

TO: Commissioner of Political Practices; Steve Gallus  
FROM: Zooney for Montana  
DATE: 08/14/2023  
RE: Montana Freedom Caucus (Darin Gaub) v. Zephyr

To Whom It May Concern:

In the complaint filed by Mr. Gaub on 7/24/2023 the following points were noted as alleged violations (copied directly from Mr. Gaub's complaint):

- Representative Zooney Zephyr violated Montana's campaign finance law by fund raising for and paying expenses related to a 2024 campaign for House District 95 while his 2022 campaign for House District 100 was still active. (See FOIA information attached and CERS data)
- The 2024 campaign registration was filed but never approved due to the 2022 campaign being active. (See FOIA information attached)
- Rep. Zephyr was informed that there could be no fund raising or expenditures for the '24 campaign until '22 was closed out. (See FOIA information attached).
- Rep. Zephyr raised and expended funds related to the '24 campaign despite this restriction. This includes the fact that there are no in kind donations listed or valued despite traveling the country and speaking. (See FOIA information attached and CERS data)

Please see below a response to Mr. Gaub's allegations:

1. In Ms. Harris' correspondence with operations specialist Cheryl Wilson, Ms. Harris expressed that she had not previously been aware of the email that had gone to an out of date email for Rep. Zephyr regarding the 2024 campaign and closure of the 2022 campaign.
2. Upon being made aware of the issue Ms. Harris immediately complied with requests from the agency to bring both accounts immediately into compliance based on instruction from Ms. Wilson. Including moving the 2022 account to closure, updating the contact information to avoid any similar issue in the future and working with the COPP to ensure Rep. Zephyr's voluminous donations were publicly available and transparent.
3. Throughout the process both Rep. Zephyr and Ms. Harris adhered to transparent communication and made every effort to immediately respond to instruction from the office in order to comply with requests and ensure that all public information was readily available and transparent.
4. As can be seen in the reports, no money was spent out of the 2022 account on any electioneering activity or to further the goals of the 2024 campaign account and it was swiftly closed upon the correct individuals being made aware of the issue.

Rep. Zephyr is committed to upholding the utmost transparency and looks forward to working with the Commissioner and the office on any outstanding needs or necessary clarification regarding the closed 2022 account or Rep. Zephyr's active 2024 account.