

Respondent Name
Freedom Foundation
Complainant Name
Peter Starzynski
Complaint Description
Peter Starzynski (Fri, 11 Dec 2020 at 12:18 PM) See attached. Thank you.
What impact does the alleged violation(s) have on the public?
List of attached evidence or contact information where evidence may be found
List of potential witnesses with contact information to reach them
Certification (Complainant)
I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

December 11, 2020

Public Disclosure Commission
711 Capitol Way S. #206
P.O. Box 40908
Olympia, WA 98504

Public Disclosure Commission Staff,

Pursuant to RCW 42.17A.775, I write to report violations of the Fair Campaign Practices Act (“FCPA”), Chapter 42.17A RCW, by the Freedom Foundation.

In brief, the Freedom Foundation (“FF”) has operated as a political committee for years without filing a statement of organization with the Public Disclosure Commission (“PDC”) as required by RCW 42.17A.205. As an unregistered political committee, the FF has also failed to comply with the other provisions of Chapter 42.17A RCW governing the conduct and reporting requirements of political committees.

Additionally, the Freedom Foundation has disseminated communications during the past several months that qualify as electioneering communications. The organization has failed to comply with the reporting and disclaimer requirements that apply to electioneering communications under the FCPA. As such, the organization should be held accountable for its failure to comply with these requirements by the PDC.

Factual Background

In solicitations for donations to their organization, the FF uses explicitly political language to describe their mission. They also state that donations to the FF are used for political purposes, and that those donations will help the FF affect the outcome of upcoming elections, as evidenced by these excerpts from their fundraising documents.

From Exhibit A:

“This is the year everything is up for grabs, and we have to act fast to keep the radical Left from hijacking this country we love. We could be as little as nine months away from losing this country forever, and we must act fast to keep that from happening.”

“Thanks to your generosity, no one is doing more to do just that than the Freedom Foundation.”

From Exhibit B:

“If you want to level the political playing field so conservative ideas and leaders have a chance to win...this is your fight. And now is the time!”

From Exhibit C:

“With a new year and a new decade now well under way, a time for action has arrived! This is the year everything is up for grabs, and we have to act fast to keep the radical left from hijacking this country we love.”

From Exhibit D:

“The year ahead offers a huge opportunity to defeat and discredit the Left for good – and the Freedom Foundation has a proven plan to seize this moment. Your generous support will allow us to take on the radical left...”

From Exhibit E:

“Your tax-deductible contribution today of \$25, \$50 or even \$100 will enable the Freedom Foundation to take this fight for fairness and freedom to the next level – and to finally level the playing field between taxpayers and out-of-control leftist government unions. Together, you and I are defunding the most virulent leftist lobbies and defending liberty and limited government.”

Over the past several months, Freedom Foundation has disseminated numerous communications criticizing Governor Jay Inslee. These communications have included:

- 1) A fundraising event in October 2020 which discussed Governor Inslee’s handling of the COVID-19 pandemic in Washington and detailing the organization’s efforts to “fight back” against Governor Inslee (see **Exhibit F**);
- 2) A letter sent in September 2020 soliciting contributions to Freedom Foundation, criticizing the national response to the COVID-19 pandemic, and specifically singling out Governor Inslee for allegedly spreading “lies and fear during the COVID-19 panic” (see **Exhibit G**);
- 3) A periodical published in September 2020 claiming that Governor Inslee abused his emergency powers to “reward [his] friends,” alleging that Governor Inslee has kept schools closed in Oregon because unions representing teachers donate to his campaign, and implying that Governor Inslee shut down a specific waterpark in Washington through his “accomplices in the Department of Labor” (see **Exhibit H**); and
- 4) A periodical published in October 2020 that further elaborates on Freedom Foundation’s claim that Governor Inslee’s order to shut down waterparks, but not state parks, was politically motivated and hypocritical (see **Exhibit I**).

Violations of the FCPA

I. The Freedom Foundation is a Political Committee as defined by RCW 42.17A.005(40).

RCW 42.17A.005(40) defines “political committee” as “any person . . . having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.” RCW 42.17A.205 requires every “political committee” to “file a statement of organization” with the PDC “within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier.”

Three Washington court decisions have further clarified and interpreted this definition. In *State v. Dan J. Evans Campaign Committee*, the Washington Supreme Court determined that an entity satisfies the expenditures prong of the definition of “political committee” if affecting, “directly or indirectly, governmental decision making by supporting or opposing candidates or ballot propositions” is “the primary or one of the primary purposes” of the entity. 86 Wn.2d 503, 509 (1976). In *Utter ex rel. State v. Bldg. Indus. Ass’n of Washington*, the Court confirmed that an organization may be considered a “political committee” if one of its primary purposes is to engage in electoral political activity; electoral political activity need not be the primary purpose of the entity for it to fulfill the definition of “political committee.” 182 Wn.2d 398, 427 (2015). To determine the primary purpose as established in *Dan Evans* and later affirmed in *Utter*, a court will examine the stated goals and mission of the organization and whether “electoral political activity was a primary means of achieving the stated goals and missions during the period in question.” *State ex rel. Evergreen Freedom Foundation v. Washington Education Association*, 111 Wn. App. 586, 600 (Ct. App. 2002). The Court of Appeals in *EFF v. WEA* interpreted the term “political committee” as follows: “a person or organization may become a political committee by either (1) expecting to receive or receiving contributions, or (2) expecting to make or making expenditures to further electoral political goals.” *Id.* at 598.

a. The Freedom Foundation Received Contributions in an Election Campaign.

The donations that the Freedom Foundation receives from citizens in Washington are contributions made in expectation of furthering electoral political goals. For example, on February 25, 2020 in Exhibit A, the Freedom Foundation cautions its supporters that “[w]e could be as little as nine months away from losing this country forever” before soliciting contributions to the organization. This language refers specifically to the presidential election and asks for contributions to support Freedom Foundation’s goals in that election. Additionally, in Exhibit D, Freedom Foundation urges its supporters that this year “offers a huge opportunity to defeat and discredit the Left for good—and the Freedom Foundation has a proven plan to seize this moment,” referring specifically to the fact that this is a presidential election year. This is also supported by Exhibit C (“This is the year everything is up for grabs, and we have to act fast to keep the radical left from hijacking this country we love.”). It follows from the language used by Freedom Foundation, along with the dates and timeline on which the mailers were sent, that any contributions it receives are being made in expectation of furthering the organization’s stated electoral political goals.

Such activities, without more, were sufficient to qualify Freedom Foundation as a political committee under the “receiver of contributions” prong. However, Freedom Foundation also fulfills the “expenditures prong” of the definition of “political committee” under RCW 42.17A.005(40).

b. The Freedom Foundation Made Expenditures in an Election Campaign

In *Evergreen Freedom Foundation*, the Court of Appeals expounded on the primary purpose test established by the Washington Supreme Court in *Dan J. Evans Campaign Committee*, including the following observations:

“an appropriate framework for determining whether electoral political activity is one of an organization's primary purposes should include an examination of the stated goals and mission of the organization and whether electoral political activity was a primary means of achieving the stated goals and mission during the period in question. Under this analysis, a nonexclusive list of analytical tools a court may use when evaluating the evidence includes: (1) the content of the stated goals and mission of the organization; (2) whether the organization's actions further its stated goals and mission; (3) whether the stated goals and mission of the organization would be substantially achieved by a favorable outcome in an upcoming election; and (4) whether the organization uses means other than electoral political activity to achieve its stated goals and mission.”

111 Wn. App. at 599-600.

The Freedom Foundation repeatedly describes its own purpose as “defeating the Left” and “defunding the radical Left.” It follows that the stated goals and mission of Freedom Foundation would be substantially achieved by a favorable outcome in an upcoming election. Freedom Foundation also frequently uses language that refers to the election as a key event in achieving its goals. To be considered a “political committee” under the expenditures prong for the purposes of the FCPA, Freedom Foundation need only have influencing electoral political activity as one of its primary purposes. It meets this threshold without question.

II. The Freedom Foundation Failed to Report Electioneering Communications.

a. The Freedom Foundation made electioneering communications.

According to RCW § 42.17A.005(21), an electioneering communication is one that (1) clearly identifies at least one candidate for state, local, or judicial office; (2) appears within 60 days of an election in the candidate’s jurisdiction; (3) appears in a specific form of media, including radio, television, postal mailing, billboard, newspaper, or periodical; and (4) either alone or in combination with other communications by the same sponsor identifying the same candidate has a fair market value of \$1,000 or more.

