCL or MCCL Fed. PAC personnel had any such conversation with him.

9. On September 2, 2019, Michelle Fischbach officially announced that she would run for the United States Congress for the 7th District of Minnesota.

<https://minnesota.cbslocal.com/2019/09/02/michelle-fischbach-announces-congressional-run/>

10. On October 24, 2019, the Legislative Director emailed me that the campaign manager for the Michelle Fischbach for Congress campaign had asked if the MCCL Fed. PAC would endorse Michelle for election to federal office. The Legislative Director and I discussed the possibility of endorsing Michelle at that time. Michelle qualified for an endorsement, because she had had a perfect pro-life voting record in the Minnesota legislature and had agreed with all of MCCL's positions on relevant federal issues in MCCL's federal candidate questionnaire. **Exhibit**

4 is a true and correct copy of the MCCL federal candidate questionnaire, as completed by Michelle Fischbach.

11. MCCL Fed. PAC did not endorse Michelle Fischbach at that time because MCCL's PACs generally make endorsements of candidates around the time of the annual March for Life (typically January 22), when interest in the pro-life issue is at its highest. We decided to make an endorsement in January.

12. Starting sometime in November, the MCCL Fed. PAC and the National Right to Life Committee ("NRLC") discussed releasing their respective endorsements of Michelle Fischbach together at an event in Minnesota in January.

13. Around this time I was advised that the NRLC Executive Committee had passed resolutions that Darla St. Martin and Scott Fischbach would have no participation in or knowledge of any activities or plans of NRL-VF in Minnesota 2020 federal elections. I agreed that MCCL Fed. PAC should likewise have no contact with Darla St. Martin as well. I had no contact with Darla St. Martin regarding any MCCL Fed. PAC activities or plans in Minnesota 2020 federal elections before or after I learned of the NRLC Executive Committee resolutions. On information and belief, no other MCCL or MCCL Fed. PAC personnel had any such conversation with her.

14. I was concerned that the weather in January would greatly limit attendance at any event. I worked with MCCL Fed. PAC staff to plan an alternative. On January 4, 2020, I emailed David O'Steen and Carol Tobias at NRLC, and I proposed that the announcements be made through a joint release or separate releases that provided contact information for spokespersons for media inquiries. Attached as **Exhibit 5** is a true and correct copy of the plan that I proposed.

15. The endorsement proposal, including its talking points and answers to possible

questions, was drafted by Paul Stark, Communications Director of MCCL. I had no contact with Michelle Fischbach or any agent of her campaign in creating the plan and I used no information provided directly or indirectly by Michelle Fischbach or any agent of her campaign in drafting the plan, including the talking points and answers to possible questions.

16. During the second week in January, NRLC and MCCL Fed. PAC agreed to distribute written endorsements and separate press releases announcing the endorsements rather than hold a press conference.

17. With my approval and supervision, the Communications Director, Paul Stark, drafted MCCL Fed. PAC's endorsement and its press release announcing the endorsement. True and correct copies of each are attached as **Exhibit 6**, and **Exhibit 7**, respectively. I had no contact with Michelle Fischbach or any agent of her campaign in reviewing or editing the endorsement or the press release announcing the endorsement, and I used no information provided either directly or indirectly by Michelle Fischbach or any agent of her campaign in reviewing or editing the endorsement or the press release announcing the endorsement. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the endorsement or the press release announcing the endorsement.

18. The endorsement letter was sent to Michelle Fischbach's campaign and the press release announcing the endorsement was distributed to MCCL Fed. PAC's normal contacts on January 15.

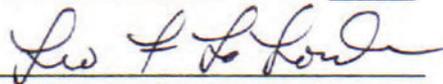
19. Some time in late January, National Right to Life Victory Fund (NRL-VF) and MCCL Fed. PAC agreed to jointly fund a mailer to urge voters in the Seventh District to attend the Republican precinct caucuses to support Michelle Fischbach as the Republican candidate for U.S. Congress.

20. NRL-VF personnel provided a draft that I reviewed and approved on or about February 4, 2020.

21. I had no contact with Michelle Fischbach or any agent of her campaign in creating the piece and at no time did I have any discussion, directly or indirectly, with Michelle Fischbach or any agent of her campaign about making the expenditure. Michelle Fischbach or any agent of her campaign was not involved in any decision regarding the means or mode to be used to urge support of Michelle Fischbach, the piece's content or intended audience, the timing of the piece, or any detail of its printing. I had no discussion, directly or indirectly, with Michelle Fischbach or any agent of her campaign about the campaign's plans in considering, reviewing, or distributing the piece. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the piece whatsoever.

22. MCCL Fed. PAC provided its mailing list for the Seventh District to be merged with NRL-VF's for mailing the piece. The pieces were distributed to its list. MCCL Fed. PAC filed its 48 hour report on February 13 for an expenditure of \$11,698,71, half the total cost of the distribution of the piece. After a Request for Additional Information by the Commission, MCCL Fed. PAC timely filed an amended 48-hour report to reflect that the disbursement was for a Primary. The two reports are at <https://docquery.fec.gov/cgi-bin/fecimg/?202002139186502046> (original) and <https://docquery.fec.gov/cgi-bin/fecimg/?202003039203741113> (amended).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 31st
day of July, 2020



Leo LaLonde, President
Minnesota Citizens Concerned
For Life, Inc.

