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Dear Messrs. Ferguson, Satterberg, and Tunheim,

Pursuant to RCW 42.17A.765(4), I write to report systematic violations of the Fair Campaign Practices Act (“FCPA”), Chapter 42.17A RCW, by Teamsters Local 117 Segregated Fund (“SF”) or, alternatively, Teamsters Local 117.

In brief, SF is registered with the Internal Revenue Service (“IRS”) as a 527 political organization. It receives and expends significant sums for the purpose of engaging in electoral political activity in Washington. Nevertheless, SF has failed to register as a political committee with the Public Disclosure Commission (“PDC”), in violation of RCW 42.17A.205 and the associated laws and regulations governing political committees.

Alternatively, if SF is legally inseparable from Teamsters 117, then Teamsters 117 is operating as an unregistered political committee in violation of the same statutes.

Teamsters Local 117 Segregated Fund

Legal background

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.”

RCW 42.17A.005(37) 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.”

Three Washington court decisions have clarified and interpreted this definition.

In *State of Washington v. Dan J. Evans Campaign Committee*, 86 Wn.2d 503 (1976), the State 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.

In *State ex rel. Evergreen Freedom Foundation v. Washington Education Association*, 111 Wn.586 (2002), the court of appeals interpreted the definition of “political committee” to mean,

“...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.”

The appeals court also expounded on the primary purpose test established by the Washington Supreme Court in *State of Washington v. Dan Evans*, making 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.”

In *Utter v. Building Industry Association of Washington*, 182 Wn.2d 398 (2015), the Washington State Supreme 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.”

Lastly, in *Voters Education Committee v. Deborah Senn*, 161 Wn.2d 470 (2007), the Washington Supreme Court ruled that the Voters Education Committee (“VEC”) — a 527 political

organization entirely funded by the U.S. Chamber of Commerce — violated state law by failing to register with and report to the PDC as a political committee.

In that case, the Chamber established VEC for the purpose of opposing a candidate for Washington state attorney general, but did not register as a political committee. The PDC proactively initiated enforcement action against VEC by first directing it to register as a political committee and file reports of expenditures and contributions. When VEC refused, the PDC filed suit to compel it to do so. The Washington Supreme Court ultimately held that VEC was a political committee, explaining that if a 527 political organization makes expenditures on political campaigns in Washington but fails to register and report as a political committee, it is “a persuasive fact” indicating the organization “was seeking the tax benefits of section 527 while disingenuously seeking to avoid the disclosure requirements of the FCPA.”

Allegations

SF satisfies both the receiver of contributions and maker of expenditures prongs and clearly fits the definition of “political committee.”

The “Teamsters Local 117 Segregated Fund” was established on July 20, 2011 as a “political organization” under 26 U.S.C. § 527. *See Appendix page 2*, a copy of the entity’s 8871 form filed with the IRS. 26 U.S.C. § 527(e)(1) defines “political organization” as:

“...a party, committee, association, fund, or other organization (whether or not incorporated) organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function.”

“Exempt function” is defined by subsection (e)(2) as:

“...the function of influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office...”

From July 17, 2012 to July 17, 2017, Teamsters 117 and/or SF made at least \$149,751.79 in contributions to political candidates, campaigns, and committees in Washington, according to reports filed with the PDC by political committees benefiting from its expenditures. *See App. 5-250*, a summary of and copies of the political committees’ C3 reports.

These political committees use about 25 different names to describe the source of the funds received from Teamsters 117 and/or SF. About half the time, there is some indication that the funds came from SF. In other instances, the political committees simply report receiving funds from Teamsters 117 without any mention of SF. *See App. 5-250*. However, given SF’s status as a 527 political organization and the fact that political committees often report receiving donations from SF, it seems likely that all the reported political expenditures associated with Teamsters 117 were actually made by SF and not by the union. In all likelihood, political committees that reported receiving funds from Teamsters 117 with no mention of SF were simply shortening the name or unaware that Teamsters 117 and SF are separate entities.

Teamsters 117's 990 forms filed with the IRS support the view that the union does not directly make political contributions, but instead contributes to SF. IRS directions for completing Schedule C on a 990 form note that line 1 of part I-C should list "the amount of the organization's funds that it expended for section 527 exempt function activities."¹ When completing its 990 forms, however, the union consistently reports that it has not "directly expended" any funds "for section 527 exempt function activities." See **App. 251**, copies of Teamsters 117's 2012-2015 990 forms. Instead, the union reports political expenses under line 2 which, according to IRS directions, should list "the amount of the organization's funds that it transferred to other organizations, *including a separate segregated section 527(f)(3) fund created by the organization*, for section 527 exempt function activity."² (Emphasis added)

Regardless of the source of its funds, SF's status as a 527 political organization necessarily means that it had the expectation of "receiving contributions" for exempt function/electoral political activity and did, in fact, receive contributions for such purposes. Similarly, SF expected to make and did make significant expenditures for the purpose of advancing electoral political goals. Indeed, the sole purpose of SF as described on its 8871 form is to engage in electoral political activity by "[making] contributions to candidates and campaigns that support the mission of improving the lives of working families in our state." See **App. 2**.

Accordingly, SF satisfies both the receiver of contributions and maker of expenditures prongs of the definition of "political committee" and should have registered with and reported its contributions and expenditures to the PDC. It has not, and thus has violated the law.

Are Teamsters 117 and the Segregated Fund Distinguishable?