The Freedom Foundation’s communications from September 2020 through October 2020 meet all four elements of the definition of electioneering communications and therefore qualify as electioneering communications. These communications clearly identify a candidate for state office, Governor Jay Inslee. The communications have all appeared within 60 days of the election

(in this case, after September 3, 2020). The communications have appeared in the required forms of media, specifically by postal mailing and by periodical. These communications, standing alone or when combined with other communications by the Freedom Foundation identifying Governor Jay Inslee, have a fair market value of more than \$1,000. Therefore, these communications constitute electioneering communications and are subject to the reporting and disclaimer requirements for such communications.

b. The Freedom Foundation did not report its electioneering communications within 24 hours.

Electioneering communications are subject to strict reporting requirements. If an advertising expense qualifies as an electioneering communication, its sponsor must comply with certain reporting requirements. *See* WAC 390-16-063(4). Specifically, all electioneering communications must be reported within 24 hours of the time the communication is first transmitted, mailed, erected, distributed, or otherwise published by filing a Form C-6 report. RCW § 42.17A.305(2); WAC 390-16-060.

None of the Freedom Foundation’s communications were ever reported to the PDC, much less reported within the required 24-hour period. Because these communications were electioneering communications, the Freedom Foundation’s failure to report the communications violated the 24-hour reporting requirement of RCW § 42.17A.305(2).

c. Freedom Foundation did not include the required “top five contributor” disclaimer on its electioneering communications.

Under the FCPA, political advertising undertaken as an electioneering communication is required to contain certain additional disclaimers. One such disclaimer is the “top five contributor identification.” According to RCW § 42.17A.320(2)(b), a political advertisement sponsored by a political committee must include a “Top Five Contributors” heading, followed by a list of the names of the five persons or entities making the largest contributions in excess of \$700 to the committee during the 12 months before the advertisement runs.

Conclusion

The Freedom Foundation is a “repeat offender of [Washington] campaign finance laws” according to Washington Attorney General Bob Ferguson. Just as the Attorney General expressed, voters have a right to know who is influencing the election. To that extent, the “Freedom Foundation needs to start following the law”. The Freedom Foundation’s failure to register and report as a political committee and failure to comply with reporting and disclaimer requirements for electioneering communications as required by the FCPA has tangibly negative implications for the transparency of Washington elections. Currently, the citizens of Washington cannot account for expenditures from Freedom Foundation’s pledged political mission to affect elections, nor can donors to Freedom Foundation know that their donations are being utilized for the political promise to which they donated.

Given the Freedom Foundation's status as a habitual offender of campaign finance laws, we respectfully request that the PDC perform an investigation into these allegations and take appropriate enforcement action. Please do not hesitate to contact me if I can be of assistance. I certify under oath, at the risk of penalty or perjury, that the complaint is complete, true, and correct.

Sincerely,
Peter Starzynski

A handwritten signature in black ink, appearing to read 'Peter Starzynski', written in a cursive style.

Executive Director
Northwest Accountability Project
509-309-9071
PO Box 42561
Portland, OR 97242
peter@nwaccountabilityproject.com

EXHIBIT

A

February 25, 2020

With a new year and a new decade now well under way, a time for action has arrived.

This is the year everything is up for grabs, and we have to act fast to keep the radical Left from hijacking this country we love.

We could be as little as nine months away from losing this country forever, and we must act fast to keep that from happening.

Face it: It may be a new year, but the radical left shows no signs of turning over a new leaf.

If anything, they're doubling down. They're hitting the streets, showing up at rallies and spewing their hate on the airwaves.

The left can do this because of the lavish funding they receive from government unions.

This year, government unions like SEIU, AFSCME and others will fleece the public-sector workforce for hundreds of millions of dollars, then channel that money to fuel the left's intolerant anti-American rage.

These unions provide the funding and the ground game that keeps the left in power. They may be deeply out of touch with America and deeply out of touch with their own members, but their cold, hard cash makes them political kingmakers.

That is, unless we stop them!

Thanks to your generosity, no one is doing more to do just that than the Freedom Foundation.

With your help, we have built the Freedom Foundation into the country's most effective organization working to cut off the union funding that finances the radical left.

As you may recall from my update just before the holidays, the Freedom Foundation

OVER PLEASE →

helped more than 66,000 people resign as union members since June 2018—giving themselves a raise while allowing themselves to stop funding the union political machine in the process.

For decades, public-sector employees had no choice but to fund the union machine—it was a requirement of their job, regardless of their actual political views.

In 2018, that changed thanks to a high-profile U.S. Supreme Court ruling.

Interestingly, most unions still find themselves flush with cash nearly two years later. They've done everything they can to keep people from learning about their legal right to leave under the Constitution.

The only places where this not the case is where the Freedom Foundation is on the job.

The states that have seen the biggest declines in membership are on the West Coast, where the Freedom Foundation is actively canvassing, litigating and hitting the airwaves on behalf of members who want to exercise their rights.

Plenty of our friends and allies have been disappointed that the union membership declines haven't been a national trend. Well, that just shows the difference that the Freedom Foundation makes and why we need to take this fight to every corner of this country.

We knew all along that Supreme Court decisions don't enforce themselves and that we must fight for every single opt-out.

And that's exactly how things have played out. Rather than comply with the law, the unions have:

- × forged signatures on union cards; refused to honor resignation letters from members; and,
- × used high-pressure scare tactics to keep members from leaving, such as telling them they'll lose their health insurance.

And that's just the beginning. They threaten our canvassers, protest our events and even show up at my house uninvited at dinnertime to try and intimidate me.

The list of bullying tactics keeps going and going.

They've organized boycotts of businesses run by our board members, put their faces on billboards and even sent unflattering letters to everyone in our neighborhoods, our church directories and every other group of contacts you can imagine.

They're not just throwing everything in the book at us—they're writing new chapters and new volumes on how to how to intimidate us and intimidate anyone who believes in what we're doing.

Here's still one more example of how the unions are clinging to power: Many unions have imposed arbitrary 10-day opt-out windows when union members can exercise their right to leave.

It's been a while since I took high school civics, but if memory serves, the Constitution is

in force 365 days a year—not 10 days per year.

With your help, we've built the country's largest public interest law firm dedicated to suing unions and forcing them to obey the law. I posed the question to them—and sure enough, they told me the Constitution is the law of the land every single day of the year.

So with your help, we filed suit in federal court to challenge the unions and their 10-day opt-out windows.

This case, *Belgau v. Inslee, et al*, was filed in August 2018 on behalf of seven Washington state employees who attempted to resign from the Washington Federation of State Employees (WFSE) shortly after the Supreme Court affirmed that mandatory union membership and dues in the government workplace violate a worker's First Amendment rights.

In December, we took this case to the 9th Circuit Court of Appeals. Should *Belgau* reach the U.S. Supreme Court — and regardless of which side prevails at the 9th Circuit, an appeal is all but inevitable — it will be heard by the same justices who affirmed the rights of workers two years ago.

This case is so important because it would put an end to the union stall tactics for good, placing the burden on them to prove that their “members” really want to belong to a union in the first place. As it stands now, most have been coerced into joining in violation of the Constitution, with only a 10-day window each year when the law actually applies.

We are excited about this case and will keep you posted on developments. It has potential to be a true “kill shot” that invalidates decades of union cards signed during the era of compulsory union membership in violation of the Constitution, dating back to a bad Supreme Court ruling in 1977.

The unions have never been challenged like this before. No one has dared to take them on, let alone sue them in federal court on the grounds that their whole enterprise is illegal and unconstitutional.

That's why they seethe with hate for the Freedom Foundation.

But you know what? The unions can't stop us.

Despite everything they've thrown at us, the Freedom Foundation cost the government unions a cool \$53 million a year—more than \$1 million per week—in lost dues.

You can be proud of those numbers—they wouldn't have happened without you.

You can be proud of everything else we've accomplished too. To give you a full accounting of that, I have enclosed the **Freedom Foundation's annual report** for your review.

Everything detailed in its pages happened because you helped us stand up to the union bullies and you helped us stand up for the people they've taken advantage of for so long.

As we move into a new year, we now have an opportunity to teach the union bosses a lesson they'll never forget in who truly runs this country. Hint: it's not the union bosses—it's people like you and me, under the rule of law established by our Constitution.

OVER PLEASE →

But time is running out to deliver that message.

If we don't keep up the work we're doing right now, unions will forge more signatures, rip off more workers and do what it takes to keep the money coming in the door.

What's more, the legal challenges to their lawless activity would end, allowing them to ignore Supreme Court rulings with impunity—and putting the unions on notice that the rule of law doesn't apply to them.

We can't let any of that happen. Especially now, when the future of our country is in the balance.

We've come so far, and your support makes all this work possible. We just can't let up and allow the unions to continue rigging elections and buying political power off the backs of our teachers, firefighters, state troopers, and other government employees.

This is the year it's all up for grabs. We can defeat the unions in the courts, and we can defeat them in the battle of ideas.