Exhibit 1 to Declaration of Leo LaLonde

Memo

Re: 2020 PAC Committees
Date: August 12, 2019
From: Andrea Rau
To: Scott Fischbach
Leo LaLonde
Cathy Blaeser, Treasurer
Andrea Rau
Paul Stark

The PAC committees as described in this memo will make decisions regarding candidate endorsements and disbursement of PAC funds for independent expenditures or other expenditures for candidates.

The following individuals will serve on the PAC committees for the 2020 elections:

Federal Races (MCCL Federal PAC):

Cathy Blaeser
Leo LaLonde
Andrea Rau

NOTE: Effective immediately, Scott Fischbach does not have check signing privileges for the Federal PAC, nor may he be involved in any federal PAC activity.

State Legislative Races (MCCL State PAC):

Scott Fischbach
Leo LaLonde
Andrea Rau

I also wish to remind everyone that special caution should be taken to ensure that Scott Fischbach not be involved in any conversations regarding endorsement and/or expenditures in the Congressional District 7 race.

###

Exhibit 2 to Declaration of Leo LaLonde

From:
Sent: Monday, August 19, 2019 2:58 PM
To: llalonde@mccd.org ; CathyBlaeser@frontiernet.net ;
maryaschmit@usfamily.net ; djpaffel@q.com ;
Subject: PAC Memo for 2020

Leo wanted me to share with you this proposed memo regarding our State and Federal Political Action Committee's structure moving forward.

This is similar to what we did several years ago in removing me from the State PAC when Michelle ran for state office. Now, we have been encouraged to have the same document in place for our federal PAC when Michelle seeks federal office.

Scott

Exhibit 3 to Declaration of Leo LaLonde

Memo

Re: 2020 PAC Committees

Date: August 30, 2019

From: Andrea Rau

To: Scott Fischbach
Leo LaLonde
Cathy Blaeser, Treasurer
Andrea Rau
Paul Stark

The PAC committees as described in this memo will make decisions regarding candidate endorsements and disbursement of PAC funds for independent expenditures or other expenditures for candidates.

The following individuals will serve on the PAC committees for the 2020 elections:

Federal Races (MCCL Federal PAC):

Cathy Blaeser
Leo LaLonde
Andrea Rau

NOTE: Effective immediately, Scott Fischbach does not have check signing privileges for the Federal PAC, nor may he be involved in any federal PAC activity.

State Legislative Races (MCCL State PAC):

Scott Fischbach
Leo LaLonde
Andrea Rau

I also wish to remind everyone that special caution should be taken to ensure that Scott Fischbach not be involved in any conversations regarding endorsement and/or expenditures in the Congressional District 7 race.

###

Exhibit 4 to Declaration of Leo LaLonde



2020 Federal Candidate Questionnaire

Minnesota Citizens Concerned for Life

The mission of Minnesota Citizens Concerned for Life is to secure protection for innocent human life from conception until natural death through effective education, legislation and political action.

Information:

- 1) Since 1972, Minnesota Citizens Concerned for Life has sent a questionnaire involving various life issues to candidates for public office. Our questionnaire is a valuable public service that provides a source of accurate information on the candidates' positions on these issues. Our purpose is to help inform citizens so that they can participate in the democratic process with factual information.
- 2) Responses to questions 1-7 may be printed in the MCCL Voter's Guide prior to the election. Space will not allow us to print comments in our publication. Answers will be classified Yes, No or No Response. Additional comments will be kept for reference.
- 3) Leadership, chairs and unfriendly committees can all suppress pro-life legislation. For these reasons, pro-life bills are often offered as amendments in committee or on the floor. Therefore, all of the questions in this questionnaire pertain to both freestanding bills and MCCL-supported amendments to other appropriately related bills.

Note: The purpose of this candidate questionnaire is to inform our members of candidates' positions on life issues. **Response to this candidate questionnaire does not constitute support or opposition by the MCCL Federal PAC**, which is a separate, segregated fund registered with the FEC and which acts independently of MCCL, Inc.

PLEASE RETURN THIS QUESTIONNAIRE AS SOON AS POSSIBLE, but no later than _____.

Candidate Information

Congressional District 7

Michelle Fischbach Republican
Please print name Political Party

David FitzSimmons _____
Contact Person Cell Phone

Email Address

[Signature] 10/23/19
Signature of Candidate Date

Preferred communication method (please circle): Phone Text Email

Exhibit 4 to Declaration of Leo LaLonde

The MCCL Voter's Guide is distributed to more than 500,000 households in Minnesota. If you would like to be included in the Voter's Guide, please respond to the questions below. Those not responding will be listed as "no response."

Under what circumstances, if any, do you believe that abortion should be legal? (This response is not published.)

Only to prevent the death of the mother (MCCL position);

To prevent the death of the mother, or in cases of rape and in cases of incest committed against a minor, if such cases of rape or incest are reported to an appropriate law enforcement agency, or the incest is reported to a government agency legally authorized to act on reports of child abuse.

Other: _____

1. MCCL and our national affiliate, National Right to Life Committee (NRLC), have supported the passage of many pieces of lifesaving legislation on the federal level. Will you vote to maintain any pro-life law or policy that is in effect on the day that you are elected?

Yes No

2. MCCL and NRLC have a proven record of crafting and implementing a strategic plan for creating a pro-life nation. This strategic plan involves an incremental approach which allows for the greatest number of lives saved while working toward our ultimate goal of establishing respect for human life in our laws and culture. Will you vote for lifesaving legislation that advances this incremental approach and provides protections for the unborn and their mothers?

