

Commissioner of Political Practices 1209 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 Phone: 406-444-2942 Fax : 406-444-1643 www.politicalpractices.mt.gov

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Campaign Finance and Practices

Complaint Form (08/17)

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name JEFFREY C DESTREICHER
Complete Mailing Address 3230 QUARTER HORSE CT HELENA, MT 59602
Phone Numbers: Work Home (406)590-3130

Person or organization against whom complaint is brought (Respondent):

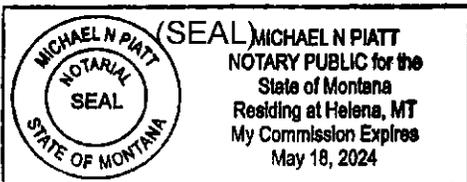
Complete Name AB PAC aka American Bridge 21st Century
Complete Mailing Address David Brock, Treasurer 455 MASSACHUSETTS AVE NW STE 650 Washington, DC 20001
Phone Numbers: Work (202) 747-2060 Home Info@americanbridge.org

Please complete the second page of this form and describe in detail the facts of the alledged violation.

Verification by oath or affirmation

State of Montana, County of Lewis and Clark

I, JEFFREY C DESTREICHER, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



Signature of Complainant (Jeffrey C Destreich)

Subscribed and sworn to before me this 11th day of June, 2020.

Signature of Notary Public

My Commission Expires: 5/18/2024

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

See attached.

Complaints must be:

- **signed**
- **notarized**
- **delivered in person or by mail.**

AB PC - aka American Bridge 21st Century (**AB PAC**) has violated ARM 44.11.201 and ARM 44.11.302 by failing to register and file appropriate campaign finance reports with the Commissioner of Political Practices while conducting electioneering communications activity. Additionally, **AB PAC's** electioneering communications violate ARM 44.11.601 attribution requirements.

On or before May 20, 2020 **AB PAC** produced a video advertisement against Gubernatorial candidate Greg Gianforte. The video was uploaded to the **AB PAC** YouTube page on May 20, 2020 (Exhibit A) and posted on its Facebook page and other social media outlets on 5/26/2020 (Exhibit B). The full value of the production cost is unknown but estimated to be thousands of dollars given the highly professional nature of the ad. It is also unknown what **AB PAC** has spent in money on its electioneering communication video through television stations, online media or other outlets.

Given the advertisement in question "refers to one or more clearly identified candidates" (Gubernatorial candidate Greg Gianforte) and is occurring "within 60 days of the initiation of voting in an election" this advertisement meets the definition of "Electioneering Communication" as defined in MCA 13-1-101(16).

Available news reports identify American Bridge 21st Century as a liberal "dark money" group that has spent more than \$30 Million influencing elections all across the country.

Violation #1 – ARM 44.11.201 - Failure to file C-2 Statement of Organization. A search of the CERS and Hard Copy reporting systems on the CoPP website reveal that **AB PAC** has failed to fully file its C-2 Statement of Organization as of 6/1/2020. A partial "in process" filing is located on the CERS for American Bridge 21st Century. However, the filing only lists a mailing address and none of the other required information.

Violation #2 – ARM 44.11.302 – Failure to file C-6 reports. A search of the CERS and Hard Copy reporting systems on the CoPP website reveal that **AB PAC** and/or Americans Bridge 21st Century has not filed any C-6 forms as of 6/1/2020.

Violation #3 – ARM 44.11.601 – Failure to properly attribute campaign material. The disclaimer provided at the end of the advertisement (Exhibit A) does not contain the treasurer's name or committee address as required by ARM 44.11.601. While the Commissioner has ruled this violation as *de minimus* in other cases, it should not be ruled so in this case for several reasons: 1) the value of the likely high production cost of the ad, and the other unknown associated costs makes it hard to reason that any failure to properly attribute it is *de minimus* 2) The inadequate disclaimer is likely part of **AB PACs** broader effort to hide the true source of the funding for this expenditure 3) The missing disclaimer information makes it virtually impossible to the general public to track down this organization, since they have no connection to Montana.