SF may contend that it is under the control of and indistinguishable from Teamsters 117, and therefore cannot be considered its own "person" for the purposes of violating the reporting and disclosure requirements of Chapter 42.17A RCW.

This argument is legally and practically unsupportable.

Teamsters 117 and SF are organized differently for tax purposes and are legally distinct. As a labor union, Teamsters 117 is considered a 501(c)(5) organization. See **App. 251**. SF, on the other hand, is considered a 527 political organization. See **App. 2**. While 26 U.S.C. § 527(f)(1) technically permits tax-exempt 501(c)(5) organizations like Teamsters 117 to engage in exempt functions (political activity), it provides that the organization will be subject to tax if it does so. Specifically, the organization will be taxed,

"...an amount equal to the lesser of—

- (A) the net investment income of such organization for the taxable year, or
- (B) the aggregate amount so expended during the taxable year for such an exempt function."

¹ Internal Revenue Service, "Instructions for Schedule C (Form 990 or 990-EZ)," 2016. Available online at: <https://www.irs.gov/pub/irs-pdf/i990sc.pdf>

² Ibid.

It is also possible for a 501(c)(5) to lose its tax-exempt status if political activity becomes its primary activity.³

However, 26 U.S.C. § 527(f)(3) permits 501(c)(5) organizations to establish a “separate segregated fund” which “shall be treated as a separate organization” for tax purposes and may engage in “exempt functions” as a 527 political organization without either entity being subject to tax.⁴

Because Teamsters 117 and SF are legally distinct for tax purposes, the two entities have different employer identification numbers (EIN). While Teamsters 117’s EIN is 91-0458905, SF’s EIN is 45-2784934. *See App. 251, 2.* The IRS describes an EIN as,

“...a nine-digit number that IRS assigns... It is used to identify the tax accounts of employers and certain others who have no employees... The IRS uses the number to identify taxpayers that are required to file various business tax returns. EINs are used by employers, sole proprietors, corporations, partnerships, non-profit associations, trusts, estates of decedents, government agencies, certain individuals, and other business entities.”⁵

Because of their different tax designations, Teamsters 117 and SF have two different purposes. On its website, Teamsters 117 describes its mission as “...[building] unity and power for all

³ Additionally, the IRS “Compliance Guide for Tax-Exempt Organizations,” Publication 4221-NC, notes:

“Section 501(c)(4), (5) and (6) organizations may engage in political campaign activities on behalf of or in opposition to candidates for public office. Political campaign activities are those that influence or attempt to influence the selection, nomination, election or appointment of an individual to a federal, state, or local public office. In order to retain its tax-exempt status under section 501(c)(4), (5) or (6), an organization must ensure that its political campaign activities do not constitute the organization’s primary activity... A tax-exempt organization that makes expenditures for political campaign activities shall be subject to tax in an amount equal to its net investment income for the year or the aggregate amount expended on political campaign activities during the year, whichever is less. In lieu of using its own funds, a 501(c)(4), (5) or (6) organization may establish a section 527 political organization, called a separate segregated fund, to engage in political campaign activities. Separate segregated funds must give notice to the IRS in order to be tax exempt...”

Available online at: <https://www.irs.gov/pub/irs-pdf/p4221nc.pdf>

⁴ An IRS guide by John Francis Reilly and Barbara A. Braig Allen entitled, “Political Campaign and Lobbying Activities of IRC 501(c)(4), (c)(5), and (c)(6) Organizations,” explains further:

“Expenditures for exempt function activities made by a separate segregated fund described in IRC 527(f)(3) are considered as made by an organization separate from the IRC 501(c) organization that maintains the fund. IRC 527(f)(3). Thus, an IRC 501(c) organization is not subject to tax under IRC 527 by reason of expenditures for exempt function activities made by a separate segregated fund that it maintains.”

Available online at: <https://www.irs.gov/pub/irs-tege/eotopic103.pdf>

⁵ Internal Revenue Service, “Employer Identification Number: Understanding Your EIN,” Publication 1635, Feb. 2014. Available online at: <https://www.irs.gov/pub/irs-pdf/p1635.pdf>

working people to improve lives and lift up our communities.” See **App. 385**.⁶ On its 990 forms filed with the IRS, Teamsters 117 describes its purpose in the following way:

“Passionately providing a voice to the membership, Teamsters Local Union No. 117 empowers and unites workers. With integrity and an unwavering dedication to economic and social justice, we organize, education [*sic*], and lead collective and political action to protect and expand the rights, wages and benefits of working families.”

See **App. 251**.

In contrast, the self-described purpose of SF, as reported to the IRS on its 8871 form, is explicitly and solely political: “To make contributions to candidates and campaigns that support the mission of improving the lives of working families in our state.” See **App. 2**.

If Teamsters 117 and SF are considered separate entities for tax purposes, there is no reason they should not be considered legally distinct for the purposes of the FCPA.

Is SF a “person” for the purposes of Chapter 42.17A RCW?

SF may acknowledge these indisputable differences and contend that it nonetheless remains “merely a separate bank account” of Teamsters 117 and is not a “person” for the purposes of Chapter 42.17A RCW.