That work starts right now, and I hope we can count on you at this critical time.

Your gift of \$25, \$50, or even \$100 will go straight to the front lines of this fight that is defining our future at this very moment.

Every \$1 you can give defunds the unions to the tune of \$20—and thanks to a generous matching grant, that impact is doubled to \$40.

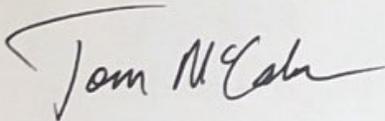
The hard left and its union patrons are no match for that.

For decades, they've been too big to even think of taking on. And they still think they can use their political pull to make us go away. But they've met their match in the Freedom Foundation.

Let's get this done. America is a country worth saving—so, let's defeat the union political machine and save this country from the left-wing extremism they finance every single day!

Thank you, and God bless you for all you do to keep freedom alive across America!

In liberty,

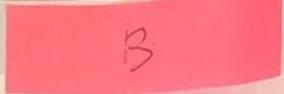


Tom McCabe
President

P.S. No one is doing more to defeat and defund the radical left and its union patrons than the Freedom Foundation. To see what I'm talking about, check out the enclosed annual report that details our impact in Washington state and across the country. Thank you for all you do to make that possible. In the meantime, please let us hear from you as soon as possible to let us know you're with us in 2020. Thank you.

EXHIBIT

B



GIFT AMOUNT

Single Gift Monthly

Name _____ Phone _____

Address _____

Email _____

PAYMENT METHOD

Credit/Debit Card



Check Enclosed

CC # _____ Exp. Date _____ CVC _____

CREDIT/DEBIT CARD DONATION AUTHORIZATION:

I authorize my credit card company to make payment(s) as indicated. I understand I am in full control of my donation, and I can make changes by calling or writing to the Freedom Foundation.

Signature _____ Date _____

Signature is required for automatic withdraws. Your gift is tax deductible.

Tear Here

Tear Here

GENERAL MEMBER

\$25 or more a year: includes 12 monthly issues of *Living Liberty* and invitations to Freedom Foundation events.

PATRIOT'S CLUB

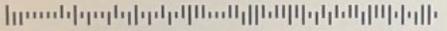
\$25 or more by automatic withdraw: includes 12 monthly issues of *Living Liberty*, invitations to Freedom Foundation events, special updates.

FOUNDERS CLUB

\$1,000 or more per year: includes 12 monthly issues of *Living Liberty*, invitations to exclusive events and preferred seating at Freedom Foundation events.

PRESIDENT'S CIRCLE

\$10,000 or more per year: includes 12 monthly issues of *Living Liberty*, invitations to exclusive President's Circle events and preferred seating at Freedom Foundation events.



TOM McCABE
FREEDOM FOUNDATION
PO BOX 552
OLYMPIA WA 98507-9855

POSTAGE WILL BE PAID BY ADDRESSEE



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



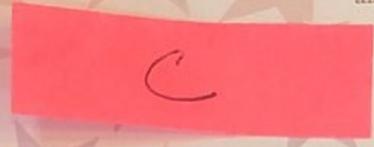
Thank You For Your Continued Support!

If you want more freedom and prosperity we must take on the power of the union political machine. That's why we're taking on the big union bosses on the West Coast.

If you want to level the political playing field so conservative ideas and leaders have a chance to win...
this is your fight. And now is the time!

EXHIBIT

C



AMERICA IS WORTH SAVING FROM UNION RADICALISM

With a new year and a new decade now well under way, a time for action has arrived!

This is the year everything is up for grabs, and we have to act fast to keep the radical left from hijacking this country we love.

Let's do this! America is a country worth saving—so, let's defeat the union political machine and save this country from the left-wing extremism they finance every single day!

YES, Tom, I am proud to stand with the Freedom Foundation in 2020!

BCCG M126858

- \$25
- \$50
- \$100
- OTHER _____



Your gift is tax deductible.

PAYMENT METHOD

Check Enclosed

Credit/Debit Card



CC # _____ Exp. Date _____

CHECKING WITHDRAWAL OR CREDIT/DEBIT CARD DONATION AUTHORIZATION:

I authorize my bank/credit card company to make payment(s) as indicated. I understand I am in full control of my donation, and can make changes by calling or writing the Freedom Foundation.

Signature _____ Date _____

Required for checking withdrawal or credit/debit card donations

Please complete payment information and mail to: **Freedom Foundation - PO Box 552, Olympia, WA 98507**

EXHIBIT

D



TIME IS SLIPPING AWAY FOR GOV'T UNION BOSSES!

As 2019 fades into the history books —Let's send the radical left on its way there too!

The year ahead offers a huge opportunity to defeat and discredit the Left for good—and the Freedom Foundation has a proven plan to seize this moment.

Your generous support will allow us to take on the radical left and its union funding networks, ensuring that America remains free and prosperous...both in our time, and for those who will come after us!



YES TOM, I am proud to stand with the Freedom Foundation in 2020!

- \$25
- \$50
- \$100
- OTHER _____

Your gift is tax deductible.

PAYMENT METHOD

- Check Enclosed
- Credit/Debit Card



CC # _____ Exp. Date _____

CHECKING WITHDRAWAL OR CREDIT/DEBIT CARD DONATION AUTHORIZATION:

I authorize my bank/credit card company to make payment(s) as indicated. I understand I am in full control of my donation, and can make changes by calling or writing the Freedom Foundation.

Signature _____ Date _____

Required for checking withdrawal or credit/debit card donations

Please complete payment information and mail to: **Freedom Foundation - PO Box 552, Olympia, WA 98507**

EXHIBIT

E

E

1775

March 24, 2020

As a fellow American patriot, I can't help but wonder how this crazy Coronavirus pandemic might be affecting you. These are exceptional times, and I pray the best for you.

Five years ago, the Freedom Foundation struck boldly into the heart of darkness. We set up shop in Oregon—a state of magnificent vistas, creative and hardworking people. . . and the looniest left-wing government in America.

Expanding into Oregon was a priority for the Freedom Foundation because big unions and big-government fanatics have called the shots there for years.

In Portland, roving gangs of spoiled “Antifa” thugs beat up conservatives without so much as a slap on the wrist from the authorities. If anything, the mayor probably wants to give them a medal. Meanwhile, down the road in Salem, if the Big Labor bosses want something done in state government, they tell their errand boys in the Legislature to do it--and it gets done. Meanwhile, taxpayers and liberty take it on the chin.

In 2015, the Freedom Foundation marched into this madhouse, because that's what we do best—go right into the belly of the beast and take on the most hardened left-wing thugs we can find. We were determined to reverse the stranglehold government unions had on state and local policymaking because, unless and until we do that, we will not succeed in our mission of advancing individual liberty, free enterprise and limited, accountable government.

We have encountered nasty, ferocious and downright unconstitutional opposition from Oregon's leftist establishment every step of the way--but the most recent news concerning the powerhouse union SEIU 503 provides the most vivid and eye-opening evidence yet that you and I, working through the Freedom Foundation, are turning Oregon leftist government upside down. . . or should I say rightside-up.

This story is truly remarkable. Consider:

In 2017, SEIU 503 spent \$4.1 million on political activities and lobbying--that is, it spent \$4.1 million of someone else's money pushing a radical left agenda of socialist economics and centralized government.

OVER PLEASE →

Then in 2018, the U.S. Supreme Court handed down its landmark *Janus v. AFSCME* decision, which affirmed the right of public employees to opt out of union dues that had previously been funneled into government union coffers, often over the indignant protests of those employees.

Janus was a tremendous tool—but unless employees were apprised of their new rights, it would be useless.

Oregon's union-controlled government was determined to keep those employees in the dark.

The Freedom Foundation was even more determined to enlighten them.

Even before *Janus*, Oregon Gov. Kate Brown put all public employee records under lock and key in order to prevent the Freedom Foundation from accessing the data and informing union members of their rights under the Supreme Court's previous pro-worker freedom ruling in *Harris v. Quinn*.

The Oregon State Legislature, at the behest of unions like SEIU 503, actually rewrote the public records laws to keep the Freedom Foundation from contacting union members. They probably figured we'd throw our hands up and call it a day.

They didn't know us very well.

Instead, we redoubled our efforts—in the courts of law, in the court of public opinion and at the grass roots. We sued. We won. We forced the union to surrender its nonprofit corporation status in a desperate bid to avoid our legal attacks.

And we launched an aggressive freedom of information campaign to its members, the likes of which SEIU 503 had never seen before.

Our onslaught consisted of personal canvassing, emails, direct mail, phone calls, social media, television, radio, newspapers and more.

Then came the *Janus* ruling. We were ready for it. And the floodgates opened.