Link = https://www.youtube.com/watch?v=AmerFggFXmM&feature=emb_logo

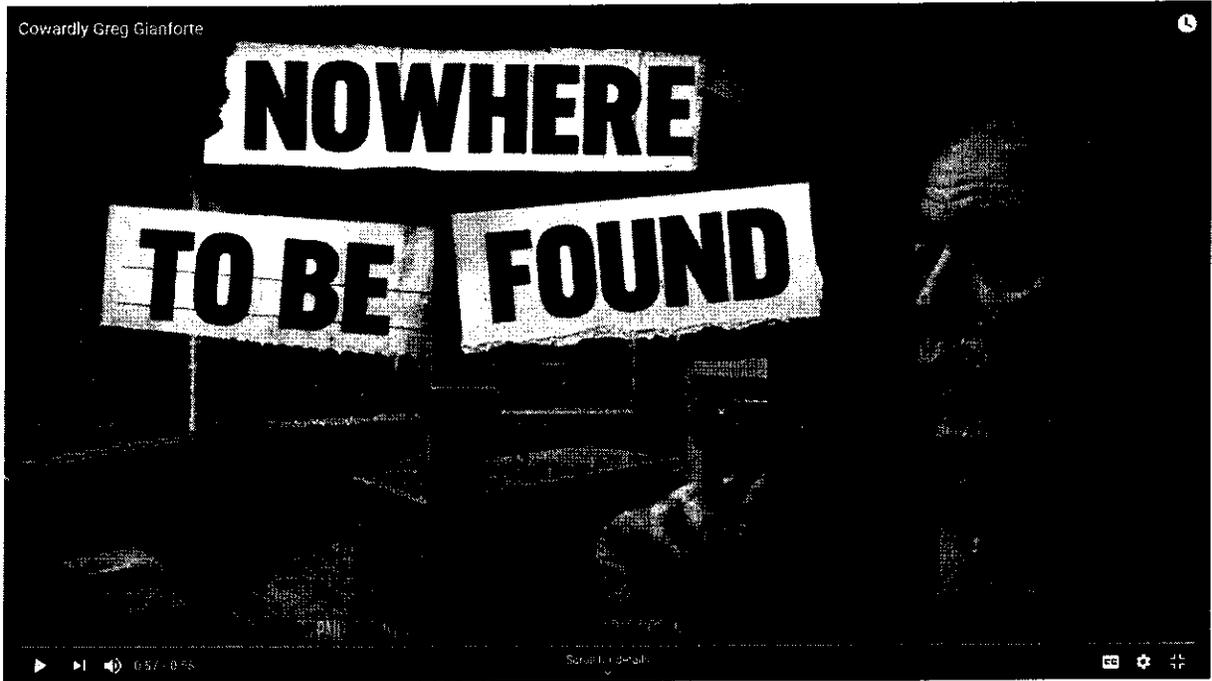


Exhibit B

Link = <https://www.facebook.com/AmericanBridge/>

The screenshot displays the Facebook profile of American Bridge. On the left is a navigation menu with options: Home, Posts, Videos, Photos, About, Iconosquare, Community, Notes, and Events. The main content area shows a post from American Bridge (46 million likes) with the text: "Greg Gianforte is skipping debates, hiding from voters, and refusing to answer tough questions. Montana deserves better than cowardly Greg Gianforte." Below the text is a video player with a black background and white text that reads "Congressman, It's clear". The video player includes a progress bar, a play button, and a volume icon. Below the video player are interaction buttons for Like, Comment, and Share, along with a "See All" link. At the bottom of the page, there is a "Videos" section featuring a video thumbnail with the text "Guess who's still trying to take your health care away?" and "GOP Senate health care" in the top left corner.