RCW 42.17A.005(35) defines “person” as,

“...an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, *political committee*, political party, executive committee thereof, or any other organization or group of persons, however organized.” (Emphasis added)

“Political committee” is defined by RCW 42.17A.005(37) as,

“...any *person*... having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.” (Emphasis added)

Thus, for the purposes of state campaign finance laws, a “person” can be a “political committee” and a “political committee” is a “person.” An entity becomes a “political committee” and, therefore, for legal purposes, a “person,” when it fulfills the definition of “political committee” by having the “expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.” It is beyond dispute that SF’s sole purpose and function is to receive contributions and make expenditures to further electoral political goals. By fulfilling the definition of “political committee,” SF also becomes a “person” for the purposes of Chapter 42.17A RCW and must register and report to the PDC accordingly.

⁶ Available online at: <http://www.teamsters117.org/about>

Even under its line of argument, SF would have to acknowledge that it would be both a “political committee” and a “person” for purposes of state law if it was *already* registered with the PDC as a political committee and reporting its contributions and expenditures. Theoretically, SF may contend that, because it is not currently registered with and reporting to the PDC as a “political committee,” it is not a “person” and therefore has no legal requirement to register as a “political committee.”

In effect, this argument would condition the legal requirement to register and report as a “political committee” on SF’s arbitrary and self-interested decision about whether to do so. If SF registers as a “political committee,” it is a “person” and must legally report. If it does not register, it is neither a “person” nor a “political committee” and need not report. Such a line of argument is illogical and absurd.

The fact that SF is not currently registered with and reporting to the PDC does not mean that it is not a “person” and need not report as a “political committee,” but instead that it is simply an unregistered “political committee” in violation of state law. At its core, this argument contends SF *need not* comply with state law because it *is not* complying with state law, and that it would be legally required to comply with state law only were it to choose to do so.

Thankfully for society, laws are not generally so subjective or optional. SF’s behavior is that of a “political committee” — which is a “person” for legal purposes — yet it has failed to register and report as one as required by state law.

Additionally, adopting SF’s likely line of argument that a person’s separate fund need not register and report as a political committee would eliminate reporting and disclosure requirements for many, if not most, political committees (including candidate committees), which are, practically speaking, nothing more than bank accounts under the control of their creator, operator, and/or funder.

Even if, for some reason, the argument were applied only to those political committees funded by a single source, it would still eliminate the responsibility of a great many political committees to be financially transparent with Washington voters. For instance, many union-affiliated political committees, such as the “Service Employees International Union 1199 Northwest PAC,”⁷ the “Public School Employees of Washington Political Fund,”⁸ and the “UFCW 21 PAC”⁹ are each respectively funded by a single union. In essence, these political committees are each “merely a separate bank account” of the union that funds them, yet all appropriately register

⁷ A list of contributions to the Service Employees International Union 1199 Northwest PAC in 2016 is available online at:
<http://web.pdc.wa.gov/MvcQuerySystem/CommitteeData/contributions?param=U0VSVkVJIDA1Nw====&year=2016&type=continuing>

⁸ A list of contributions to the Public School Employees of Washington Political Fund in 2016 is available online at:
<http://web.pdc.wa.gov/MvcQuerySystem/CommitteeData/contributions?param=UFVCTFNFIDA3MQ====&year=2016&type=continuing>

⁹ A list of contributions to the UFCW 21 PAC in 2016 is available online at:
<http://web.pdc.wa.gov/MvcQuerySystem/CommitteeData/contributions?param=VU5JVEZDIDEzNA====&year=2016&type=continuing>

and report their contributions and expenditures to the PDC as required by law. The same standard applies to business-affiliated political committees.

As *Voters Education Committee* confirmed, an entity's designation as a 527 "political organization" for tax purposes strongly indicates that it also satisfies the definition of "political committee" for the purposes of the FCPA, even if it is entirely funded or controlled by a single entity. Other than the fact that *Voters Education Committee* involved a business-funded 527 and the situation at hand involves a labor-funded 527, there appears to be little material difference between the two situations.

The law is clear: If it looks like a political committee and acts like a political committee, then it should register with and report to the PDC as a political committee.

Teamsters Local 117

Alternatively, if the Attorney General and/or prosecuting attorneys determine that SF cannot be legally distinguished from the union, then Teamsters 117 is a political committee under both the receiver of contributions and maker of expenditures prongs. However, like SF, Teamsters 117 has failed to register with the PDC and report its contributions and expenditures as required by Chapter 42.17A RCW.

Receiver of Contributions Prong

In 1973, Attorney General Legal Opinion No. 114 offered relevant guidance on the definition of "political committee" in what is now RCW 42.17A.005. The Attorney General explained:

"If the only revenues of such groups... are dues and/or assessments to fund the general operations of the organization, and no portion of these revenues are set aside, with the actual or constructive knowledge of the contributors, for use in supporting or opposing political candidates or ballot propositions, then the organization is not to be deemed a 'political committee as defined in RCW 42.17.020(22), supra. If on the other hand—either as a part of their regular dues or in addition thereto—the members of such an organization are called upon to make payments to it which are thus segregated and used for those purposes under circumstances whereby the contributors know (or should know, if reasonably observant) of that practice, then those payments will in our judgment be 'contributions' within the meaning of that statutory definition and the organization, hence, will be a political committee as therein defined."¹⁰

The Washington State Supreme Court adopted the reasoning of the Attorney General's letter in *Evergreen Freedom Foundation*, noting:

"When an organization is funded primarily by membership dues, it is a 'receiver of contributions' if the members are called upon to make payments that are segregated for political purposes and the members know, or reasonably should know, of this political use. Dues are political 'contributions' if the organization's members intend or expect their

¹⁰ Available online at: <http://www.atg.wa.gov/ago-opinions/contributions>

dues to be used for electoral political activity... if the membership makes payments that are segregated into a fund for political purposes and the membership knows or should know of this segregation, those payments are ‘contributions’ and the organization is a political committee under the ‘receiver of contributions’ prong.”

