

## DCCC Files 3rd FEC Complaint Against Freedom's Watch

DCCC Press:

The DCCC filed a complaint today with the Federal Election Commission (FEC) against Freedom's Watch, a shadowy outside group, for failing to report its spending on television ads it's running against Democratic candidate Travis Childers (MS-01) and ran against Congressman Don Cazayoux (LA-06).

Freedom's Watch is operating as the cash-strapped NRCC's de facto independent expenditure campaign.

"Clearly, Freedom's Watch thinks they are above the law," said Jennifer Crider, Communications Director at the DCCC. "Freedom's Watch is trying to hide their spending on attack ads against Travis Childers and that's illegal. As the NRCC looks to Freedom's Watch to save them, the NRCC, Republican Members, and Republican candidates need to decide whether it's worth it to return to the hay days of Republicans' culture of corruption by being tied to a group that regularly breaks the law."

This is the third complaint the DCCC has filed with the FEC on the political attack ads that Freedom's Watch is running in the LA-06 and MS-01 special elections:

On April 16, 2008, the DCCC filed an FEC complaint against Freedom's Watch and the NRCC for illegal coordination of their attack ads. A script from one of Freedom's Watch's ads contained electronic identifiers linking it to the NRCC. The message, images, and citations in both the Freedom's Watch ad and NRCC ad are nearly identical.

On April 23, 2008, the DCCC filed an FEC complaint for running a political attack ad that directly and illegally advocates the defeat of a Democratic candidate and also for failing to disclose the names of the donors funding that ad.

On April 29, 2008, the DCCC requested the Internal Revenue Service investigate Freedom's Watch. Freedom's Watch violated its tax exempt status by running political attack ads against Democratic candidate Don Cazayoux in the LA-06 special election, designed to benefit the NRCC and the Republican candidate. Freedom's Watch meets five of the six criteria the IRS uses to determine that a group is political - not a tax exempt 501(c)(4).

The text of the letter follows:

Thomasenia Duncan, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: Complaint against Freedom's Watch, Inc.

Dear Ms. Duncan,

This is a complaint under 2 U.S.C. § 437g(a)(1) against Freedom's Watch, Inc. Freedom's Watch has aired multiple electioneering communications without filing reports with the Commission as required by 2 U.S.C. § 434(f).

### THE FACTS

On April 15, 2008, Freedom's Watch, Inc. began to air a television advertisement that clearly identified, and advocated the defeat of, congressional candidate Don Cazayoux on selected stations in the state of Louisiana. On April 16, 2008, Freedom's Watch, Inc. filed FEC Form 9, "24 Hour Notice of Disbursements/Obligations for Electioneering Communications." The cover letter for the report notes that the report was "for the Freedom's Watch television advertisement entitled 'Family Taxes.'"

On April 22nd, 2008, Freedom's Watch began to air another television advertisement in connection that clearly identified, and advocates the defeat of, Mr. Cazayoux, entitled "Health Care." The advertisement was aired in the congressional district in which Mr. Cazayoux was running for office, and it was aired within 60 days of the May 3rd runoff election. According to the Commission's records, Freedom's Watch has to this day never filed an FEC Form 9 in connection with this communication.

On April 29th, Freedom's Watch began to air a third television advertisement in connection that clearly identified, and advocated the defeat of, Mr. Cazayoux, entitled "In G-d We Trust." The advertisement was aired in the congressional district in which Mr. Cazayoux was running for office, and it was aired within 60 days of the May 3rd runoff election. According to the Commission's records, Freedom's Watch has to this day never filed an FEC Form 9 in connection with this communication.

On May 2nd, Freedom's Watch began to air a television advertisement that clearly identified, and advocates the defeat of, congressional candidate Travis Childers, entitled "Obama." The advertisement was aired in the congressional district in which Mr. Childers was running for office, and it was aired within 60 days of the May 13th runoff election. According to the Commission's records, Freedom's Watch has to this day never filed an FEC Form 9 in connection with this communication.

The advertisements "Health Care," "In G-d We Trust," and "Obama" are attached.

### ARGUMENT

An electioneering communication includes a broadcast, cable, or satellite communication that refers to a clearly identified candidate for Congress; that is made within 60 days of a runoff election sought by that candidate; and that can be received by 50,000 or more persons in the congressional district in which the candidate is running. 2 U.S.C. § 434(f)(3). The Freedom's Watch advertisements "Health Care," "In G-d We Trust," and "Obama" are unquestionably electioneering communications: all three identify Mr. Cazayoux or Mr. Childers, were aired in their respective congressional districts and were first aired within 60 days of their runoff elections.

Electioneering communications must be disclosed to the general public. Every person who makes a disbursement for an electioneering communication in excess of \$10,000 must file a report with the Commission by the day following the first day the communication is publicly distributed. See 2 U.S.C. § 434(f)(1); 11 C.F.R. § 140.20. Each of the Freedom's Watch advertisements "Health Care," "In G-d We Trust," and "Obama" required disbursements in excess of \$10,000. Indeed, according to television and radio political files, Freedom's Watch spent over \$600,000 on the airtime alone for the two Louisiana advertisements during the time period from April 22 - May 3rd.

Freedom's Watch has not file a Form 9 electioneering communications report for any of the latest three advertisements, despite spending hundreds of thousands of dollars to influence the special congressional elections in Louisiana and Mississippi.

The Commission should act immediately to prevent Freedom's Watch, Inc. from continuing to flout the electioneering communications reporting requirements, and to fine Freedom's Watch the maximum amount permitted by law.

Sincerely,

/s/

Brian Wolff  
Executive Director

Democratic Congressional Campaign Committee



## Comments

There are no comments for this entry yet. Get the discussion started and post below.

---

## Post a comment

Name and Email are required, all other fields are optional. Your email will not be displayed. We reserve the right to remove blog comments.

Name:

Email:

Location:

Homepage:

Comment:

- Remember my info
- Notify me of follow-up comments?

Paid for by Democratic Congressional Campaign Committee 430 5 Capitol Street, S.E., Washington, D.C. 20003 • (202) 863-1  
Not authorized by any candidate or candidate's committee.

Contributions or gifts to the Democratic Congressional Campaign Committee are not tax deductible. Copyright © 2003 - 2008 DCCC  
Committee. All rights reserved.