Yes No

3. The federal government is often asked for funding for the abortion industry, including subsidies for abortion and abortion providers as well as foreign aid for abortion industry subsidies and abortion advocacy. Even many who support abortion are not supportive of using taxpayer funds to support abortion. Will you vote to limit and to prohibit taxpayer funding of the abortion industry?

Yes No

4. Would you vote for legislation to prevent federal support of research that harms or destroys human life at any stage of development, or that uses cells or tissues that are obtained by harming or killing human life at any stage of development?

Yes No

5. ObamaCare, as well as proposals to create so-called Medicare for All, has made Americans increasingly concerned about denial of life-saving medical treatment for themselves or their family members resulting from its implementation. As a general principle, do you agree with this statement? "Federal law ought not to limit what private citizens can choose, out of their own funds, to spend on medical treatment to save the lives of their own family."

Yes No

6. Throughout the country, there are increasing efforts to legalize assisted suicide. Will you vote against any attempts to legalize assisted suicide?

Yes No

7. As a grassroots advocacy organization that is committed to working within the legislative process, MCCL has always had an interest in issues that affect elections. We are strongly committed to maintaining free-speech rights in order to maximize our ability to communicate with our members and the public without restrictive administrative burdens. Do you share MCCL's commitment to maintaining free-speech rights for non-profits and PACs?

Yes No

Thank you for completing the MCCL Federal Candidate Questionnaire.

If you have questions about the questionnaire, please email elections@mccl.org or call 612-825-6831. For more information on life issues, please visit www.mccl.org.

Please return completed questionnaire:

Scan and Email: elections@mccl.org

Mail: MCCL, Attn: Candidate Questionnaire, 4249 Nicollet Ave, Minneapolis, MN 55409

Fax: 612-825-5527

Exhibit 5 to Declaration of Leo LaLonde

MCCL Federal PAC and NRLC PAC

Endorsement of Michelle Fischbach for Congress in Minnesota's 7th Congressional District

MCCL's proposal for the endorsement:

- The announcement can come on either Jan. 8 or 9.
- The announcement will be made through press release, and spokespersons will be made available to speak with the media.
- MCCL and NRLC can either issue a joint release or separate releases.
- MCCL will also use social media graphics when sharing this announcement online.

Basic points to include in the release and/or in media interviews:

- Michelle Fischbach is a proven and accomplished pro-life leader.
- Michelle Fischbach served as a state senator, the first female president of the Minnesota Senate, and lieutenant governor.
- During her time in the Legislature, Michelle Fischbach cast 149 out of 149 possible pro-life votes—a 100 percent career pro-life voting record.
- Michelle Fischbach took the lead in advancing pro-life legislation, authoring or co-sponsoring every major pro-life bill in Minnesota for more than two decades.
- Michelle Fischbach was the author of lifesaving pro-life laws such as Woman's Right to Know and Positive Alternatives.
- Collin Peterson, the incumbent, had a 50 percent pro-life voting record in 2019, according to National Right to Life's scorecard.

Responses to possible questions:

Why endorse Michelle when Collin Peterson is also pro-life? Is MCCL/NRLC just a Republican group?

- MCCL and NRLC are non-partisan pro-life organizations, and our PAC endorsements have nothing to do with political party.
- While Collin Peterson has cast many pro-life votes, he's also cast some bad votes in recent years. His pro-life voting record in 2019 was only 50 percent, according to National Right to Life's scorecard.
- Michelle, by contrast, has a 100 percent career pro-life voting record and is a proven and accomplished pro-life leader.

Why endorse Michelle rather than the other pro-life Republican candidates?

- Michelle has proven herself with a long track record as a pro-life legislative leader. None of her Republican opponents have ever served in any elected public office.

Exhibit 5 to Declaration of Leo LaLonde

- During her time in the Minnesota Legislature, Michelle cast 149 pro-life votes out of a possible 149—a 100 percent career pro-life voting record.
- She also authored numerous pro-life bills, including bills that became lifesaving laws, such as Positive Alternatives and Woman's Right to Know.
- There is no other candidate in this race—and no Minnesota elected official, for that matter—who has a pro-life record nearly as extensive as Michelle's.

Does this endorsement have anything to do with Michelle's personal connections to MCCL or NRLC?

- No. Michelle's record and accomplishments more than justify an endorsement. Any other candidate with her resume would earn such an endorsement.



Exhibit 6 to Declaration of Leo LaLonde

Minnesota Citizens Concerned for Life Federal PAC

www.mcclpac.org

Jan. 15, 2020

The Honorable Michelle Fischbach
28 W 3rd St.
Litchfield, MN 55355

Dear Michelle Fischbach,

The MCCL Federal PAC is pleased to endorse your candidacy in the 2020 election for United States Congress representing Minnesota District 7.

Our endorsement is based on your 100 percent lifetime pro-life voting record, your longtime pro-life leadership in the Minnesota Senate, and your continued commitment to the pro-life cause.

You may publicly use the MCCL Federal PAC endorsement as you so choose.

The MCCL Federal PAC is a separate, segregated fund of Minnesota Citizens Concerned for Life, Inc.

Our very best wishes for success in all your efforts.

Sincerely,

A handwritten signature in black ink that reads "Leo F. LaLonde". The signature is fluid and cursive, with the first and last names being the most prominent.