As is typical for a labor organization, Teamsters 117 primarily relies on dues and fees paid by its members for its revenue. According to the union’s 2016 LM-2 report filed with the U.S. Department of Labor under the Labor Management Reporting and Disclosure Act (“LMRDA”), Teamsters 117 had total receipts of \$12,131,660 in 2016. Of this, \$11,742,986 (96.8 percent) came from dues, fees, fines, assessments and/or work permits paid by its members. *See App. 392*, a copy of Teamsters 117’s 2016 LM-2 report.

It is similarly indisputable that Teamsters 117 “segregates into a fund”— a “separate, segregated fund” — a certain portion of members’ dues to use for political purposes. The only remaining question is whether members of Teamsters 117 “know, or reasonably should know, of this political use.”

Given the extent to which Teamsters 117 writes about its political activity and the importance of its members engaging in such activity, it can be safely concluded that its members should reasonably know of the union’s political activity.

First, the union consistently describes engaging in political activity as part of its mission. On its IRS 990 forms, the union describes its “mission or most significant activities” as:

“Passionately providing a voice to the membership, Teamsters Local Union No. 117 empowers and unites workers. With integrity and an unwavering dedication to economic and social justice, we organize, educate, and lead collective and *political action* to protect and expand the rights, wages and benefits of working families.” (Emphasis added)

See App. 251.

In Section 4(a) its bylaws, which every member agrees to abide by, Teamsters 117 notes that,

“The objects of this Local Union shall be...

(5) To safeguard, advance, and promote the principle of free collective bargaining, the rights of workers, farmers and consumers, and the security and welfare of all the people by *political*, educational and other community activity;

(6) To engage in cultural, civic, legislative, *political*, fraternal, educational, charitable, welfare, social, and other activities which further the interest of this organization and its membership, directly or indirectly; ...

(11) To receive, manage, invest, expend or otherwise use the funds and property of its organization to carry out the duties and to achieve the objectives set forth in these Bylaws...” (Emphasis added)

See App. 426, a copy of Teamsters 117’s constitution and bylaws.

Furthermore, Section 15(a) of the union's bylaws notes that,

“...the officers and representatives of this organization... must participate in cultural, civic, legislative, *political*, fraternal, educational, charitable, social and other activities in addition to their specific duties...” (Emphasis added)

See **App. 437**.

Section 23 of the bylaws also establishes a committee on “Political Action and Legislation” as one of the union's six standing committees. See **App. 454**.

Thus, Teamsters 117's bylaws indicate that political activity is one of its primary objects. The bylaws also authorize Teamsters 117 to expend funds for political activity.

Second, Teamsters 117 makes no secret of the fact that it makes contributions to candidates from a segregated fund.

1. An October 9, 2013 article by Dustin Lambro posted on the union's website and entitled, “Who said phone banking for your favorite Teamster candidates isn't fun?,” stated:

“But phone banking can actually be a lot of fun, especially when you're a Teamster. After all, it's not every day that you get to hang out in the back of a semi, munching on pizza with a couple of decorated veterans, talking to voters about how Teamster-endorsed candidates can bring positive change to their communities.

On Tuesday night, a group of ten Local 117 volunteers did just that. The group stumped for two candidates, Brad Waddell, who is running for Monroe City Council, and Michael Boe, who is vying for a seat on the Lake Stevens City Council.

Both men are Correctional Sergeants at the Monroe Correctional Complex, both are veterans of over 20 years – Waddell with the Army and Boe with the Air Force – and both are diehard Local 117 members.

‘Our union has supported us, endorsed us *and contributed to our campaigns,*’ Boe said...

During election season, the Teamster semi is transformed into a mobile phone bank, fully equipped with laptops displaying local voter rolls, headsets with predictive dialers, wireless Internet, and a portable generator humming outside.” (Emphasis added)

See **App. 460**.¹¹

¹¹ Dustin Lambro, “Who said phone banking for your favorite Teamster candidates isn't fun?,” Teamsters 117, Oct. 9, 2013. Available online at: http://www.teamsters117.org/election_phonebanking

2. A May 15, 2017 article by Dustin Lambro posted on the union’s website and entitled, “Political Advisory Committee off to a great start in 2017!,” stated:

“The last three Saturdays, our Statewide Political Advisory Committee met at the Teamsters Hall in Tukwila to interview candidates in local races for municipal office...

Here’s how our endorsement process works:

- Back in April, our Political Advisory Committee came up with our candidate questionnaire, which we require every candidate who wants our endorsement to fill out
- Candidates return their questionnaire and we schedule them for a 30-minute interview with our committee
- We ask candidates questions about their questionnaire, their background, and their plans to win the election
- We then make decisions about which candidates to advise our full Executive Board to endorse *and whether to make a campaign contribution to their campaign*
- We send the recommendations to our Executive Board which ultimately makes the final decision. The Board will be reviewing our recommendations this coming month and once we take action in a race, we will put those endorsements online.

