

Federal Election Commission
999 F St. NW
Washington DC 20463

August 22, 2008

Re: Complaint against Club for Growth Pac and Parnell for Congress

Dear Sirs:

This is a complaint filed under FEC rules and regulations alleging a violation of federal election laws by the Club for Growth PAC and Parnell for Congress, the principal campaign committee for Sean Parnell, a candidate for the Republican nomination for the U.S. House from Alaska. This complaint is filed by Barbara Mee and Alaskans for Don Young, the authorized principal campaign committee for Congressman Don Young.

On August 19, the Club for Growth PAC announced and began broadcasting an ad on Alaska television channels including KTVA 11 and KIMO 13 which advocates the election of Sean Parnell, a candidate against Congressman Don Young in the Aug. 26 Republican primary in Alaska. A copy of the ad is posted on the Club of Growth website at <http://www.clubforgrowth.org>. See "Club for Growth PAC Releases New TV and Radio Ads in Alaska Congressional Race."

The ad specifically advocates the election of Sean Parnell for Congress which makes the ad an "in kind" contribution by the PAC to Sean Parnell for Congress. The Club for Growth has already provided \$330,000 in conduit contributions as detailed in Parnell's FEC filings available on the FEC website. The exact value of the current advertisement is unknown but it is reasonable to assume that the preparation, production, and airtime for the ad exceeds the \$5,000 campaign limit for PACs. The Parnell campaign thus has received an excess contribution from the Club for Growth in violation of federal law.

The ad violates FEC rules and regulations as an improper electioneering communication under 11 CFR 100.29. Specifically:

1. Payment Prong - The Club for Growth clearly states that it paid for the ad in its ad content.
2. Content Prong - The ad specifically refers to a clearly identified House candidate, Sean Parnell and is publicly distributed on broadcast television and on the Club for Growth website within 90 days of the Alaska Primary election. Further the ad is running within 30 days of the primary. 2 USC 434(f) (3), 11 CFR 100.29, and 11 DFT 109.21 (c) (iv).
3. Conduct Prong - The ad is a public communication that expressly advocates the election or defeat of a clearly identified candidate, Sean Parnell. It is a communication which is an "electioneering communication" as defined in 11 CFR 100.29 (i.e. a broadcast communication that mentions a federal candidate

and is distributed to the relevant electorate 30 days before the primary election or 60 days before the general election.

Further, it refers to a clearly identified House or Senate candidate and is publicly distributed to that candidate's jurisdiction.

Based on information and belief, it appears that the Club for Growth has worked closely with the Parnell Committee including but not limited to serving as a conduit to funnel tens of thousands of dollars in donations to the Parnell campaign. See Anchorage Daily News dated June 7, 2008 - "Parnell cultivates support from right," Club for Growth email date August 14, 2008 "New Poll Shows Tie" and Club for Growth news release dated August 19, 2008 "Club for Growth Releases New TV and Radio Ad in Alaska Congressional Race."

This Club for Growth ad appears to be coordinated as that term is defined in 11 CFR 109.21. It is paid for by a person other than an authorized committee. It is an electioneering communication as described above. Mr. Parnell has admitted in these press stories that he has met with Club for Growth staff and discussed with them the Alaska Congressional race. It can be assumed that he has discussed his campaign plans, projects, activities and needs, position on issues, poll results and other information concerning his campaign. He has sought and obtained their endorsement. Mr. Parnell, or his staff, appear to have engaged in substantial discussion with the Club for Growth before the ad was prepared.

The ad is paid for by someone other than the candidate, and it meets the content and conduct standards in the FEC regulations. Thus, under 11 CFR 109.21, the ad appears to have been done in coordination with the Parnell campaign and therefore is not an independent expenditure and an excess donation is occurring.

By this complaint, I request that the FEC investigate the creation payment for, and running of this ad in clear violation of federal laws and regulations.

Sincerely,

Barbara Mee
4724 Kershner Ave.
Anchorage, Ak 99517

The foregoing was sworn to and signed in my presence.

Dated this 22nd day of August.

Notary Public of Alaska