Leo F. LaLonde
MCCL Federal PAC



For immediate release:
January 15, 2020

For more information, contact:
Paul Stark, 612.825.6831

MCCL Federal PAC endorses Michelle Fischbach for Congress

Candidate would bring distinguished record as pro-life leader to Washington

MINNEAPOLIS — Today the Minnesota Citizens Concerned for Life Federal PAC, the state’s only federal pro-life political action committee, endorsed former Lieutenant Governor Michelle Fischbach for Congress. Fischbach is running to represent Minnesota’s 7th Congressional District, which covers most of western Minnesota, in the U.S. House.

“Michelle Fischbach is a thoroughly proven pro-life leader who perfectly reflects the pro-life values of the 7th District,” says MCCL Federal PAC President Leo LaLonde. “She will take that pro-life conviction and leadership to Congress, where it is very much needed.”

Fischbach, R-Paynesville, has served as a Minnesota state senator, the first female president of the Minnesota Senate, and lieutenant governor. During her tenure in the Senate (1996-2018), she cast 149 pro-life votes out of a possible 149—a 100 percent career pro-life voting record.

Fischbach was an author or co-sponsor of virtually every major pro-life bill in Minnesota throughout her two-plus decades at the Capitol. She authored lifesaving laws such as the [Positive Alternatives Act](#), which provides grants to life-affirming programs that offer practical assistance to pregnant women and new mothers, and the [Woman’s Right to Know Act](#), which ensures informed consent prior to abortion. Thousands of women, children, and families have been helped through these measures.

“There is no other candidate in this race—and no Minnesota elected official, for that matter—who has a pro-life record nearly as extensive as Michelle’s,” says LaLonde. “Her accomplishments on behalf of innocent human life speak for themselves, and we look forward to her future work in Washington to advance protection for unborn children and their mothers.”

The incumbent in the 7th District, Congressman Collin Peterson, compiled a 50 percent pro-life voting record in 2019, according to National Right to Life’s [scorecard](#). That record includes a vote in favor of an appropriations bill that would have overturned the Protecting Life in Global Health Assistance policy, which prevents U.S. funding of groups that perform or promote abortion overseas.

Prepared and paid for by MCCL Federal PAC, 4249 Nicollet Avenue, Mpls, MN 55409, www.mcclpac.org.
This is an independent expenditure, and not authorized by any candidate or candidate’s committee.

Declaration of David O'Steen

I, David O'Steen, Ph.D., declare as follows pursuant to 28 U.S.C. § 1746:

1. I am Executive Director of the National Right to Life Committee, Inc. ("NRLC") and, except where noted otherwise, I have personal knowledge of the facts presented herein.

2. I am offering this declaration in support of Respondent NRL-VF's response to Federal Election Commission Matters Under Review 7731.

3. The National Right to Life Victory Fund ("NRL-VF") is a federally registered independent-expenditure-only committee established by the National Right to Life Committee and first registered with the Federal Election Commission (the "Commission") in January of 2012.

4. Michelle Fischbach was employed by NRLC and the National Right to Life Committee Educational Trust Fund, (a.k.a. the National Right to Life Educational Fund, the National Right to Life Educational Trust Fund) as the Director/Coordinator of the annual Jane B. Thompson Oratory Contest and of the National Right to Life Pro-Life Essay Contest. She was paid a flat rate, disbursed semi-monthly, for these positions. She resigned those positions effective August 31, 2019. Scott Fischbach was hired, effective September 1, 2020, at the same rate, to fulfill those positions.

5. By the time the financial services department was notified of Michelle's resignation, the semi-monthly payroll for the period ending September 15, 2019 had already been processed and payroll checks had been written. The checks to Michelle Fischbach were voided on September 23, 2019. Attached as **Exhibit 1** is a true and correct copy of my notification to the financial services department of Michelle's resignation, and as **Exhibit 2** are true and correct copies of the voided checks.

Declaration of David O'Steen

6. On September 23, the Executive Committee of the Board of Directors of NRLC met by conference call and among other things, passed two resolutions. The Committee resolved that Darla St. Martin is to have no participation in or knowledge of any activities and/or plans of either the National Right to Life PAC and/or the Victory Fund in Minnesota in the 2020 federal elections. Be it further resolved that Darla St. Martin is not to convey any information to any employee or agent of the National Right to Life Committee, Inc., the National Right to Life PAC or the National Right to Life Victory Fund about any needs or plans of any federal candidate's campaign in Minnesota for the 2020 elections.

The Committee also resolved that

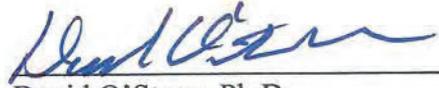
Scott Fischbach is to have no participation in or knowledge of any activities and/or plans of either the National Right to Life PAC and/or the Victory Fund in Minnesota in the 2020 federal elections. Be it further resolved that Scott Fischbach is not to convey any information to any employee or agent of the National Right to Life Committee, Inc., the National Right to Life PAC or the National Right to Life Victory Fund about any needs or plans of any federal candidate's campaign in Minnesota for the 2020 elections.

Attached as **Exhibit 3** is a true and correct copy of the Minutes of the Executive Committee meeting at which these resolutions were passed.

7. I am informed and believe and upon that information and belief allege that the following day, Carol Tobias, President of NRLC, distributed copies by electronic mail of the resolutions to Darla St. Martin, Scott Fischbach, and General Counsel James Bopp, Jr.

I declare that to the best of my knowledge and belief the foregoing is true and correct. Executed

on this 3 day of August, 2020



David O'Steen, Ph.D.
Executive Director, National
Right to Life Committee, Inc.