Due largely to the Freedom Foundation's massive campaign of information and enlightenment, **a whopping 33 percent of Oregon state employees represented by SEIU 503 and more than 36 percent of school employees represented by OSEA have exercised their constitutional right to opt out of union dues since the *Janus* decision was handed down.**

This mass exodus of workers from union bondage has had *huge* financial repercussions.

Remember that figure of \$4.1 million representing SEIU 503's expenditures on politicking and lobbying in 2017? It plummeted to \$2.2 million in 2018, and we have just learned that it fell by more than another half-million dollars, to \$1.6 million, in 2019.

SEIU 503 is in freefall.

The union's political influence is shrinking dramatically. Its ability to buy politicians who will do its bidding has been sliced by 60 percent in just a few short years. And they're facing

long-overdue accountability for their lawless behavior.

Suddenly, the future of freedom in Oregon has taken on a brighter shade.

Your generous support of the Freedom Foundation has made this possible!

We have them on the run--but the unions are not going to give up their ill-gotten gains and unfair political advantages without a fight.

Believe me, they play dirty.

To counter our information campaign, the union-funded Northwest Accountability Project actually put our faces on signboards that they erected along the streets of Portland. They undertook a letter-writing campaign trying to cost our supporters their jobs. This hate campaign failed miserably--as it deserved to--but it revealed just how low the union will go.

SEIU is fading. Its best days are in the past. And we're holding them accountable for a long history of abuse. But its leaders are not going to give up their six-figure salaries without going even lower. Their strategy now consists of such dishonorable and illegal acts as:

--forging workers' signatures on membership cards; and,

--denying members their constitutional right to opt out by holding them hostage to so-called annual "opt-out windows."

With your help, the Freedom Foundation is fighting these and other nefarious practices. No one is above the law--and that's a lesson that SEIU 503 has yet to learn. Our powerful litigation team is now schooling them on that very point, holding unions accountable when they break laws like forging signatures and deterring them from further lawless action in the future. This work is so crucial because union money means those in power tend to look the other way--especially in liberal states--when unions break the rules.

The incredible shrinking union that is SEIU 503 is not only a victory for the Freedom Foundation; it is a victory for all Americans because unions harvest dollars in liberal enclaves and ship them to more competitive states, rigging elections everywhere. And, of course, it is particularly a victory for public employees who are no longer forced against their will to fund political causes to which they object, and finally have a champion to stick up for them when unions trample on their legal rights.

The ramifications go well beyond Oregon, and no one knows it better than the unions themselves. The Freedom Foundation is now active in five states--Washington, Oregon, California, Ohio and Pennsylvania. *We are getting stronger while the union is getting weaker.*

What we've done in Oregon is exactly what we seek to replicate in every state possible.

The national implications are tremendous. At the federal level, SEIU's spending on political activities and lobbying plunged from \$60 million in 2016 to less than \$45 million in 2018. We intend to drive it even lower in the critical election year of 2020.

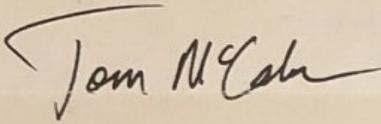
As Jason Dudash, the Freedom Foundation's Oregon director, says, "Fewer union members means few dues dollars to spend on buying politicians and influencing public policy."

Let's keep striking while the iron is hot!

Your tax-deductible contribution today of \$25, \$50 or even \$100 will enable the Freedom Foundation to take this fight for fairness and freedom to the next level--and to finally level the playing field between taxpayers and out-control leftist government unions.

Together, you and I are defunding the most virulent leftist lobbies and defending liberty and limited government. If we can do this in Oregon we can do it anywhere. Thank you so much for your support!

Sincerely,

A handwritten signature in black ink that reads "Tom McCabe". The signature is written in a cursive style with a large, sweeping initial "T".

Tom McCabe
Chief Executive Officer

P.S. Thanks to your generous support of the Freedom Foundation, government unions are on the ropes and being held accountable. This is terrible news for those who believe that unions should control state and local governments--but it is fantastic news for those who believe in individual liberty, free enterprise, and limited constitutional government!

P.P.S. 2020 is a critical year. As the Oregon story reveals, your tax-deductible contribution today of \$25, \$50, or even \$100 will help us shrink government unions and their statist influence and expand freedom!

EXHIBIT

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This transcript was exported on Oct 14, 2020 - view latest version [here](#).

Tom McCabe ([00:00](#)):

... Press Secretary for the first three years of President Trump's first term. Sarah Huckabee Sanders knows that feeling only too well. Sarah's father, former Governor Mike Huckabee, was a smash hit as our guest speaker at the Freedom Foundation's Oregon banquet last year. And we were really looking forward to her filling his shoes this year.

Tom McCabe ([00:20](#)):

But because of COVID-19 restrictions, Sarah wasn't able to be with us in person, but she's able to join us via computer feed. And we're confident these improvised arrangements will only kindle her memory and her passion to advance the ideal she shares in common with all of you tuning in tonight. It should be quite an evening.

Tom McCabe ([00:41](#)):

Hey, I'd like to introduce Aaron Withe next. Aaron Withe is the national director of the Freedom Foundation. He's a big man with a big heart, and he's got great conservative values. This guy has done an awesome job, expanding the Freedom Foundation nationally into states like Pennsylvania and Ohio. He's also done an outstanding job this year of getting on TV and getting the message out to people that don't normally hear about the Freedom Foundation. Aaron's been on every single network you can think of Fox news, all the conservative news networks, and even some of the liberal ones. Here's Aaron Withe.

Aaron Withe ([01:19](#)):

Thank you, Tom, for that kind virtual introduction. Thank you all for watching. It's an honor to be representing the Freedom Foundation at our annual event.

Aaron Withe ([01:28](#)):

Due to the governor's response to COVID it wasn't possible to do an annual, in-person dinner this year. I'm so excited to be with you virtually. I'm so happy to be able to hear from Sarah Huckabee Sanders a little later on.

Aaron Withe ([01:41](#)):

I'm Aaron Withe, National Director of the Freedom Foundation. And as you're watching me online, remember the camera adds like 10 pounds. I see at least a couple of them on me right now. So, bear that in mind.

Aaron Withe ([01:51](#)):

I've been with the Freedom Foundation for five years now have helped us grow from a Washington-based think tank with 20 employees to a national organization of offices in five states, Washington, Oregon, California, Ohio, and Pennsylvania. And as you can tell from my accent, I'm not from around here. I'm from Birmingham, England, which I consider basically to be a socialist country today. When I moved to America eight years ago, I realized fairly quickly that this was the land of opportunity. But in liberal states, we have politicians attacking our freedoms and [trading 00:02:26] policies that reminded me of the socialist country that I had just moved from.

Aaron Withe ([02:30](#)):

What we do at the Freedom Foundation is simple. We fight for people's freedoms, but more specifically for the past five years, we've been working almost exclusively on freeing public employees from union bondage. That's what our hundreds of staff and volunteers around the country are dedicated to doing every single day.

Aaron Withe ([02:50](#)):

Government unions, over the course of many years, have figured out what I can only describe to be the biggest scheme in American history. They've actually figured out a way to take taxpayer dollars and funnel that money into their political candidates' campaigns. They do this by skimming union dues from public employees all across the country, and then use those dues to give to liberal political candidates who will agree to go into office and raise taxes on you and the rest of the private sector for the purposes of growing government, and the cycle just repeats. And now, their agenda even includes defunding the police, keeping kids out of schools, and assisting rioters and looters in destroying cities like Portland and Seattle.

Aaron Withe ([03:35](#)):

Government unions are the largest political machine in this country. And, if left unchecked, I believe that will destroy our states and ultimately this great country. That's why our fight is so critical.

Aaron Withe ([03:48](#)):

So, how are we doing in this battle? Well, as many of you know, we run a full-scale campaign to educate and assist every public employee with opting out of their union. We have teams of canvases going the doors and offices of public employees to tell them about their rights. On top of that, we send direct mail, emails, text messages, phone calls. We run a digital marketing campaign. Just about any way that you can think of to tell these employees that they can leave, we're doing it. The result? We've helped over 80,000 public employees leave their unions since 2018. That has put \$60 million back in the pockets of workers and out of the unions' radical political agenda.

Aaron Withe ([04:35](#)):

We have a great staff here at the Freedom Foundation. And I want to share with you a couple of victories that we've been able to achieve this year. There's nowhere near enough time to go through all of them, because it seems we have something new happening literally every day in one of our states.

