

Commissioner of Political Practices
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SIGNED/NOTARIZED

Commissioner of Political Practices
2024 SEP 26
RECEIVED

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: Emily Harris, Busse for Montana
Complete Mailing Address: PO BOX 8537
Kalispell, MT 59904
Phone Numbers: Work _____ Home _____

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

Complete Name: "Greg" for Montana
Complete Mailing Address: PO BOX 877
Helena, MT 59624
Phone Numbers: Work _____ Home _____

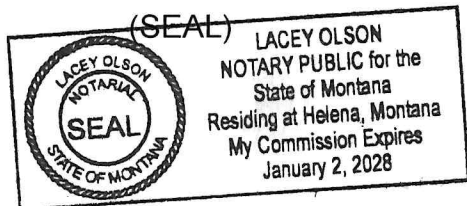
Please complete the second page of this form and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of Lewis & Clark

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

Emily M Harris
Signature of Complainant



Subscribed and sworn to before me this 26 day of September, 2024.

[Signature]
Notary Public

My Commission Expires:

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.

Complaints must be:

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

The rules couldn't be clearer: "An attribution using the name of the candidate's campaign must include the first *and last name* of the candidate if the name of the campaign does not include at least the candidate's last name." A.R.M. 44.11.601(2)(a)(ii)(A).

Governor Greg Gianforte's re-election campaign fashions itself as "Greg" for Montana. Accordingly, when the campaign's election communications require an attribution, the campaign must, under A.R.M. 44.11.601(2)(a)(ii)(A), include Gianforte's last name.

"Greg" for Montana flagrantly, and repeatedly, disregards this clear legal requirement.

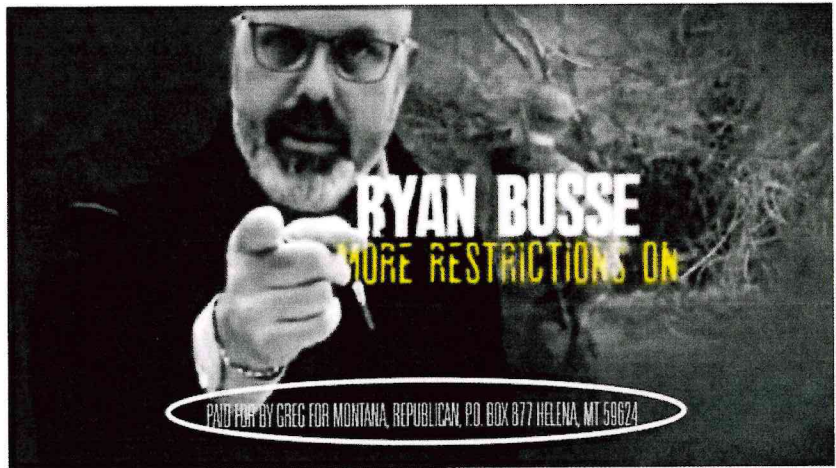
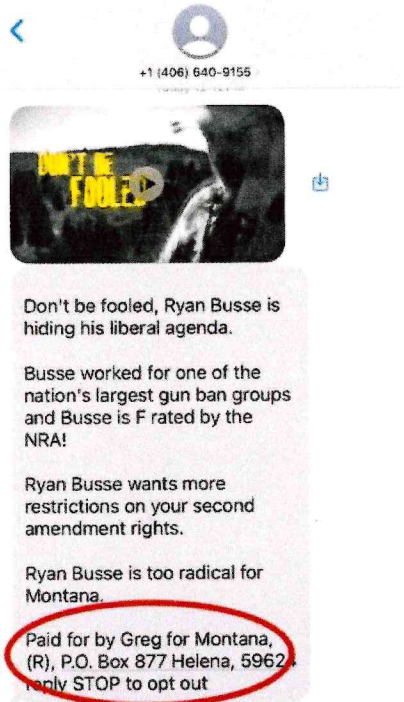
In an attack ad that ran against his opponent on broadcast television this summer, the "Greg" for Montana campaign did not include the word "Gianforte" anywhere in the ad's attribution, a clear violation of the rule:



"Greg" for Montana ad: "Don't Be Fooled"

The "Greg" for Montana campaign spent hundreds of thousands of dollars behind this and similar spots over the summer, none of which included the legally required attribution.

"Greg" for Montana also sent unsolicited text messages to thousands of phone numbers in Montana, promoting a similar advertisement. Neither the text message nor the video it promoted contained the legally required attribution:



“Greg” for Montana text message and screen capture from texted video advertisement

A new, multi-hundred thousand dollar TV buy that began today, September 26, 2024, contains the same failure to follow the clear legal requirement of A.R.M. 44.11.601(2)(a)(ii)(A):



“Greg” for Montana ad: “Record Investment”

“Greg” for Montana cannot defend this flagrant, repeated violation of Montana law as a mere “de minimis” violation.

First, there is a clear, strategic advantage to concealing the true source of intrusive, unsolicited negative advertising like “Greg” for Montana’s negative text-message campaign against Ryan Busse. Voters who do not wish to receive an attack ad against Ryan Busse on their personal cell phone deserve to know that their governor, Greg Gianforte, is responsible for the intrusion into their messages—not just someone named “Greg” with a P.O. Box. This is precisely the point of the attribution requirement that a candidate’s last name be included.

Second, the sheer magnitude of these communications and hundreds of thousands of dollars expended to promote them also counsel against a “de minimis” determination. It is, by definition, not a “de minimis” violation of the law if it goes to a significant share of the voters in an election.

Third, the “Greg” for Montana campaign has no excuse. They are led by an experienced manager who owns multiple companies in Montana that produce election communications legally and correctly for a wide variety of candidates. And Gianforte’s campaign manager and his surrogates routinely ask this office to enforce their perceived violations of Montana’s election laws.

Indeed, there is little doubt the “Greg” for Montana campaign is familiar with attribution requirements. In response to COPP-2024-CFP-037, the “Greg” for Montana campaign conceded that it placed an incorrect disclaimer on some of its communications. Yet even after that complaint—and the occasion to review Montana’s clear, unambiguous legal requirements for attribution—the “Greg” for Montana campaign *still* does not provide a proper disclaimer:

Paid for by Greg for Montana, Republican. P.O. Box 877 Helena, MT 59624

Source: <https://secure.winred.com/greg-for-mt/jointeamgianforte> accessed on Sept. 26, 2024