In politics, we only have permanent issues – we don’t have permanent friends. This means we continually need to hold politicians accountable for the votes they take and to make sure we hold them to what they say they are going to do.” (Emphasis added)

See App. 461.¹²

3. A page on the union’s website entitled, “Endorsement Process,” explains:

“We highlight all of our endorsements on our webpage so members know who we have endorsed, and we direct members to our webpage via social media and email before an election. Depending on the race its [*sic*] impact on our members, we will do direct voter contact including phone banks or door to door canvassing to help spread the word about the candidate or issue.

In some cases, we will do targeted mail to our members highlighting our endorsement before an election. We work closely with Teamsters Joint Council 28 on mailings like this.

¹² Dustin Lambro, “Political Advisory Committee Off To A Great Start in 2017!,” Teamsters 117, May 15, 2017. Available online at: http://www.teamsters117.org/political_advisory_committee_off_to_a_great_start_in_2017

In some cases, *we will also contribute to the campaigns using DRIVE* [Teamsters' federally-registered political committee] or *dollars from our segregated fund* to help that candidate communicate their message to voters. We are subject to strict contribution limits when we make contributions from either DRIVE or *our segregated fund*. All contributions must go through a vote of our full Executive Board.” (Emphasis added)

See App. 462.¹³

4. A February 23, 2017, article by Paul Zilly posted on the union’s website and entitled, “Thousands of members took our Union’s membership survey. Here are the results,” explains:

“Between November 2016 and January 2017, over 2,500 members of Teamsters Local 117 participated in our union’s strategic planning survey. The survey is one of many ways members have been participating in our strategic planning process. The results are helping shape our union’s strategic priorities for the next three years.

The results of our membership survey are listed below:

Members want our union’s mission and purpose to be built on a foundation of bargaining strong contracts and organizing to build power in the workplace. In order to achieve these goals, survey respondents identified the importance of growing our union, engaging in political action, conducting leadership training for members, and improving the community with charitable programs.

- Holding politicians accountable emerged as an important priority, with nearly half of DOC members identifying political action in their top three priorities.” (Emphasis in original)

See App. 463.¹⁴

To summarize, Teamsters 117’s bylaws establish political activity as a priority for the union and authorize the expenditure of funds for such purposes. In addition, public statements on its website admit the existence of its separate, segregated fund and the fact that the union makes contributions to candidates. It is quite clear that Teamsters 117 meets each of the criteria the Washington Supreme Court has established in order to be considered a political committee under the receiver of contributions prong: (1) It derives its income from its members, (2) it receives and

¹³ Available online at: http://www.teamsters117.org/endorsement_process

¹⁴ Paul Zilly, “Thousands of Members Took Our Union’s Membership Survey. Here are the Results,” Teamsters 117, February 23, 2017. Available online at: http://www.teamsters117.org/thousands_of_members_took_our_union_survey_here_are_the_results

segregates funds for the purpose of engaging in electoral political activity, and (3) its members know or should reasonably know of such use of their dues.

Maker of Expenditures Prong

Even if Teamsters 117 did not satisfy the receiver of contributions prong, it would still qualify as a political committee under the maker of expenditures prong. That Teamsters 117 makes expenditures for the purpose of engaging in electoral political activity is beyond dispute. The question is whether such activity constitutes one of the “primary purposes” of the union.

In *Evergreen Freedom Foundation*, the Court of Appeals provided guidance for determining whether an entity has satisfied the primary purpose test of the maker of expenditures prong of the definition of “political committee” in the FCPA, noting:

“...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.”

In addition to the fact, discussed above, that Teamsters 117 describes political action as central to its mission and achieving its goals in its 990 reports and in its constitution and bylaws, the union regularly and publicly emphasizes the importance of engaging in political activity, encourages its members to do so, and makes political endorsements.

1. A March 24, 2011 article posted on the union’s website and entitled, “Shop Stewards gear up to fight for working families,” states:

“After discussing the Union’s strategic priorities, [Tracey] Thompson identified political action as the theme of this year’s seminar and a critical component in the effort to combat the assault on working families.

‘Over the last year, Local 117 has built a powerhouse political action program that has involved hundreds of members in the political process. Members have attended PAC meetings, lobbied in Olympia, called and written their representatives as we fight to protect the rights of working people,’ she said.

The two frontrunners in the bid for next year's Governor's race, Congressman Jay Inslee and Attorney General Rob McKenna, also addressed the group. Stewards were pleased to hear that both Inslee and McKenna committed in their talks to

protecting collective bargaining rights for state employees and both said they supported interest arbitration for correctional employees.

‘We’re going to hold them to that,’ said Sid Clark, a Steward at Larch Corrections Center and this year’s Department of Corrections Steward of the Year.’

*See App. 464.*¹⁵

2. A May 11, 2012 article posted on the union’s website and entitled, “WSP Officer Scott Nettles Announces Candidacy for State Senate!,” states:

“Washington State Penitentiary Corrections Officer and longtime Teamster Scott Nettles has announced his candidacy for the Washington State Senate... Teamsters 117 has endorsed Scott for the position.”

*See App. 465.*¹⁶

3. An August 9, 2012 article posted on the union’s website and entitled, “Vote to Defend the Middle Class – Local 117 Political Endorsements,” states:

“Stand with Robert Bruner and cast your vote for candidates who have pledged to defend the middle class and make the wealthiest 1% pay their fair change. Learn about who your Local Union is endorsing to stand with Sgt Bruner and defend the middle class.”