Exhibit 1 to Declaration of David O'Steen

Irene Walsh <iwalsh@nrlc.org>

David O'Steen <dno@nrlc.org>
To: Amarie Natividad <anatividad@nrlc.org>, Irene Walsh <iwalsh@nrlc.org>
Cc: David O'Steen <dno@nrlc.org>

Tue, Sep 17, 2019 at 5:26 PM

To: Amarie Natividad, Irene Walsh
From: David O'Steen

Michelle Fischbach has resigned as coordinator of the Essay Contest and of the Oratory Contest effective 8/31/19.

Scott Fischbach has been hired as coordinator of the Essay Contest and of the Oratory Contest effective 9/1/19 at the same salary that Michelle Fischbach had previously.



Virus-free. www.avg.com

Exhibit 2 to Declaration of David O'Steen

Pay Statement

NATIONAL RIGHT TO LIFE COMMITTEE
512 NORTH 10TH STREET NW
WASHINGTON, DC 20004

Check #: 2487
Check Date: 09/15/2019
Period Ending Date: 09/15/2019

Client: [REDACTED]

Division	Department	Emp. No.	SSN	Pay Freq	Type	Base Pay	Tax Type	Tax Jurisdiction	Stat	Exm	Tax Block	Add %	Add \$
			XXX-XX-	SEMI-MONTHLY	SAL		FEDERAL STATE	Work: MN Res: MN	M M				
MICHELLE FISCHBACH PAYNESVILLE, MN 56362													

Pay Type	Pay Rate	Hours (Units)	Gross Pay	YTD Hours (Units)	YTD Gross Pay	Tax Deductions			Voluntary Deductions				
						Desc	Wages	Amount	YTD Amount	Desc	Scheduled Amount	Amount Taken	YTD Amount
REG HRS						Soc Sec							
						Medicare	0						0
						Federal							
						MN St W/H			0.00				
Current		0.00											
YTD				0.00									
												Net Pay	

Other Payroll Information									
Description	Value	Description	Value	Description	Value	Description	Value	Description	Value

Direct Deposit				
Account Number	Account Type	Description	Status	Amount

NATIONAL RIGHT TO LIFE COMMITTEE
2 NORTH 10TH STREET NW
WASHINGTON, DC 20004

Payroll Check

15-122
540

by The MICHELLE FISCHBACH
der PAYNESVILLE, MN 56362

DATE	CHECK #	AMOUNT
09/15/2019	2487	\$*****

David O'Steen

AUTHORIZED SIGNATURE

⑆000002487⑆

*complete CDD EFF STOP
PAYROLL RECORDS*

Exhibit 2 to Declaration of David O'Steen

Statement

NATIONAL RIGHT TO LIFE EDUCATIONAL FU
512 NORTH 10TH STREET NW
WASHINGTON, DC 20004

Check #: 1805
Check Date: 09/15/2019
Period Beginning Date: 09/01/2019
Period Ending Date: 09/15/2019

Ident: E184A

Division	Department	Emp. No.	SSN	pay Freq	Type	Base Pay	Tax Type	Tax Jurisdiction	Stat Exem	Tax Block	Add %	Add \$
			XXX-XX	SEMI-MONTHLY	SAL		FEDERAL STATE	Work MN Res MN	M M			
MICHELLE FISCHBACH PAYNESVILLE, MN 56362												

Pay Type	Pay Rate	Hours (Units)	Gross Pay	YTD Hours (Units)	YTD Gross Pay	Tax Deductions			Voluntary Deductions															
						Desc	Wages	Amount	YTD Amount	Desc	Scheduled Amount	Amount Taken	YTD Amount											
REG HRS						Soc Sec																		
						Medicare																		
						Federal																		
						MN St W/H																		
Current		0.00																						
YTD				0.00																				
												Net Pay												

Other Payroll Information									
Description	Value	Description	Value	Description	Value	Description	Value	Description	Value

Direct Deposit				
Account Number	Account Type	Description	Status	Amount

NATIONAL RIGHT TO LIFE EDUCATIONAL FUND
512 NORTH 10TH STREET NW
WASHINGTON, DC 20004

9/23/19 WOT
Payroll Check

15-122
540

Pay To The Order Of: MICHELLE FISCHBACH
PAYNESVILLE, MN 56362

DATE	CHECK #:	AMOUNT
09/15/2019	1805	\$*****

WOT

Wells Fargo Bank, N.A.
San Francisco, CA

David O'Steen

AUTHORIZED SIGNATURE

Exhibit 3 to Declaration of David O'Steen



1446 Duke Street | Alexandria, Virginia 22314
(202) 626-8800 (voice) | www.nrlc.org | nrlc@nrlc.org



Approved

NATIONAL RIGHT TO LIFE COMMITTEE, INC.
Executive Committee Meeting
Conference Call
September 23, 2019

The meeting of the National Right to Life Committee executive committee on September 23, 2019, was held by conference call. President Carol Tobias called the meeting to order at 8:15 p.m.

Present were Mrs. Tobias, Anthony Lauinger, Wayne Cockfield, Holly Gatling, Hon. Jeanne Head, RN, Chet Rucinski, Barbara Holt, and Valerie Johnson.

Also present were Executive Director David O'Steen, Ph.D. and Co-Executive Director Darla St. Martin.

Consideration of the minutes of the previous meeting was deferred.

