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FEDERAL ELECTION COMMISSION
JUNE 1, 2020 1:02 PM
OFFICE OF GENERAL COUNSEL

May 28, 2020

Office of the General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Via Electronic Filing: cela@fec.gov

RE: Sworn Complaint – Dennis Daneke, U.S. Senate Candidate, Montana

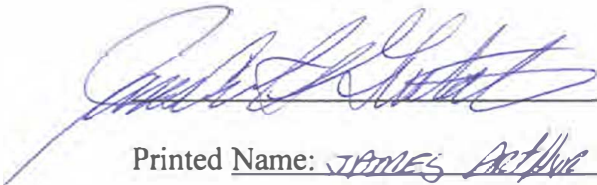
To whom it may concern:

1. This complaint is filed pursuant to 52 U.S.C. §30109(a)(1), based on information and belief against Mr. Dennis Daneke, a candidate for U.S Senate in Montana, for knowingly and deliberately failing to register with the Federal Election Commission (FEC) as a federal candidate, designating a principal campaign committee, and report any expenditure or contributions in violation of 52 U.S.C. §§ 30102, 30103, and 30104.
2. On March 9, 2020, Dennis Daneke filed for a place on the ballot in the Green Party Primary for the U.S. Senate for Montana to be held June 2, 2020. Such action makes him a federal candidate under the Federal Election Campaign Act (FECA) of 1971 and requires him to complete and file a an FEC Form 1 and Form 2 with the FEC. However, Mr. Daneke has concealed from public disclosure any contributions he has received to support his candidacy and any expenditures he has made to advance his candidacy.
3. Notably, Mr. Daneke appears to be the only candidate for the U.S. Senate in Montana that has not notified the FEC that he is seeking federal office. Twelve other people, including another Green Party candidate, have filed the appropriate paperwork with the FEC. This leads one to question whether Mr. Daneke is truly a candidate for the U.S. Senate or if he is attempting to scam the Green Party voters in the June 2, 2020 primary.

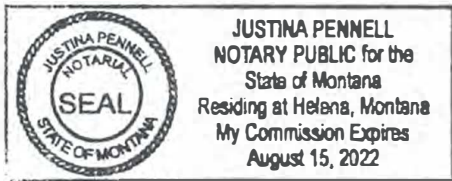
4. Mr. Daneke stated to media on Mar. 25, “There is no reason for me to be on the ballot. I don’t want anybody wasting their vote.” [<https://www.ktvh.com/news/montana-news/mt-green-party-candidates-one-says-dont-vote-for-me>]. He informed local media that “if he wins the primary election, he may withdraw from the general election ballot.” On May 7 he stated, “I confess that the only reason my name is on the ballot is because I was asked to run 20 minutes before the registration deadline,” and “My opponent was recruited to siphon votes from Democrats and I was recruited to siphon votes from her.” He also issued public statements indicating he is not an actual candidate for office, including by stating “To all Montana voters: Please do not vote for me,” and is publicly advocating against votes for his party’s other nominee, stating “Don’t vote for my Green Party opponent either.” [<https://bigskytimes.com/stories/535778843-green-party-senate-candidate-daneke-urges-support-for-democrat-bullock>].
5. If the Commission, “upon receiving a complaint ... has reason to believe that a person has committed, or is about to commit, a violation . . . [t]he Commission shall make an investigation of such alleged violation. . . .” 52 U.S.C. § 30109(a)(2). Such a finding is commonly deemed a “reason to believe” determination. It is appropriate if a complaint sets out a plausible violation of the FECA, but further investigation is needed to decide if a violation in fact occurred. Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process, 72 Fed. Reg. 1 2545 (FEC, March 1 6,2007). Here, a federal candidacy for the U.S. Senates has been undertaken with no Treasurer being designated, and no public disclosure of contributions or expenditures being made suggests further investigation is warranted.

- 6. For the Federal Election Campaign Act to work and for the FEC to be effective, the terms of the law must be observed by candidates such that transparency may be realized in our democratic process. Concealing a candidacy, failing to designate a Treasurer, engaging in political communications without disclosing the source of the funds used to pay for them, and failing to register and report as required does damage to these principles.
- 7. Because of the lack of public disclosure and commitment to transparency by Dennis Daneke, and because of his emphatic public statements that indicate his apparently unlawful candidacy is intended to distort a federal election, I ask that the FEC find reason to believe and investigate the facts and circumstances supporting these allegations.