*See App. 466.*¹⁷

4. A May 3, 2013 article posted on the union’s website entitled, “Political Action - Get Involved!,” states:

“As a Union member, your involvement in political action is key to preserving good Teamster jobs with good benefits, family wages and decent working conditions for you and your family...

With over 16,000 members statewide, Local 117's ability to impact the electoral landscape is huge and your knowledge and experience are the most powerful tools to hold policy makers accountable to the critical issues impacting our members.”

¹⁵ “Shop Stewards Gear Up to Fight for Working Families,” Teamsters 117, March 24, 2011. Available online at: http://www.teamsters117.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=197583

¹⁶ “WSP Officer Scott Nettles Announces Candidacy for State Senate!,” Teamsters 117, May 11, 2012. Available online at: http://www.teamsters117.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=245350

¹⁷ “Vote to Defend the Middle Class – Local 117 Political Endorsements,” Teamsters 117, August 9, 2012. Available online at:

http://www.teamsters117.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=253411

*See App. 467.*¹⁸

5. A July 24, 2013 article posted on the union's website and entitled, "Election 2013 - Local 117 Political Endorsements," states:

"Local 117 has a thorough endorsement process of candidates throughout our region and your Union makes an effort to support candidates who care about working family issues..."

The following represents Local 117's political endorsements for the 2013 election cycle..."

*See App. 468.*¹⁹

6. An August 7, 2013 article by Dustin Lambro posted on the union's website and entitled, "A Strong Night for Teamster-Endorsed Candidates," states:

"Tuesday night was an exciting night for Teamsters 117-endorsed candidates. In all but one of the races, the folks we supported made it through the primary and are moving on to the general election in November.

In the most high profile race of the night, your Union's dual-endorsed candidates, Seattle Mayor Mike McGinn and State Senator Ed Murray, will face off against one another for Seattle Mayor.

We won important city council and mayoral primaries in SeaTac, Burien, Auburn and Seattle, and our endorsements in the King County Executive and Port of Seattle races were both spot on.

The one tough spot for the night was in Federal Way, where we supported fellow Teamster Anthony Murrietta. Anthony's ground game was strong, but it wasn't enough to compete against two well-funded opponents.

We want to congratulate all of the candidates who put their names forward to run, and thank all of the members who turned in their ballots in the primary. Thanks also to our wonderful volunteers who spent many hours phonebanking and talking to community members on the doors.

Now it's on to the general election where we will fight hard to elect candidates who will stand up in support of working families!"

¹⁸ "Political Action – Get Involved!" Teamsters 117, May 3, 2013. Available online at: http://www.teamsters117.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=96843&page=Political20Action

¹⁹ "Election 2013 – Local 117 Political Endorsements," Teamsters 117, July 24, 2013. Available online at: http://www.teamsters117.org/election_2013_local_117_political_endorsements

See **App. 469**.²⁰

7. A September 17, 2013 article by Dustin Lambro posted on the union's website and entitled, "If you Care about your Job....Register to Vote!," states:

"Every day at every level of government, elected officials make decisions that affect your job, your family and your life.

Register to vote today. The stakes are too high not to care.

This year, we even have an unprecedented number of Teamster candidates running for local office. We are proud that voters will be asked in November to elect pro-worker Teamsters to local office. But in order for us to support our brothers & sisters, we've got to get them elected!

We have set as a goal to increase the number of Teamsters Local 117 members registered to vote in 2013 by 5%. Imagine the impact we could make if 5% more members were registered to vote!

You can do your part by registering. Click here to register to vote.

With so much at stake in 2013, now is the time to register or update your registration."

See **App. 470**.²¹

8. A November 12, 2013 article by Dustin Lambro posted on the union's website and entitled, "Election Success!," states:

"After thousands and thousands of phone calls, and hundreds of doors knocked, we're proud of our work in 2013.

One of our goals this year was to elect Teamsters to local office – local city councils, school boards and mayors.

We're proud that we've elected Teamsters to city councils in Kent, Sultan, and Lake Forest Park; we've elected a new Mayor of Stanwood who is a Teamster, and the newest member of the Kiona-Benton School District is also a Teamster.

Our 'Farm Team' of Teamsters who can look to running for the state legislature one day will build a constituency, learn about issues facing their local communities, and become familiar with issues important to our members.

²⁰ Dustin Lambro, "A Strong Night for Teamster-Endorsed Candidates," Teamsters 117, August 7, 2013. Available online at: http://www.teamsters117.org/a_strong_night_for_teamster_endorsed_candidates

²¹ Dustin Lambro, "If You Care About Your Job....Register to Vote!," Teamsters 117, September 17, 2013. Available online at: http://www.teamsters117.org/voter_registration

We also chalked up wins in SeaTac, electing a new pro-worker member to the city council and passing Proposition 1 to ensure workers at the airport make a living wage.

All in all it was a successful year for our members at the ballot box.”

*See App. 471.*²²

9. A December 6, 2013 article by Paul Zilly posted on the union’s website and entitled, “Teamsters March from SeaTac to Seattle in Fight for 15,” states:

“Fresh from the Proposition 1 victory in the City of SeaTac that will dramatically improve wages and working conditions for over 6,000 low-wage workers at SeaTac Airport, Teamsters 117, together with a number of other unions, is taking the fight to increase the minimum wage to \$15 per hour to Seattle.”