Mr. Cockfield gave the treasurer's report and [REDACTED]

Mrs. Tobias gave the president's report. [REDACTED]

[REDACTED]

MOTION, Lauinger, seconded:
Be it resolved that Darla St. Martin is to have no participation in or knowledge of any activities and/or plans of either the National Right to Life PAC and/or the Victory Fund in Minnesota in the 2020 federal elections. Be it further resolved that Darla St. Martin is not to convey any information to any employee or agent of the National Right to Life Committee, Inc., the National Right to Life PAC or the National Right to Life Victory Fund about any needs or plans of any federal candidate's campaign in Minnesota for the 2020 elections. Motion carried, voice vote.

Exhibit 3 to Declaration of David O'Steen

MOTION, Holt, seconded

Be it resolved that Scott Fischbach is to have no participation in or knowledge of any activities and/or plans of either the National Right to Life PAC and/or the Victory Fund in Minnesota in the 2020 federal elections. Be it further resolved that Scott Fischbach is not to convey any information to any employee or agent of the National Right to Life Committee, Inc., the National Right to Life PAC or the National Right to Life Victory Fund about any needs or plans of any federal candidate's campaign in Minnesota for the 2020 elections. Motion carried, voice vote.

There being no further business, the meeting was adjourned at 10 p.m.

Declaration of Jacki Ragan

I, Jacki Ragan, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am the Director of State Organizational Development for the National Right to Life Committee (NRLC). Except as noted, I have personal knowledge of the facts presented herein.

2. I am offering this declaration in support of the response of National Right to Life Victory Fund (“NRL-VF”) to Federal Election Commission Matter Under Review 7731.

3. As part of my duties, I manage the logistics of mailings for NRL-VF, including mailings that qualify as “expenditures” for purposes of federal or other campaign finance laws.

4. On or about September 24, 2019, I learned that the Executive Committee of the NRLC Board of Directors had met and passed resolutions that Darla St. Martin and Scott Fischbach would have no participation in or knowledge of any activities or plans of National Right to Life PAC (NRL-PAC) or NRL-VF in Minnesota 2020 federal elections and that neither Darla St. Martin nor Scott Fischbach would convey any information to any employee or agent of NRLC, NRL-PAC, or NRL-VF about any needs or plans of any federal candidate’s campaign in Minnesota for the 2020 elections.

5. Accordingly, I had no contact with Darla St. Martin or Scott Fischbach regarding the plans or activities of NRL-PAC or NRL-VF in Minnesota 2020 federal elections, I no longer kept NRLC PAC or NRL-VF materials in view on my desk, and I was careful to check that covered material was not sent to Scott or Darla via emails.

6. Some time in late January or early February, NRL-VF and MCCL Fed. PAC agreed to jointly fund a mailer to urge Minnesota’s Seventh District voters to attend the Republican precinct caucuses and support Michelle Fischbach as the Republican candidate for Congress.

7. On or about February 3, a computer services vendor electronically merged and de-

Declaration of Jacki Ragan

duplicated MCCL Fed. PAC's and NRL-VF's mailing lists for the Seventh District. The resulting list of approximately 125,000 addresses was sent electronically to the Printing Partners, the printer and distributor of the mailers. A true and correct copy of the proof of the mailer as of February 6, 2020 is attached hereto as **Exhibit 1**.

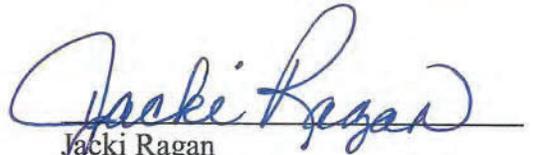
8. On information and belief, Printing Partners has never printed or mailed for anyone in Minnesota.

9. I had no contact, discussion, or communication, directly or indirectly, with Michelle Fischbach, any agent of her campaign, Scott Fischbach, or Darla St. Martin with regard to the mailer or its distribution, including but not limited to its content, its intended audience, or its timing. I had no discussion, directly or indirectly, with Michelle Fischbach, any agent of her campaign, Scott Fischbach or Darla St. Martin about Michelle Fischbach's campaign plans, projects, or needs.

10. As had been agreed, NRL-VF and MCCL Fed. PAC each paid half of the cost of printing and distributing the mailer. A true and correct copy of the invoice, dated February 11, 2020, is attached hereto as **Exhibit 2**. I note that there is no charge for the 50 post cards listed on line two, as they are complementary extras for our records of this and another mailer.

11. On February 14, 2020 NRL-VF filed its Schedule E for an independent expenditure of \$11,698.71, half the cost of the mailer. *See* <https://docquery.fec.gov/cgi-bin/fecimg/?202002149186504307>.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 31
day of July.


Jacki Ragan
Director, State Organizational
Development, National Right to Life
Committee, Inc.

Unborn babies deserve a 100% Pro-life U.S. Representative from Minnesota's 7th Congressional District!



National Right to Life and Minnesota Citizens for Life have endorsed Michelle Fischbach



Michelle Fischbach

- Michelle Fischbach is pro-life. She opposes abortion on demand, and she supports protection for unborn children.
- Michelle Fischbach is a proven and accomplished pro-life leader with a 100% lifetime pro-life voting record. For more than two decades, she has worked to advance pro-life legislation, authoring or cosponsoring every major pro-life bill in Minnesota.
- During her tenure in the Minnesota Senate (1996-2018), Michelle Fischbach cast 149 pro-life votes out of a possible 149.
- As President of the Minnesota Senate, she took a leadership role in promoting pro-life legislation.
- Michelle Fischbach authored lifesaving laws such as the Positive Alternatives Act, which provides grants to life-affirming programs that offer practical assistance to pregnant women, and the Woman's Right to Know Act, which ensures informed consent prior to abortion.
- Michelle Fischbach opposes using your tax dollars to pay for abortion, and she supports the bill that would defund abortion providers.



