

**MUR 8219**OFFICE OF  
GENERAL COUNSEL

Tief Gibbs Jensen 4 Congress 2024 (the “Committee”, C00840157) is the principal campaign committee for Tief Gibbs Jensen, a candidate (H4CA02130) for Congress in California's 2nd congressional district. For the reasons set forth below, Complainant believes that the Committee has violated the Federal Election Campaign Act and applicable regulations by failing to include a disclaimer on a large number of door hangers the Committee distributed, as required by 52 U.S.C. § 30120 and 11 C.F.R. § 110.11.

Complainant is a resident of San Rafael, California, within the 2<sup>nd</sup> Congressional District of California and has 17 years of Federal and State campaign compliance experience due to his profession as a campaign treasurer.

On February 12, 2024, Complainant received several complaints from colleagues and friends regarding a door hanger from the Committee being left on their front door expressly advocating the election of Tief Gibbs Jensen. A true and correct copy of the door hanger is attached as Exhibit A.

Complainant believes that the door hanger constitutes a “public communication” under 52 U.S.C. § 30101(23) and 11 C.F.R. 100.26 as Complainant is aware of other residents of the 2<sup>nd</sup> District, beyond those who contacted him, who have received an identical or substantially similar door hanger from the Committee.

On this basis, Complainant believes that the door hanger is therefore subject to the disclaimer requirements imposed by 52 U.S.C. § 30120 and set forth in 11 C.F.R. § 110.11. Section 110.11 requires all public communications, which includes general public political advertising like door hangers, to include a “clear and conspicuous” disclaimer that “clearly state[s] that the communication has been paid for by the authorized political committee.” *Id.*, subd. (b)(1), (c)(1); *see also* 52 U.S.C. § 30120(a)(1) (“Whenever a political committee makes a disbursement for the purpose of financing any communication through . . . any other type of general public political advertising, or whenever any person makes a disbursement for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate . . . through . . . any other type of general public political advertising . . . such communication—(1) if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication has been paid for by such authorized political committee.”).

Section 110.11 imposes several specific requirements on printed communications:

- (i) The disclaimer must be of sufficient type size to be clearly readable by the recipient of the communication. A disclaimer in twelve (12)-point type size satisfies the size requirement of this paragraph (c)(2)(i) when it is used for signs, posters, flyers, newspapers, magazines, or other printed material that measure no more than twenty-four(24) inches by thirty-six (36) inches.

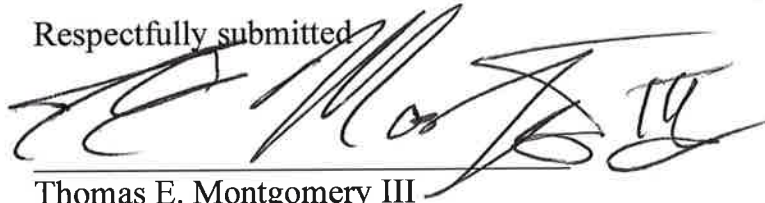
- (ii) The disclaimer must be contained in a printed box set apart from the other contents of the communication.
- (iii) The disclaimer must be printed with a reasonable degree of color contrast between the background and the printed statement. A disclaimer satisfies the color contrast requirement of this paragraph (c)(2)(iii) if it is printed in black text on a white background or if the degree of color contrast between the background and the text of the disclaimer is no less than the color contrast between the background and the largest text used in the communication.

11 C.F.R. § 11.0.11(c)(2). See also 52 U.S.C. § 30120(c) (listing disclaimer requirements for printed Communications).

The Committee's door hanger failed to include any disclaimer whatsoever. As a result, Complainant believes that the Committee has violated 52 U.S.C. § 30120 and 11 C.F.R. § 110.11.

Complainant respectfully requests that the Federal Election Commission conduct an investigation into these allegations, declare the respondent to have violated the Federal Election Campaign Act and applicable FEC regulations, and impose sanctions appropriate to these violations and take such further action as may be appropriate.

Respectfully submitted

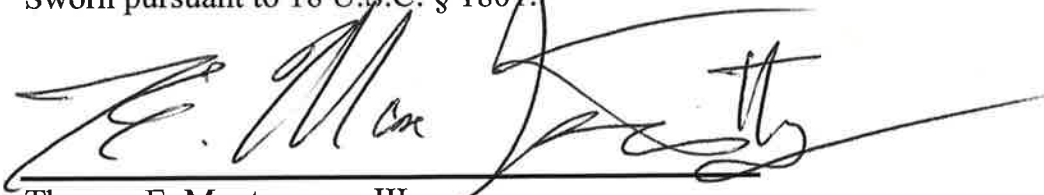


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### VERIFICATION

Thomas E. Montgomery III hereby verifies that the statements made in the foregoing Complaint are, upon information and belief, true.

Sworn pursuant to 18 U.S.C. § 1801.



Thomas E. Montgomery III  
 February 15, 2024

**California Jurat  
 Attached**

# JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Marin

Subscribed and sworn to (or affirmed) before me on this 15<sup>th</sup> day of February, 2024 by Thomas E. Montgomery III

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

Signature \_\_\_\_\_ (Seal)



## OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Complaint Affidavit  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages 2 Document Date 2/15/24

\_\_\_\_\_  
Additional information

## INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.



# Tief Gibbs

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