Aaron Withe ([04:49](#)):

Here in Washington State, one union that we've targeted is the Teamsters union. They represent corrections employees across Washington, and they're also advocating for defunding the police. Well, you can imagine that doesn't go over too well with corrections employees like prison guards. Matthew Hayward, our Washington outreach coordinator, sent mailers and emails exposing the unions positions to the corrections employees, and we've now helped one in five of those employees to opt out of the Teamsters. One corrections employee wrote to us and said, "Although I support equal justice and respect for all races, I could not support the involvement of the Teamsters in the current violent affairs and civil unrest that is happening here in the United States."

Aaron Withe ([05:37](#)):

In California, where we've now been active for a couple of years, Bob Wickers and his team have now been able to help over 30,000 people opt out of their unions. One home care provider, Andrew, he takes care of his disabled wife, he had been trying to opt out of his union, SEIU, for 17 years. It was only until the Freedom Foundation came in and filed a lawsuit that he was actually able to have those dues stop being deducted from his paycheck. We continue to litigate and get back those dues from the past.

Aaron Withe ([06:11](#)):

In Oregon, we have a really great program led by Jason Dudash. There are two unions in particular that are feeling the wrath of our campaign over there. SEIU503, that's the largest union or the largest political entity in the state of Oregon, and when we expanded there, they were our primary target of outreach. We've now helped over a third of their members leave. They've had to sell their buildings. They've cut their operational budgets, and they're now spending less in Oregon's elections than they ever have. The Oregon School Employees Association, they represent classified school employees, such as bus drivers, janitors, and administrative staff. And, we've helped over 40% of those people opt out of their union. And so far, they haven't spent a single dollar in politics.

Aaron Withe ([06:58](#)):

On top of that. We've also opened offices in Ohio and Pennsylvania. And despite COVID restrictions, we've made a great start to our programs in both of these states, under the leadership of Lindsey Queen and Hunter Tower.

Aaron Withe ([07:12](#)):

When the COVID restrictions came down, I was fed up of watching people on TV from their homes. When their signal would drop, you'd be seeing the inside of their bedrooms. The sound would be horrible. And, this doesn't include you or your dad, Sarah, but I figured we could do a way better job than most of these guys. So we set up our own in-house studio, and we started to get our face out there with the TV networks. And I'd like to show you a short video of some of our recent highlights now.

Aaron Withe ([07:40](#)):

As you mentioned, government unions are the number one contributors to liberal politicians across the country.

Max Nelsen ([07:46](#)):

The basis for our report was all information that was provided to us by [Governor Inslee's](#) own Department of Health.

Sheila Sadovnik ([07:52](#)):

And, I think this is the kind of conflict and public opprobrium you're going to get from these mask edicts, neighbor turning against neighbor.

Aaron Withe ([08:02](#)):

One of the things that we advocate for at the Freedom Foundation is open collective bargaining. So, when the union sits across the aisle from government to negotiate contracts of things like police officers, but it also teaches other government employees, those types of negotiations should be open to the public.

Matthew Price ([08:17](#)):

If you got one word that sums up?

Sheila Sadovnik ([08:20](#)):

I would say, sheep.

Aaron Withe ([08:22](#)):

Yeah, the surveillance piece is the most worrying, as you mentioned. It notes that it's limited to federal crimes and riots, but that's really broad. And frankly, it's a slippery slope. There's no accountability.

Mike Huckabee ([08:35](#)):

The Freedom Foundation and others have won [his 00:08:38] case that says, if you don't want your personal money that you earned to go to a union, you don't have to pay for it.

Aaron Withe ([08:45](#)):

We have parents and students alike and even teachers, calling our phones here at the Freedom Foundation, practically daily, asking what can be done about this. My wife is a public school teacher herself. I can tell you this online learning platform does not work.

Aaron Withe ([09:04](#)):

Up until now, I haven't even mentioned our litigation victories. For those of you that don't know, we have 10 attorneys and 3 paralegals on staff. Believe it or not, I actually feel our legal team is understaffed because we have 65 ongoing cases against government unions. Many of them are on behalf of employees who have tried to opt out their unions, but the unions have denied their right to leave based on short, arbitrary windows that the union deemed they would allow public employees to leave in.

Aaron Withe ([09:34](#)):

Now, I read the US Supreme Court decision, Janice V AFSCME, from 2018, that granted public employees the right to leave their union. I must have missed the part that said, government employees have the right to opt out their union and stop paying union dues when the union lets them. A constitutional right is a constitutional right 365 days of the year, day and night. And Sarah, thank God for your former boss, President Trump. In my opinion, the best thing he's accomplished in his first term is appointing judges to federal courts, including the US Supreme Court. Let's see what he can do in his second time.

Aaron Withe ([10:12](#)):

We also have 12 lawsuits where we're representing public employees who have actually had their signatures forged by union employees. How low can these guys get? They're literally forging the signatures to steal a thousand dollars a year from teachers and other public employees. If you or I forged someone's signature on a check, we'd face jail time. These guys use it as their business model. If it weren't for our attorneys representing these employees free of charge, unions would actually get away with these slime-ball tactics.

Aaron Withe ([10:45](#)):

Now COVID has affected us all, but in my opinion, the cure has been far worse than the virus. We've witnessed government imposing on our freedoms past the point of imagination in the United States of America. This is the land of the free and the home of the brave. At least, that's how it was pitched to me when I moved here. Today, it seems we're the home of the free, as long as you wear a mask, socially distance, stay home from events, and don't send your kids to school to name just a few of the freedom-imposing laws that governors like [Inslee](#), here in Washington, of forcing upon us. In fact, just this week, [Governor Inslee](#) surpassed his 350th edict on the citizens of Washington.

Aaron Withe ([11:27](#)):

We at the Freedom Foundation, frustrated that no other groups were taking action, decided that we were going to fight back on the overreach of power by [Governor Inslee](#) and these other liberal governors. We found four ways that we could make a difference without distracting from our core mission.

Aaron Withe ([11:43](#)):

First of all, we researched the governor's COVID deaths. No surprise to us, we discovered that both [Governor Inslee](#) and Governor Brown of Oregon were inflating their death rates. They were counting anybody that had COVID and subsequently died as a COVID death, regardless of how they actually died. In the most egregious instances, we found multiple people who died of gunshot wounds, being counted as COVID deaths. And, one guy fell off a ladder in Oregon was also counted as a COVID death.

Aaron Withe ([12:16](#)):

Two, we sued the governors over their face mask mandates. The bottom line on these cases is that governors can not force someone to wear a face mask. It's a violation of their first amendment rights. And furthermore, without legislation, it's not a law. I'd like to show you a short video of [Governor Inslee](#), that our media team created and then promoted on social media.

Governor Inslee ([12:39](#)):

And, I'm glad to see you wearing masks today, and I only took mine off because of the First Amendment.

Speaker 8 ([12:45](#)):

I am not wearing a mask because it is also my First Amendment right.

Governor Inslee ([12:49](#)):

We're all leaders on this, and I'm glad to see you wearing masks today and-

Speaker 8 ([12:53](#)):

Governor Inslee, I'm not wearing a mask because that's also my First Amendment, right?

Governor Inslee ([12:54](#)):

I only you took mine off because of the First Amendment.

Speaker 9 ([12:54](#)):

I am not wearing a mask because it's also my First Amendment right.

Governor Inslee (12:58):

Because of the first amendment...

Aaron Withe (13:12):

I love that video. The third thing that we're doing, is we're suing governors on behalf of businesses that have not been allowed to open. One business that we're representing in Washington State is a waterpark called Slidewaters. Governors are picking winners and losers, and they're costing people their livelihoods. Part of our help includes a public education campaign. **And here's just another short 30-second ad that our media team created, and we play it on TV stations across Washington.**

Robert Bordner (13:44):

Governor Inslee's edicts are not saving lives. They're killing businesses. How is it possible that it in nine-acre park, I cannot have anybody here in a safe manner? Our employees are healthy. All our guests have been healthy. And the only thing unhealthy with this situation is **Governor Jay Inslee's** overreaching arm to shut us down, and that is what we're fighting for, to overrule a government that is trying to take over the lives of American citizens for their own benefit, for their own plans.

Aaron Withe (14:17):

Lastly, the fourth thing that we're doing, schools need to reopen. Even in England, they realize that kids need to be in schools. The data just does not support that kids' education should take a back seat for this virus. In fact, **more kids died last flu season of the flu than they have a COVID in 2020. You never hear about that. In fact, if you're a school-aged kid in this country, your odds of dying from COVID are literally just under one in a million.** But the teachers unions and governors that do their bidding will not consider allowing schools to reopen until they've traded enough havoc going into the November elections. It's a total sham.

Aaron Withe (14:59):

This is an unprecedented time for us, but if we don't push back on the overreach of power in order to get back, some of our freedoms, I fear for our future. The precedent we've set by allowing governors to pass "laws" without legislative approval in what they deemed to be a crisis is petrifying. To quote president Ronald Reagan, "Freedom is never more than one generation away from extinction." We didn't pass it on to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same.