On February 25, please vote in your Republican precinct caucus for **MICHELLE FISCHBACH** delegates.

MIN07

Babies deserve a 100% Pro-life Representative in Congress!

*Please attend the Republican precinct caucus on February 25 and support pro-life **Michelle Fischbach** for Congress*



Paid for by National Right to Life Victory Fund (www.nrivictoryfund.org) and Minnesota Citizens Concerned for Life, Inc. Federal PAC (www.mccfpac.org) Not authorized by any candidate or candidate's committee.



MN107

Non-Profit Org
U.S. Postage
PAID
Indianapolis, IN
Permit No. 5677

Exhibit 2 to Declaration of Jacki Ragan



Remit to: Printing Partners, Inc.
929 West 16th Street
Indianapolis IN 46202-2214
Federal Tax ID #: 35-1769674
317-635-2282

Bill to: Jacki Ragan
National Right to Life Committee, Inc.
1446 Duke Street
Alexandra VADC 22314

Invoice Number: **350335**
Invoice Date: 2/11/2020
Page: 1 of 1
Sales Tax Exempt #:
Payment Terms: 0 days
Customer #: 62354

Quantity	Description	Amount
	Job: 339860 Sales Rep: Joel O'Brien CSR: Joel O'Brien PO: Ship Date: 2/11/2020 Est Issue #: 457904	
124,697	Total printed product per quote	\$6,858.33
50	MN07 & 6x11 Post Cards (Packing list 448075-1) 25 of each post card	
51,713	SCF Waite Park (Packing list 448077-2)	
9,259	SCF Mankato (Packing list 448077-3)	
30,037	SCF Fargo (Packing list 448077-4)	
15,218	NDC Minneapolis St Paul (Packing list 448077-5)	
12,174	SCF Grand Forks (Packing list 448077-7)	
	Freight Charges - UPS Ground	\$8.36
	Freight Charges - Time Logistics	\$1,275.80
124,697	Pcs mailed 02/10, Permit 5677, PPI PROVIDED POSTAGE	\$0.00
	Fischbach 6x11 Post Card mailing Drop B	\$15,254.92
	Sales Tax:	\$0.00
	Job Total:	\$23,397.41
	<i>1/2 = MCLL 11,698.71</i>	
	Invoice Total:	\$23,397.41

Please pay from this invoice and include invoice number on payment. No statement issued without request.

A service charge of 1.5% per month or 18% per annum will be added on all past due invoices.

Credit on disputed amounts cannot be issued without product return authorization and receipt.

PLEASE NOTE: Effective January 19, 2009 Printing Partners will no longer be mailing paper invoices. Please visit www.printingpartners.net/statements to view your account on-line.

Declaration of Paul Stark

I, Paul Stark, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am the Communications Director of Minnesota Citizens Concerned for Life (“MCCL”) and I have personal knowledge of the facts presented herein.
2. I am offering this declaration in support of the response of Respondent Minnesota Citizens Concerned for Life, Inc. Federal PAC (“MCCL Fed. PAC”) to Federal Election Commission Matters Under Review 7731.
3. In late December of 2019 and early January 2020, I drafted a proposal for an endorsement by MCCL Fed. PAC of Michelle Fischbach for election to the U.S. Congress for Minnesota’s 7th District. A true and correct copy of that proposal is attached hereto as **Exhibit 1**.
4. I had no contact with Michelle Fischbach or any agent of her campaign in creating the plan including the talking points and answers to possible questions and I used no information provided directly or indirectly by Michelle Fischbach or any agent of her campaign in drafting the plan. All of the information that I used about Michelle Fischbach came directly or ultimately from my own research or the research of other MCCL personnel of publicly-available information. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the plan.
5. With the supervision and approval of Leo LaLonde, I drafted MCCL Fed. PAC’s endorsement of Michelle Fischbach to the U.S. House of Representatives for Minnesota’s 7th Congressional District. I also drafted, under the same conditions, MCCL Fed. PAC’s press release announcing the endorsement. True and correct copies of those documents are attached hereto as **Exhibits 2 and 3**, respectively.

6. I had no contact with Michelle Fischbach or any agent of her campaign in creating the endorsement or the press release announcing the endorsement and I used no information provided directly or indirectly by Michelle Fischbach or any agent of her campaign in drafting those documents. All of the information about Michelle Fischbach that I used came directly or ultimately from my own research or the research of other MCCL personnel of publicly-available information. I had no contact or discussions with Scott Fischbach or Darla St. Martin about the endorsement or the press release announcing the endorsement.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30TH
day of JULY.



Paul Stark, Communications Director
Minnesota Citizens Concerned
For Life, Inc.

Exhibit 1 to Declaration of Paul Stark

MCCL Federal PAC and NRLC PAC

Endorsement of Michelle Fischbach for Congress in Minnesota's 7th Congressional District

MCCL's proposal for the endorsement:

- The announcement can come on either Jan. 8 or 9.
- The announcement will be made through press release, and spokespersons will be made available to speak with the media.
- MCCL and NRLC can either issue a joint release or separate releases.
- MCCL will also use social media graphics when sharing this announcement online.