Respectfully submitted,


 Printed Name: JAMES ARTHUR GUSTAFSON
 Address: 1245 Loriat Rd
 City, State, Zip: HELENA, MT 59602

Subscribed and sworn before me on this 1st day of ~~May~~ ^{June} 2020.



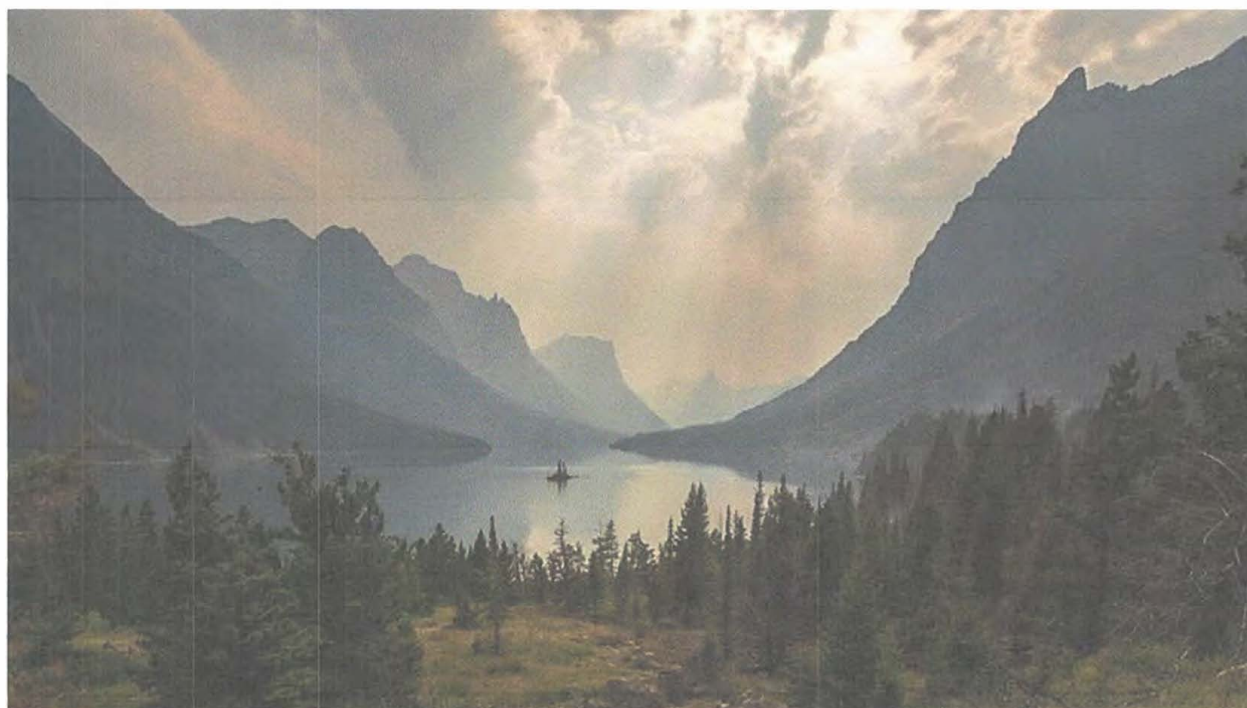

 Notary Public

Big Sky Times

Green Party Senate candidate Daneke urges support for Democrat Bullock

POLITICS

By T.H. Lawrence | May 7, 2020



The Big Sky State will have a fascinating and bizarre political year with a curious blend of candidates. |
Image by skeeze from Pixabay

It is perhaps the most unique campaign ever.

A Montana man in the race for a U.S. Senate seat has asked voters **not to support him** but instead vote for the Democratic candidate.

Dennis Daneke, a retired professor of sustainable construction technology, will face Wendie Frederickson on June 2 for the Green Party nomination. The Greens hadn't planned to have candidates on the statewide ballot, but the Montana Republican Party paid for it to be included.

Gov. Steve Bullock, a Democratic two-term governor who is challenging **Sen. Steve Daines**, a freshman Republican wrapping up his first term in the Senate.

The Green Party was pulled into the race when Frederickson, a Helena resident and former auditor at the state Department of Public Health and Human Services, was persuaded to run. She has been a critic of Bullock, saying he created a “hostile work environment.”