Aaron Withe (15:31):

Now, Tom McCabe is our CEO. He worked under President Reagan, and he's teaching all of us every day what it means to fight for freedom. **I've spent my whole life thus far fighting, and when it comes to fighting the left, government unions, and anyone else that wants to impose my freedoms, I'm unapologetically here to take you down.**

Aaron Withe (15:51):

I want to tell you one more story before we have our keynote speaker, Sarah, come up. Fighting for freedom is a dangerous business in America today. Just look at Portland. Our board members and executive staff receive threats on a regular basis. We've had mailers sent to our neighbors' homes and our pictures, names, and addresses smeared all over the internet. And just a few months ago, we had somebody fire a lone bullet into our office. There are people logged onto this video right now that are taking notes, trying to defame us, and take me out of context. That's okay. We'll take their \$25 entry fee and put it to good use. This is how we measure success in this fight. There were very few groups that get attacked like we do. It's because what we do works.

Aaron Withe ([16:36](#)):

Thank you all for your support of the Freedom Foundation. I consider all of our donors to be freedom fighters. Because without your generosity, we wouldn't stand a chance in this fight.

Aaron Withe ([16:46](#)):

Now, I'd like to introduce our keynote speaker of the night. Sarah Huckabee Sanders is by any means, by any definition, a political machine. She's the daughter of former Arkansas Governor Mike Huckabee, the keynote speaker at Freedom Foundation's Oregon banquet just a year ago. And by the age of 10, she was heavily involved in his run for a seat in the US Senate. Mike said, when most kids are seven or eight years old, they're out playing jump rope. She was seen at the kitchen table, listening to political commentators analyze poll results.

Aaron Withe ([17:18](#)):

Sarah was a field coordinator for her father's 2002 reelection campaign for governor of Arkansas. She was the regional liaison for congressional affairs at the US Department of Education under President George W. Bush. She also worked as a field coordinator for President Bush's reelection campaign in Ohio in 2004. Following that, she worked on several successful campaigns all over the country. And then in 2016, after managing a father's Presidential campaign, she signed on as senior advisor to Donald Trump's 2016 Presidential campaign, handling the Trump campaign's communications for coalitions.

Aaron Withe ([17:56](#)):

With Trump's election, Sarah was named Deputy Press Secretary, and a year later, she replaced Sean Spicer as the White House Press Secretary, and quickly earned the respect of conservatives everywhere, with her combativeness and fierce defense of the President. After spending two years refusing to back down from the liberal mainstream media, she stepped down in 2019.

Aaron Withe ([18:18](#)):

Sarah followed in her father's footsteps to become a Fox News contributor. And there are those who hope her next move will be to follow in his footsteps again to the Governor's Mansion of Little Rock.

Aaron Withe ([18:27](#)):

We're so blessed to have you here tonight. Please welcome Sarah Huckabee Sanders.

Sarah Huckabee Sanders ([18:31](#)):

Aaron's a little taller than me. We'll give them a minute to get set up. All right. Thank you so much. It's such an honor to be here tonight. I wish that I was with everyone in a bigger banquet hall, but

unfortunately, we are not able to do that. But, it's so important that we continue to get our message out and continue to gather in whatever way possible, because this election and what's in front of us could not be more important.

Sarah Huckabee Sanders ([19:14](#)):

I'm so grateful for the work that the Freedom Foundation does. Aaron, thank you so much for a wonderful introduction and also a great speech, laying out the importance of the work that the Freedom Foundation does. A lot of people may not know, but I have pretty deep and long ties to some of the people at the Freedom Foundation. Bob Wickers actually gave me one of my very first jobs. While in college, I interned for him in his San Francisco office. I think we were two of the only Republicans in that area, but I was honored to learn from him and certainly picked up a lot of my skillset that I took to the White House from working from Bob, even back in college.

Sarah Huckabee Sanders ([19:57](#)):

Most people know me as the former White House Press Secretary for Donald Trump. And that's a job that I absolutely love. It's one I was honored to have. I worked for the President for three and a half years. And, even on the most difficult days, I loved that job. It's probably one of the best roles I'll ever have.

Sarah Huckabee Sanders ([20:15](#)):

But the best job that I will ever have, and best thing that I get to say as part of my title is that of a mom. I have three incredible kids, Scarlet, who is eight, Huck, who is seven, George, who is five. I don't know if you caught those ages, but I'm going to run through those one more time. They're eight, seven, and five. So, my house is pretty chaotic at all times. But we loved it. And it's what keeps us going. It's what reminds me of what is so important about the work that the Freedom Foundation does, and also what gave me the strength and the confidence and the resilience to step up to the podium every single day.

Sarah Huckabee Sanders ([20:55](#)):

People would always ask me, Sarah, how do you find that balance of being a mom and working in the White House, a 24/7, all-consuming job? Some days it was harder than others. One of the things I learned very quickly is that it was important for us to take our kids with us. I wanted my kids to understand why we were serving, why we were making that sacrifice as a family to be in that role and for me to have that position.

Sarah Huckabee Sanders ([21:20](#)):

I learned very fast that taking all three kids to an event at the White House was not a very good idea. It was going to be really hard to manage my three kids, and actually get some work done, and not lose my job. So, I put my kids on a rotation system and I would take them one at a time. One particular event, and I was very excited about, was Bring Your Kid to Work Day at the White House. It was my son Huck's turn to go with me. And at the time, Huck was about four years old. Most of the kids that were coming were going to be 8, 9, 10, 11. And I debated whether or not Huck was going to be able to manage the day and last without getting my job taken away by the end. You name a kid Huck, you sort of set a certain expectation for him in life. And, Huck has lived up to that every single minute of every single day.

Sarah Huckabee Sanders ([22:11](#)):

But I decided at the end of the day, how many chances would I have to take Huck with me for Bring Your Kid to Work Day at the White House? So, I took Huck with me, and I had my husband Brian on standby. And if things at any point got out of control, I would call him, and he would come and save the day and take Huck home.

Sarah Huckabee Sanders ([22:29](#)):

We had actually had a perfect day. He had been on excellent behavior. He had his little sports coat and his bow tie. I took about 10 million pictures. I couldn't have been more proud of him. And the big moment of the day, is when all of the kids gather in the Rose Garden and the President comes out and takes pictures with the kids.

Sarah Huckabee Sanders ([22:49](#)):

We had done something slightly different this year with the President, and we had invited all of the press to bring their kids to participate in the Rose Garden picture ceremony as well. When that happened, I went into the Oval Office, and I was briefing the President, reminding him that half of the children were actually, their parents were members of the press. And he might want to watch what he says. He naturally completely ignored my advice, but as I was talking to the President and walking him through this, we noticed that the bushes in the Rose Garden started to violently shake. Thought, well, now that's strange. I haven't seen that before. And about the time I realized what's happening, this little blonde head pops up out of the bushes and runs full steam ahead directly to the glass of the Oval Office and presses his face completely up against it.

Sarah Huckabee Sanders ([23:38](#)):

The president also had never seen anything quite like that and jumped back and goes, "Oh my gosh, there's a little boy looking into the Oval Office." I said, "Yes, sir. That's my son Huck." He said, "Well, Sarah, at least he's handsome." Not to let that be Huck's only mark on the day, just as we finished that briefing and the president walked out onto that famous Colonnade there in the Rose Garden that you've seen hundreds of pictures of Presidents as they walk down, I followed the President about 20 feet behind him. That same little blonde-headed boys starts this time instead of running towards the window, running directly at the President of the United States. The president kind of crouched down, ready to receive Huck. And just before he got there and before Secret Service tackled him, he sidestepped went around the President and runs and jumps into my arms.

Sarah Huckabee Sanders ([24:29](#)):

The president kind of turns around and looks at me like, "This kid, again?" I just kind of nodded and smiled. But I knew in that moment, I hadn't screwed everything up, because for every other kid out there, the most important person in that Rose Garden was the President of the United States. But for my son, it was his mom. And I was pretty proud of that.

Sarah Huckabee Sanders ([24:53](#)):

That wasn't Huck's only mark on my time at the White House. Shortly after that, about a month later, it was a Saturday morning. I had been playing with my daughter, Scarlet. I had done some work earlier. I set my phone down, and Scarlet and I were having one-on-one time. I came back about an hour later, I pick up my phone. I go, "Oh my gosh, we must be at war," because I couldn't figure out what would constitute the number of texts, missed calls, and emails that I had gotten in that one hour. I frantically

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start searching through my phone, trying to figure out what's happening. Reporters are asking, Sarah, what are you trying to tell us? What does this mean? I'm thinking, I'm not-

EXHIBIT

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September 2020

Isn't it about time the radical left stopped politicizing the COVID-19 pandemic?