Basic points to include in the release and/or in media interviews:

- Michelle Fischbach is a proven and accomplished pro-life leader.
- Michelle Fischbach served as a state senator, the first female president of the Minnesota Senate, and lieutenant governor.
- During her time in the Legislature, Michelle Fischbach cast 149 out of 149 possible pro-life votes—a 100 percent career pro-life voting record.
- Michelle Fischbach took the lead in advancing pro-life legislation, authoring or co-sponsoring every major pro-life bill in Minnesota for more than two decades.
- Michelle Fischbach was the author of lifesaving pro-life laws such as Woman's Right to Know and Positive Alternatives.
- Collin Peterson, the incumbent, had a 50 percent pro-life voting record in 2019, according to National Right to Life's scorecard.

Responses to possible questions:

Why endorse Michelle when Collin Peterson is also pro-life? Is MCCL/NRLC just a Republican group?

- MCCL and NRLC are non-partisan pro-life organizations, and our PAC endorsements have nothing to do with political party.
- While Collin Peterson has cast many pro-life votes, he's also cast some bad votes in recent years. His pro-life voting record in 2019 was only 50 percent, according to National Right to Life's scorecard.
- Michelle, by contrast, has a 100 percent career pro-life voting record and is a proven and accomplished pro-life leader.

Why endorse Michelle rather than the other pro-life Republican candidates?

- Michelle has proven herself with a long track record as a pro-life legislative leader. None of her Republican opponents have ever served in any elected public office.

Exhibit 1 to Declaration of Paul Stark

- During her time in the Minnesota Legislature, Michelle cast 149 pro-life votes out of a possible 149—a 100 percent career pro-life voting record.
- She also authored numerous pro-life bills, including bills that became lifesaving laws, such as Positive Alternatives and Woman's Right to Know.
- There is no other candidate in this race—and no Minnesota elected official, for that matter—who has a pro-life record nearly as extensive as Michelle's.

Does this endorsement have anything to do with Michelle's personal connections to MCCL or NRLC?

- No. Michelle's record and accomplishments more than justify an endorsement. Any other candidate with her resume would earn such an endorsement.



Minnesota Citizens Concerned for Life Federal PAC

www.mcclpac.org

Jan. 15, 2020

The Honorable Michelle Fischbach
28 W 3rd St.
Litchfield, MN 55355

Dear Michelle Fischbach,

The MCCL Federal PAC is pleased to endorse your candidacy in the 2020 election for United States Congress representing Minnesota District 7.

Our endorsement is based on your 100 percent lifetime pro-life voting record, your longtime pro-life leadership in the Minnesota Senate, and your continued commitment to the pro-life cause.

You may publicly use the MCCL Federal PAC endorsement as you so choose.

The MCCL Federal PAC is a separate, segregated fund of Minnesota Citizens Concerned for Life, Inc.

Our very best wishes for success in all your efforts.

Sincerely,

A handwritten signature in black ink that reads "Leo F. LaLonde". The signature is written in a cursive style with a long, sweeping underline.

Leo F. LaLonde
MCCL Federal PAC



News Release

Minnesota Citizens Concerned for Life Federal PAC

www.mcclpac.org

**For immediate release:
January 15, 2020**

**For more information, contact:
Paul Stark, 612.825.6831**

MCCL Federal PAC endorses Michelle Fischbach for Congress

Candidate would bring distinguished record as pro-life leader to Washington

MINNEAPOLIS — Today the Minnesota Citizens Concerned for Life Federal PAC, the state’s only federal pro-life political action committee, endorsed former Lieutenant Governor Michelle Fischbach for Congress. Fischbach is running to represent Minnesota’s 7th Congressional District, which covers most of western Minnesota, in the U.S. House.

“Michelle Fischbach is a thoroughly proven pro-life leader who perfectly reflects the pro-life values of the 7th District,” says MCCL Federal PAC President Leo LaLonde. “She will take that pro-life conviction and leadership to Congress, where it is very much needed.”

Fischbach, R-Paynesville, has served as a Minnesota state senator, the first female president of the Minnesota Senate, and lieutenant governor. During her tenure in the Senate (1996-2018), she cast 149 pro-life votes out of a possible 149—a 100 percent career pro-life voting record.

Fischbach was an author or co-sponsor of virtually every major pro-life bill in Minnesota throughout her two-plus decades at the Capitol. She authored lifesaving laws such as the [Positive Alternatives Act](#), which provides grants to life-affirming programs that offer practical assistance to pregnant women and new mothers, and the [Woman’s Right to Know Act](#), which ensures informed consent prior to abortion. Thousands of women, children, and families have been helped through these measures.

“There is no other candidate in this race—and no Minnesota elected official, for that matter—who has a pro-life record nearly as extensive as Michelle’s,” says LaLonde. “Her accomplishments on behalf of innocent human life speak for themselves, and we look forward to her future work in Washington to advance protection for unborn children and their mothers.”

The incumbent in the 7th District, Congressman Collin Peterson, compiled a 50 percent pro-life voting record in 2019, according to National Right to Life’s [scorecard](#). That record includes a vote in favor of an appropriations bill that would have overturned the Protecting Life in Global Health Assistance policy, which prevents U.S. funding of groups that perform or promote abortion overseas.

Prepared and paid for by MCCL Federal PAC, 4249 Nicollet Avenue, Mpls, MN 55409, www.mcclpac.org.
This is an independent expenditure, and not authorized by any candidate or candidate’s committee.