Frederickson made **allegations of fraud** in the state government under Bullock’s leadership, telling reporters and a panel of legislators that she questioned payments to undocumented welfare recipients on the Fort Belknap Indian Reservation.

She told the *Helena Independent Record* that when she red-flagged the payments, she was told they were authorized, continue making them and stay silent. When she would not comply, she lost responsibilities, felt isolated and then was forced out the door.

“It used to be a great place to work,” Fredrickson said. “It wasn’t until this administration that there was so much pressure you couldn’t do it.

That led to her recruitment to become a Green Party candidate.

Daneke, a Green Party member who lives in Lolo, told *Big Sky Times* he is running because it seems like his party is being used.

“I confess that the only reason my name is on the ballot is because I was asked to run 20 minutes before the registration deadline because the Repubs had just put a Green Party candidate on the ballot in an effort to siphon votes away from Gov. Bullock,” he told *Big Sky Times*. “We didn’t want her to run unopposed in the primary and get a walk to the general election. So I am running. I also believe it is a little rude to run as a Green Party candidate when you are not a member of the party.”

Daneke referred to **Gary S. Marbut**, president of the Montana Shooting Sports Association, who is the Green Party candidate for state Senate District 47 out of Missoula. In 1994, Marbut ran for the legislature as a Democrat and in 2012 he sought a seat as an independent.

“You might ask Gary Marbut what he likes about the Green Party platform,” Daneke said. “I have received no money, direction or advice from the Democratic Party or Gov. Bullock’s campaign. This is literally a kitchen table project.”

He sent a pair of statements to explain his unorthodox campaign.

“To all Montana voters: Please do not vote for me. Don’t vote for my Green Party opponent either. Your vote is a precious privilege and should never be wasted on a candidate that cannot possibly win,” he wrote.

“My opponent was recruited to siphon votes from Democrats and I was recruited to siphon votes from her. Judging from press reports, she feels she was treated unfairly by Governor Bullock and has a grievance for the Governor. As a life-long union member and organizer I will give her the benefit of the doubt.

“However, I would also argue that the polling booth is not the place to fight grievances. Apparently, the Republicans do not think they can win elections based on their ideas or the character of their candidates. Consequently, they resort to dirty tricks like voter suppression and running siphon candidates. Don’t let them get away with it.

“However, if you feel compelled to vote for a third-party candidate as some sort of protest, you should definitely vote for me. I have read the Green Party platform and whole-heartedly agree with their positions. I am a member of the Green Party.

“My wife and I live our lives as ‘green’ as possible. Our property is landscaped with native vegetation. Our home is a passive solar design so the boiler infrequently turns on. We grow most of our own food and contribute any surplus to others.

“Rooftop solar panels provide more electricity than we use to run our home, and charge our electric vehicle, and lawnmower and operate a drip-irrigation system. We try to invest in green business. Hell, we make Kermit the Frog look yellow!

So if you really want to vote green, vote for the green guy.”

He ended the statement with an apparent campaign motto: “Dennis Daneke, Roof top solar for all who want it, and a puppy on every porch.”

In a second statement, he offers what he calls “some straight talk” about politics and his campaign.

“It is unlikely that any third-party candidate is going to win a statewide race in the near future. Nonetheless, some voters prefer to vote for third parties to send a message to the major parties that their platforms don’t go far enough,” he said. “I am one of those folks. I fully subscribe to the Green Party platform and I encourage you to check it out here <https://www.gp.org/platform.>”

Daneke said he believes all public policy should follow the three E's of sustainability—environment, economics and equitability.

“For a policy (or any activity for that matter) to be sustainable, it must be environmentally benign or at least mitigatable, economically feasible, and equitable or fair to all involved,” he said. “If you agree with that philosophy, you should vote for the Green Party in the primary. If you so choose, I encourage you to vote for me. I live as ‘green’ as possible. Solar panels on the roof, electric vehicle in the garage, native vegetation landscaping with water conservation measures, passive solar home design, and organic gardens to feed my family as well as the less fortunate. I am the Green Party’s green candidate.”

Sen. Daines is being opposed by John Driscoll and Daniel Larson in the June 2 primary. Driscoll has changed political stripes. He was a Democratic state legislator years ago and served as speaker of the Montana House of Representatives.

