



PO Box 8537
Kalispell, Montana 59904
September 16, 2024

Hon. Chris Gallus
Montana Commissioner of Political Practices
1209 8th Avenue
Helena, Montana 59601
Delivered via email

Dear Commissioner Gallus:

I write as manager for Busse for Montana, the gubernatorial campaign of former firearms executive Ryan Busse and constitutional lawyer Raph Graybill. This letter serves as a singular response to the two political practices complaints (COPP-2024-CFP-034 and COPP-2024-CFP-036) filed by the Montana Republican Party and, ostensibly, the re-election campaign for Montana's unpopular, tax-hiking governor, Greg Gianforte.

If you can get past the multiple typos, you'll see both complaints are utterly meritless.

The first refers to an energetic event at the Rialto in Bozeman on August 9. This event was organized, hosted, and paid for by Big Sky Victory, the Montana Democratic Party's coordinated campaign. This campaign's participation in this event is exactly the kind of lawful coordination between political parties and candidates that party organizations are expected to fulfill. Busse for Montana appropriately reported all of its expenses associated with this event, including mileage and staff time. Had the "Greg" for Montana campaign performed a "scintilla of research" on publicly-available sources, it would find the costs for the event space appropriately reported by the Montana Democratic Party.

The assertions that this event was either an unreported expenditure or an "illegal corporate in-kind contribution" are laughable and verifiably false using publicly available data maintained by your office, and they are a waste of our time and yours. Only a governor who holds no publicly advised events, who is afraid of the press, and who hides what should be a public schedule must have time for charades like this.

The second complaint is likewise meritless. Sorting through the typos, it appears to conflate two different political surveys, mentioned at two different times during a speech in a Helena event ostensibly recorded, surreptitiously, by the Gianforte campaign or its agent. This campaign does not even have access to that recording.

Nonetheless, the “we have done the polling” comment would refer to a research survey conducted in April of 2024 and paid for by the Busse campaign, the Democratic Governors Association and the Montana Democratic Party. Had the “Greg” for Montana campaign conducted any independent research using publicly accessible sources maintained by your office, it would have noted that the survey reported in the Busse campaign’s campaign finance report from the appropriate time period.

The other poll referenced, at a different point in the remarks, would refer to a third-hand statement this campaign had received suggesting a narrowing gap between unpopular Governor Gianforte and Ryan. There was no coordination, and no transfer of anything of value implicating a disclosure requirement whatsoever. The third-hand comment did not come from someone purporting to have done the survey. Neither the Busse campaign nor its candidates have access to said survey or anything of value related to it, like cross-tabulated data (“crosstabs”). We have not received a “read out,” formally or even informally.

We simply have knowledge based on an “I heard...” statement about a single question from a third party survey that does not, under any circumstances, amount to anything of value. Aside from mentioning Ryan’s momentum in a conversational setting as this campaign has done, such a statement is of literally zero value to any campaign. That is precisely why, when it comes to valuable polling information, the Busse campaign pays for actual polling itself, and reports those expenditures in accordance with the laws of Montana.

There are literally dozens of political surveys in the field in Montana at any given moment, as any Montanan with a phone number well knows. If merely hearing, through a third party, information (without crosstabs, without actually possessing the poll itself, without knowing the poll’s parameters, sample size or weighting, objectives, or other questions) were a reportable expenditure, then virtually anyone in Montana would incur a reporting obligation. Political dinner parties where friends talk about what polls they recently answered or heard about would have to register as political committees and begin reporting to this office. The dramatic expansion of Montana campaign finance law proposed by the Gianforte campaign in this meritless complaint would know no limits, and become ungovernable.

This campaign takes seriously its research polling and its reporting requirements. Third-hand whispers and rumors have no value. Real polling does. When this campaign purchases polling services, it reports it. Full stop.

Finally, it bears noting that these two complaints appear to be “you too!” grievances that raise accusations echoing conduct by the Gianforte campaign that is currently under investigation by this office. We hope that your office continues to investigate this campaign’s complaints that the

“Greg” for Montana campaign failed to report its own polling expenses when a firm operated by the Governor’s campaign manager, Mr. Jake Eaton, conducted a survey about the Governor’s race last year and shared it before the governor even filed for re-election. Unlike the third-hand statement at issue here, Mr. Eaton’s was a real survey, conducted, possessed, and released by Gianforte’s campaign manager. The Governor has still failed to report this expenditure.

Both complaints should be summarily dismissed.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Murphy", with a long horizontal flourish extending to the right.

Aaron Murphy
Manager, Busse for Montana