Across the country right now, lots of well-meaning public officials are taking lots of different approaches to fighting the virus—some more restrictive, others more willing to open schools and businesses.

Meanwhile, one special interest group is going out of its way to bring our country to a halt completely—teachers' unions.

Today, powerful unions such as the American Federation of Teachers (AFT) and the National Education Association (NEA) are holding our kids and their parents hostage to pursue their own radical agenda. Their demands include:

- ✗ defunding the police;
- ✗ a massive rollback of school choice, including a moratorium on new charter schools; and,
- ✗ paid administrative leave during COVID—full pay for not working

Only then, would they allow schools to open in...November!

And it's not just kids they're taking hostage; it's the millions of working parents they're forcing to choose between their jobs and their new unpaid roles as in-home teachers and childcare providers.

Thanks to your generous support, the Freedom Foundation is working like no other group to fight entrenched public employee unions that have hijacked our economy so we can finally restore some normalcy to our daily lives.

Teachers' unions are a major focus of the Freedom Foundation's work because they represent one of the most powerful lobbies in the country. During the most recent presidential election cycle, AFT spent \$12 million on political campaigns, while the NEA spent nearly \$20 million—with virtually all that money going to the far Left.

OVER PLEASE →

This money is taken from everyday teachers, sometimes forcibly.

The teachers' unions have long stood in the way of practical reforms that would improve education and give kids greater access to opportunity.

The COVID-19 pandemic has revealed that the teachers' unions' agenda isn't about our kids or their education at all, or even the rank-and-file teachers who want to help them succeed. It's about raising taxes and keeping kids out of schools.

If you believe kids should be able to go back to school as previously planned, I hope you will consider making a special gift to support our work to help teachers stand up to their unions and leave for good!

It's simply crazy to keep 50 million kids out of school, even at a time like this.

Unlike when the virus came to the U.S. earlier this year, we now have a much better sense of the dangers the virus presents to school-age children.

In fact, according to the Centers for Disease Control, just 51 school children have died from COVID-19, compared to 166 who died during the last flu season. While the death of any child is a tragedy, the risks to children from COVID-19 are literally one in a million according to the best numbers available from the CDC, and they don't justify the massive closure of our schools or our daily lives.

We must stop this insanity.

The disruptions of the past few months have shaken this country to its very core. Despite huge new intrusions and upheavals of our daily lives, there's scant evidence that lockdowns, school closures or even mask mandates have actually done anything to slow the spread of the virus. In fact, places that have had the least-intrusive lockdowns have actually fared the best!

If you're ready to fight back against the politicized COVID-19 overreach we're seeing in our schools and daily lives right now, I invite you to join us on the front lines at this crucial time.

This might just be the Freedom Foundation's toughest battle yet.

Despite the uncertainty around the dangers of COVID-19, powerful forces have aligned against anyone who dares to take a measured view of the virus and the risks. A powerful narrative has taken hold that we should cover ourselves in bubble wrap and scare ourselves silly over COVID-19, despite clear evidence that it's not the second coming of the Bubonic Plague, as some feared early on.

These "experts" have gone out of their way to spread their own brand of misinformation and virus hysteria:

- Authorities from the World Health Organization to the U.S. Surgeon General insisted face masks provided no benefit in combatting the spread of COVID, *then* insisted we wear them everywhere like muzzled dogs. After that massive failure of our scientific establishment, a bewildered Dr. Anthony Fauci had the audacity to complain to the media that our country seems to have an "anti-science bias," placing the fault with us rubes in Middle America rath-

er than their own inability to lead or even get their facts straight.

- They insisted we spend our daily lives with mandatory stay-at-home orders, *then* allowed mass protests and riots in cities across America (and even posted bail for the looters).
- They've consistently inflated COVID infection and death rates, seeking to instill fear and obedience rather than an honest assessment of the virus and its risks.

Big Government, Big Tech and Big Media have all joined forces in a propaganda job that's straight out of Orwell's Ministry of Truth.

It's easy to be intimidated by these powerful forces—but the Freedom Foundation is not afraid, and we're not backing down!

Our nation's liberal governors and mayors have emerged as super-spreaders of lies and fear during the COVID-19 panic, but the Freedom Foundation is taking them on!

Exhibit A is Gov. Jay Inslee.

In May, the Freedom Foundation produced a report exposing Inslee's numbers as bogus, over-counting COVID deaths by as much as 13 percent.

Our report garnered national attention, including a hard-hitting segment by Laura Ingraham on *Fox News*.

When pressed about his COVID numbers, Inslee accused the Freedom Foundation of "fanning these conspiracy claims from the planet Pluto" and not caring about the lives lost to COVID-19.

But Inslee couldn't hide from the fact that his own Department of Health was classifying every person who tested positive for COVID-19 and subsequently died as a victim of the disease — **even if that's not what actually caused their death.**

The Freedom Foundation exposed that in several cases gunshot victims were reported as COVID-19 deaths.

Four weeks later, without mentioning the Freedom Foundation or its findings, the Department of Health announced it was changing its reporting methodology and would henceforth report only actual COVID-19 deaths.

Who's from Pluto now?

We're still waiting for Gov. Inslee to apologize for the inflated numbers and for maligning our credibility.

We imagine we'll be waiting a long time.

Right now, we're bringing every ounce of firepower we can muster to bear in combatting the insane COVID-19 overreach we're seeing across the country.

With your help, we can:

- ✓ Inform teachers of their right to stop paying dues to unions like AFT and NEA, and ultimately defund their left-wing political machinery.

OVER PLEASE →

- ✓ Sue government officials for the worst and most unreasonable COVID-19 mandates so we can safely get back to our daily lives again.
- ✓ Hold public officials accountable when they spread untruths about COVID-19 so everyone can make an honest assessment of the risks and take their own precautions.

This fight won't be easy, and the forces aligned against us are incredibly powerful. But with you at our side, they're no match for the Freedom Foundation!

I'm truly convinced this is the most critical fight for freedom of our lifetimes. Never before have there been such sweeping and arbitrary restrictions imposed on our freedom, not even during past viral outbreaks that were far worse.

We cannot—we must not—allow this to become the “new normal!”

Leftists like to shout, trespass and obscure the truth. They claim to speak in the name of “science” and “data,” but their quack remedies are worse than the disease.

Meanwhile, anyone who dares to speak in the name of our kids and our working parents is “cancelled,” “de-platformed” or otherwise censored and driven out of the public square.

In the face of that opposition, we're shining a light on politicized misinformation about the virus. We're defunding the hard-left government unions that stand in the way of our schools re-opening and providing relief to working families that are ready to get their lives back to normal.

Instead of trusting junk science and cooked data on COVID deaths, the Freedom Foundation is fighting for real people whose lives are on the brink of destruction because of the government's authoritarian response to the virus.

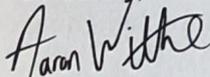
We will not rest until the era of politicized COVID restrictions is over.

A contribution of \$25, \$50 or even as much as \$100 or more today will help us win this fight to re-open our businesses, re-open our schools and restore freedom in the face of COVID-19 overreach!

With your help, we will prevail.

Please join me today in the fight for freedom.

Sincerely,



Aaron Withe
National Director

P.S. Big Government, Big Tech, and Big Media want you to believe “we're all in this together,” but that's the biggest lie of all. Career politicians and unelected bureaucrats have no idea what it's like to educate a child from home in front of a computer screen while holding down a full-time job. Today, millions are out of work and trillions have been wasted on lockdowns that have done little or nothing to stop the virus. It's time to hold Big Government bureaucrats accountable for the lives they've destroyed and end their reckless policies for dealing with COVID-19. This is a fight we can win, and a fight we must win. Please join us today.

When it comes to COVID 19 The cure is worse than the disease!

1879



With your help, the Freedom Foundation can shine a light on government misinformation about the virus...get our kids back to school to start learning again... and help millions of laid-off employees get back to work!

JOIN THE FIGHT TODAY!

Enclosed is my gift of

\$100 \$50 \$25 Other _____

ICCUW

Your gift is tax deductible.

PAYMENT METHOD

Check Enclosed

Credit/Debit Card



CC # _____ Exp. Date _____

CHECKING WITHDRAWAL OR CREDIT/DEBIT CARD DONATION AUTHORIZATION:

I authorize my bank/credit card company to make payment(s) as indicated. I understand I am in full control of my donation, and can make changes by calling or writing the Freedom Foundation.