*See App. 472.*²³

10. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “Get votes door to door for Ed Murray,” states:

“We are going to go door to door to talk to voters about Sen. Ed Murray, as we have endorsed him and his opponent in the race for Seattle Mayor.”

*See App. 473.*²⁴

11. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “Labor Walk with Berkowitz and Martinez,” states:

“Lauren Berkowitz and Joey Martinez are two great new candidates -- neither of whom have been elected to public office before! Our Union has endorsed them, and is now working to make sure our members know they will each be great allies on the City Council.”

*See App. 474.*²⁵

12. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “McGinn for Mayor Phone Bank,” states:

²² Dustin Lambro, “Election Success!,” Teamsters 117, November 12, 2013. Available online at: http://www.teamsters117.org/election_successes

²³ Paul Zilly, “Teamsters March From Seatac to Seattle in Fight for 15,” Teamsters 117, December 6, 2013. Available online at: http://www.teamsters117.org/fight_for_15

²⁴ Dustin Lambro, “Get Votes Door to Door for Ed Murray,” Teamsters 117. Available online at: http://www.teamsters117.org/get_votes_door_to_door_for_ed_murray1027

²⁵ Dustin Lambro, “Labor Walk With Berkowitz and Martinez,” Teamsters 117. Available online at: http://www.teamsters117.org/labor_walk_with_berkowitz_and_martinez1003

“Teamsters Local 117 has endorsed both Mayor McGinn and Sen. Ed Murray for Seattle Mayor. Come help Mayor McGinn as we turn out voters for his reelection.”

*See App. 475.*²⁶

13. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “Phone Bank for Ed Murray,” states:

“Teamsters Local 117 has endorsed both Mayor McGinn and Sen. Ed Murray for Seattle Mayor. Come help Sen. Ed Murray as we turn out voters who support him.”

*See App. 476.*²⁷

14. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “Phone Bank for Walker Morton,” states:

“Part of our strategy in 2013 has been to elect Teamsters to local office. Come out this Tuesday, October 22 to help Walker Morton, a Classification Counselor at Washington Corrections Center. Walker is running for Lacey City Council, and we will be grilling up hamburgers and making calls from our Teamster Action Truck in Shelton to get him elected!”

*See App. 477.*²⁸

15. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “Prop 1 Canvass in SeaTac,” states:

“Join other union members for this labor neighbor super walk in support of SeaTac Prop. 1 - the ‘Good Jobs Initiative!’”

*See App. 478.*²⁹

16. A 2013 article by Dustin Lambro posted on the union’s website and entitled, “GOTV for Teamster Candidates!,” states:

²⁶ Dustin Lambro, “McGinn for Mayor Phone Bank,” Teamsters 117. Available online at: http://www.teamsters117.org/mcginn_9-27

²⁷ Dustin Lambro, “Phone Bank for Ed Murray,” Teamsters 117. Available online at: http://www.teamsters117.org/phone_bank_for_ed_murray1017

²⁸ Dustin Lambro, “Phone Bank for Walker Morton,” Teamsters 117. Available online at: http://www.teamsters117.org/phone_bank_for_walker_morton1022

²⁹ Dustin Lambro, “Prop 1 Canvass in Seatac,” Teamsters 117. Available online at: http://www.teamsters117.org/prop_1_canvass_in_seatac1019

“We are down to the wire in our Election 2013 planning, and it would be great to have the help of members and staff to help pull our endorsed Teamster candidates over the finish line in what are sure to be some really close races. Please join us for a phone bank as we call voters to let them know why working families are supporting these great candidates!”

*See App. 479.*³⁰

17. A January 6, 2014 article by Paul Zilly posted on the union’s website and entitled, “Seattle Mayor Raises Minimum Wage for City Employees,” states:

“The Mayor’s action comes on the heels of a major victory for workers in the City of SeaTac with the passage of Proposition 1, which raises the minimum wage to \$15 an hour and improves conditions for over 6,000 workers in and around the airport.

Teamsters played an important role in helping to pass Proposition 1. Dozens of Local 117 members knocked on doors to talk with voters about the initiative.”

*See App. 480.*³¹

18. A February 13, 2014, article by Tracey Thompson posted on the union’s website and entitled, “Secretary-Treasurer’s Message: Teamster Power,” states:

“Your Union has long understood that if we are to succeed in protecting the rights and improving the lives of our members and all working families in our region, we must actively engage our members in the political process, both locally and state-wide.

Teamsters engaging in political action

On January 28, we had our first Lobby Day of this year’s legislative session. More than 70 Teamsters from across our Union met with their representatives throughout the day. We asked legislators to support a range of issues, impacting members in the public sector, the private sector, and the DOC.

On February 20, the Joint Council of Teamsters will be having a Lobby Day where Teamsters from local unions around the State will be speaking to their legislators about issues that affect Teamster families state-wide.” (Emphasis in original)

³⁰ Dustin Lambro, “Gotv for Teamster Candidates!,” Teamsters 117. Available online at: http://www.teamsters117.org/gotv_for_teamster_candidates_1030

³¹ Paul Zilly, “Seattle Mayor Raises Minimum Wage for City Employees,” Teamsters 117, January 6, 2014. Available online at: http://www.teamsters117.org/seattle_mayor_raises_minimum_wage_for_city_employees

*See App. 481.*³²

19. A March 18, 2014 article by Michelle Woodrow posted on the union's website and entitled, "A Message from your Director of Corrections," states:

"Over the last several months, we have seen some exciting developments for Teamsters at the DOC:

- Funding was secured in the State's supplemental budget to open the new medium unit at the Washington State Penitentiary;
- The State Auditor's office announced that it would be conducting a full-scale performance audit of the DOC that will examine staffing levels and other issues;
- Rep. Mike Sells urged the Attorney General's office to provide an opinion regarding supplemental pension that could positively impact DOC members' retirement security;
- Teamsters 117 members testified in numerous hearings in Olympia in support of bills that impact DOC families;
- DOC Shop Stewards achieved record returns on contract surveys for upcoming negotiations.