Dan Larson is making his first bid for public office. He is a hardware store owner in Stevensville.

The Democratic primary is between Gov. Bullock and John Mues.

Bullock had mounted a late-starting campaign for the Democratic nomination for president. It failed to ignite and he dropped out while saying he was disinterested in a race for the Senate. But after intense lobbying by Montana and nationally prominent Democrats, he joined the race **on the final day.**

Mues, another political newcomer, is a miner and rancher from Loma. There were other Democrats interested in challenging Daines, but they dropped out when Bullock entered the race.

NEWSMONTANA NEWS

MT Green Party candidates: One says, 'don't vote for me'

But wants to win Green Party U.S. Senate primary



Green Party candidates running for Montana state offices run the gamut.



By: Mike Dennison

Posted at 1:06 PM, Mar 25, 2020

and last updated 9:15 AM, Mar 26, 2020

HELENA — Dennis Daneke, one of two Green Party candidates in Montana’s 2020 U.S. Senate race, has a message you won’t hear from many candidates: “Please do not vote for me.”

But he also doesn’t want anyone to vote for his Green Party primary opponent, Wendie Frederickson, whom he says was recruited to siphon votes away from Democrats in the general election.

Daneke, a retired professor of sustainable construction technology who lives in Lolo, says he was essentially recruited by Democrats to defeat Frederickson in the Green Party primary – and, then, once on the general election ballot, he might withdraw from the race.

“There is no reason for me to be on the ballot,” he told MTN News in a recent interview. “I don’t want anybody wasting their vote.”

Such are the oddities of the last-minute qualification of the Green Party for Montana's 2020 ballot – an effort, as revealed this week, that was financed by the Montana Republican Party.

The Montana Green Party has said it had nothing to do with the qualification of its party, and the state Democratic Party denounced the effort as “election fraud” perpetrated by the GOP, to draw votes away from Democrats in the general election.

Meanwhile, six people – including Daneke and Frederickson – have filed to run as Green Party candidates.

John Gibney of Hamilton, a retiree, is running for the U.S. House; Robert Barb of Billings is the Green Party candidate for governor; Roy Davis of Helena is running for attorney general; and Gary Marbut of Missoula is running for a state Senate seat.

The highest-profile contest is the U.S. Senate race, where Republican U.S. Sen. Steve Daines is expected to face off this fall against Democratic Gov. Steve Bullock.

Libertarian Susan Good Geise, a Lewis and Clark County commissioner, is also in the race – and, the Greens will have a June 2 primary contest between Daneke and Frederickson, to pick their nominee.

Daneke told MTN News that on March 9, the last day of candidate filing, a Democratic friend called and told him that Republicans had recruited a Green Party candidate in the Senate race, with the intent to hurt Bullock.

“We didn’t want that Green Party candidate to get on the general-election ballot because she was unopposed, so I went online and filed,” he said.

Frederickson is a former auditor at the state Department of Public Health and Human Services, who has said the Bullock administration created a “hostile work environment” for employees who raised questions about alleged fraud and mismanagement of public money.

Daneke said he understands that she believes she was treated unfairly by the Bullock administration before leaving her job, but that “the polling booth is not the place to fight grievances.”

Frederickson did not reply to an email asking for a response.

Daneke said he’s a member of the Green Party, agrees with its platform, grows most of his own food, and powers his home with solar power.

“If you really want to vote green, vote for the green guy,” he said.

Still, Daneke said if he wins the primary election, he may withdraw from the general election ballot, so he doesn’t pull any votes away from Bullock in a close race.

Davis, the attorney general candidate, told MTN News that he’s been a registered Democrat, has worked on Democratic campaigns in Montana and “believes strongly in many principles of the Democratic Party.”

But, he said the party has “mellowed” and “deviated from the needs of the time” and that he believes the Green Party is the “wave of the future,

in many respects.” He said he lives in a home that is heated without fossil fuels or electricity.

Davis said he’s never run for office before, and is still formulating his campaign plans.

Gibney, the House candidate, told MTN News that he’s not a fan of Democrats, “Republican in name only” or, for that matter, parts of the Green Party platform.

“They conflict with of (my) views, but that’s OK,” he said. “I have my own ideas.”

Gibney said candidates shouldn’t have to “toe the party line,” and that he’ll be rolling out some of his ideas soon.