Signature _____ Date _____

Required for checking withdrawal or credit/debit card donations

Please complete payment information and mail to: **Freedom Foundation - PO Box 552, Olympia, WA 98507**

EXHIBIT

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MEMO

LEADERSHIP

Finally, it looks like the federal courts are stepping in to curb governors' COVID shenanigans



By TOM McCABE, CEO

When West Coast governors Jay Inslee (Washington), Kate Brown (Oregon) and Gavin Newsom (California) began issuing emergency edicts early last spring in response to the COVID-19 pandemic, I made two predictions I regret to say I was right about.

First, I guessed correctly the governors would abuse their so-called "emergency powers," seeing them as a means to reward their friends (i.e., donors) and punish their political opponents.

Secondly, I reluctantly concluded the only hope of restraining their unprecedented, unconstitutional power grab was the judicial branch of government — which isn't supposed to be guided by politics but, in these three overwhelmingly liberal states, too often is.

My first prediction proved true no sooner than I had uttered it. Beginning in March and continuing to the present day, the leftist trio of Inslee, Brown and Newsom have ruthlessly used the COVID regulations to feather the nests of their political allies while sending a powerful message to anyone bold enough to defy them.

Are you surprised? What else would you expect from people who've spent their entire lives in government and have no idea how hard it is to earn a profit in an arena of competition?

Even more disturbingly, each owes his or her office to enormous campaign contributions from government employee unions, which continue to increase revenues and political clout by growing the size and scope of government.

Small wonder the governors agreed the appropriate response to the COVID emergency was a heavy dose of government intervention.

Not only did few government workers lose their jobs, but in many cases the robust public response actually meant adding new employees in the midst of the crisis.

Meanwhile, tens of thousands of private-sector employees were told to put their lives and dreams on hold indefinitely — and in some cases forever.

With October already here, schools in Washington, Oregon and California still remain closed for one reason — because the unions representing teachers want it that way. And since they donate millions to the campaign war chests of Inslee, Brown and Newsom — while students don't have a political action committee — guess whose interests get listened to.

Using the same logic, the Three Union Stooges shut down dozens of private business and residential construction projects — the sort that would help the economy while allowing ongoing government and public works projects, which represent a net liability to the taxpayers, to continue.

Why? Because home builders tend to be conservative, while contractors who depend on government building projects are typically forced to make extortion payments to politicians like Inslee, Brown and Newsom.

Want a perfect example of where their priorities lie? Marijuana stores in all three states were classified as "essential" and allowed to remain open while churches, which minister

to the soul in a vastly more conventional fashion, were ordered shut down.

Lastly, environmental groups — among the nearest and dearest to the hearts of all statisticians — also received favors from their governor.

The perfect example of this phenomenon is Slidewaters, the financially successful water park in Chelan, Wash., that was shut down by Jay Inslee's accomplices in the Department of Labor and Industries despite getting permission to remain open from local health authorities.

With no commercial option, swimmers crowded nearby state parks and lakes — which the COVID regulations didn't apply to. Oh, and did I mention the owners of Slidewaters are politically conservative and staunch supporters of the Freedom Foundation?

My second prediction, that only judicial intervention could put matters straight, was equally prescient.

Despite more than one head-scratching ruling in response to complaints and court actions filed by the Freedom Foundation locally, there have been some encouraging developments at the federal level.

Just last week, in fact, a Trump-appointed federal judge in Pennsylvania overturned most of the COVID measures undertaken in that state by Gov. Tom Wolf, declaring them unconstitutional — something you don't have to be a federal judge to figure out.

"Even in an emergency," wrote Judge William Stickman IV, of the Pennsylvania's Western District Court, "the authority of government is not unfettered. The liberties protected by the Constitution are not fair-weather freedoms — in place when times are good but able to be cast aside in times of trouble."

His eloquent summation continued, "(T)he solution to a national crisis can never be permitted to supersede the commitment to individual liberty that stands as the foundation of the American experiment. The Constitution cannot accept the concept of a 'new normal' where the basic liberties of the people can be subordinated to open-ended mitigation measures.

"Rather," Stickman wrote, "the Constitution sets certain lines that cannot be crossed even in an emergency. Actions taken by the defendant crossed those lines."

Could the truth be stated any plainer?

"(T)he solution to a national crisis can never be permitted to supersede the commitment to individual liberty that stands as the foundation of the American experiment... The Constitution cannot accept the concept of a 'new normal...'"



DO SOMETHING FOR FREEDOM TODAY
SUPPORT THE FIGHT!

The Freedom Foundation is the only organization on the West Coast that takes on the hard fights. Every day we stand up to ensure freedom for future generations. Every gift is an investment in the future.

CALL [360] 956-3482, OR VISIT WWW.FREEDOMFOUNDATION.COM

EXHIBIT

I



MEMO

LEADERSHIP

So much of what the Freedom Foundation is — and will be — is a tribute to Steve Neighbors

My friend, advocate and advisor, Steve Neighbors, passed into the hands of God on Friday, Sept. 25. Steve was the longtime (2015-2019) chairman of the Freedom Foundation. We were together on Sept. 10 for the Freedom Foundation's annual board meeting. As usual, Steve was happy, and he was highly enthused about the Freedom Foundation's recent successes.

His sudden death was a profound shock to me.

Steve and his wonderful wife Betty in 1983 opened a job-placement company — Terra Staffing. Because of their hard work over the decades, Terra grew to become one of the largest job-placement firms in the nation.

Steve and Betty helped thousands of people find family-wage jobs and careers.

I met Steve 26 years ago as he was growing his company and becoming involved in politics. My first impression of Steve? This guy had humility and temerity.

And he was a happy warrior.

Over the years, he and I discussed the woeful lineup of governors our state has endured — Lowry, Locke, Gregoire, Inslee. All leftists. All careerists in government who never worked a day of their lives in the private sector creating wealth, instead preferring the confiscatory machine of government.

As such, all were pawns of the public-sector employee unions who helped elect them in return for a promise to grow the size and scope of government, constantly adding more employees to the public payroll and increasing the burden on taxpayers.

Steve and I determined there was no path to economic freedom that did not involve reducing the overwhelming — and unwarranted — influence of public-sector unions over the governing process at every level.

Tens of thousands of Washingtonians were being forced by their union masters to fund left-wing politicians and causes they despised. This scam needed to stop in order for conservatives to ever have a chance.

Steve and I watched in awe as Wisconsin Gov. Scott Walker accomplished this very objective in his state. He reduced the power of government unions, and overnight Wisconsin became a swing state rather than a reliably leftist state like Washington.

When the Freedom Foundation CEO position opened up in late 2013, Steve and I discussed how the Freedom Foundation could provide a platform on which Washington could replicate Walker's remarkable successes in Wisconsin — making possible the objectives Steve and I had discussed many years earlier.

With Steve's leadership and the overwhelming support of the Freedom Foundation's board, we set out to free workers from union bondage and thereby end the stranglehold a greedy, ruthless, unelected special interest held over the democratic processes of this state and the country as a whole.

This was no easy task. But in time, with much hard work, the Freedom Foundation began to make inroads. Predictably, the union bullies responded by attacking Steve and his business.

The union goons staged protests at Terra's corporate offices in Seattle. They paid Antifa-type anarchists to harass Steve's clients and vendors.

They filed specious, defamatory complaints against Steve's company with regulatory and tax agencies. And to add insult to injury, they mailed nasty, derogatory letters to Steve's friends and neighbors claiming he and Betty were racists, extremists and hateful people.

Before telling you how Steve responded to these cruel, unfounded attacks, it's worth noting that the Freedom Foundation board chairman and members receive no compensation for their service. The organization doesn't even reimburse these good people for their expenses.

The business Steve and Betty had worked hard all their lives to build was being threatened because he had voluntarily stood up with the Freedom Foundation.

I remember when Steve and Betty called me the day union operatives "hit" Terra. They said, "We will not be intimidated by these thugs. We will not stop helping workers leave their unions," they promised.

Steve and Betty tightened security at their offices. They also enhanced their public relations efforts and used the harassment as an opportunity to expand their relationships with their clients.

The Freedom Foundation moved forward as Steve envisioned, and today are directly responsible for having freed more than 80,000 state workers and teachers from union oppression. But's just a small part of his legacy.

Under Steve's leadership, the Freedom Foundation reached new heights, expanding into Oregon and California and, later still, Ohio and Pennsylvania.

Steve and Betty are people of faith, and they believe — as I do — that Steve is now in heaven, enjoying eternal life, liberty and love.

For those of us left behind to carry out his work on earth, that's consolation for the unfathomable loss we've suffered.

Steve was one of the bravest and best people I've ever known, and I will miss him terribly.

By TOM McCABE, CEO



"Steve and Betty are people of faith, and they believe — as I do — that Steve is now in heaven, enjoying eternal life, liberty and love. For those of us left behind to carry out his work on earth, that's consolation for the unfathomable loss we've suffered."



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