None of this would have been possible without members getting involved in their Union. In each case, members made phone calls to legislators, met with their representatives in district and in Olympia, spoke out in legislative hearings, and ensured that contract surveys were completed and returned.

Member involvement is key to our success. If members do not get involved, our power as a Union is limited.

This April, we will begin contract negotiations with the State over your 2015-2017 collective bargaining agreement. Our new interest arbitration rights will provide us with the best opportunity in years to make strides in our contract.

But interest arbitration is limited to the term of the contract. To achieve long-term interest arbitration rights, all 6,000 of us will need to work together. That means talking to your legislators, participating in our political action committees, coming to Olympia for lobby day, and standing together on the steps of the State Capitol, demanding respect. If all of us are willing to get involved, we will win interest arbitration. In fact, there is nothing that we can't achieve."

*See App. 482.*³³

³² Tracey Thompson, "Secretary-Treasurer's Message: Teamster Power," Teamsters 117, February 13, 2014. Available online at: http://www.teamsters117.org/secretary_treasurer_s_message_teamster_power

³³ Michelle Woodrow, "A Message from Your Director of Corrections," Teamsters 117, March 18, 2014. Available online at: http://www.teamsters117.org/doc_members_getting_involved

20. A March 25, 2014, article by Maria Williams posted on the union’s website and entitled, “A Plan to Improve the Lives of Working People,” states:

“For the 2014-2016 period, the Local has identified following [*sic*] four priorities and goals... Our goal is to improve the overall structure and focus of our political program and increase participation at all levels of the political/legislative process.”

*See App. 483.*³⁴

21. A March 31, 2014, article by Dustin Lambro posted on the union’s website and entitled, “Political Action Committee Meetings - Sign Up Here!,” states,

“Throughout the month of April and into May, we will be holding Political Action Committee meetings across the State... At the meetings, Teresita Torres, your Union's Lobbyist, and Dustin Lambro, your Political Coordinator, will be giving an update on the outcomes from legislative session and strategizing for the coming election cycle.”

*See App. 484.*³⁵

22. A July 19, 2014, article by Dustin Lambro posted on the union’s website and entitled, “Primary Ballots are in the Mail!,” states,

“I want to emphasize the importance of voting in this election, and to ask you to consider supporting strong candidates in your district who have earned our endorsement.

Every year, important decisions are made in Olympia that affect Teamsters and our families' livelihoods, our wages and health care, the safety nets if we get laid off or injured at work, and perhaps even our jobs themselves. That’s why Teamsters Local 117 works to hold state lawmakers accountable...

Starting with this primary election, we have a chance to change things for the better. We can support candidates who support our priorities.”

*See App. 485.*³⁶

23. A September 17, 2014 article by Matthew House posted on the union’s website and entitled, “Get registered, get informed, VOTE!,” states:

³⁴ Maria Williams, “A Plan to Improve the Lives of Working People,” Teamsters 117, March 25, 2014. Available online at: http://www.teamsters117.org/moving_forward_with_our_strategic_plan

³⁵ Dustin Lambro, “Political Action Committee Meetings – Sign Up Here!,” Teamsters 117, March 31, 2014. Available online at: http://www.teamsters117.org/political_action_committee_meetings

³⁶ Dustin Lambro, “Primary Ballots Are in the Mail!,” Teamsters 117, July 19, 2014. Available online at: http://www.teamsters117.org/primary_ballots_are_in_the_mail

“It’s election season again, and time to push our elected leaders to listen to the advice of frontline employees.

The best way to do this is to exercise your right to vote! ...

Check out your Union’s political endorsements. Teamster members engage candidates in a thorough interview process. We endorse only those candidates who publicly commit to support working family issues...

If you work in the public sector, your vote can have a direct impact on your livelihood.”

*See App. 486.*³⁷

24. A November 1, 2014, article by Dustin Lambro posted on the union’s website and entitled, “Haven’t Voted Yet? Time is Running Out. Endorsements Here!,” states:

“Teamster members have a lot at stake in this election. The candidates we vote into office will determine whether or not we are able to fund our DOC contract, pass paid sick leave legislation, protect working families against wage theft, and protect our State's workers' comp system.”

*See App. 487.*³⁸

25. A November 5, 2014 article by Dustin Lambro posted on the union’s website and entitled, “Election 2014 - Silver Linings?,” states:

“Working families suffered some disappointing outcomes last night with the loss of majorities in both the Washington State and the US Senate...

Amid the bad news, there were some surprises/silver linings:

- **Teamster-endorsed Pam Roach (R) leads Cathy Dahlquist (52% to 47%)** and will likely be a critical vote in a Republican controlled Senate
- **Roger Freeman’s (D) likely win (53% to Jack Dovey 46%) will mean a Democratic PCO appointment in the 30th LD** (likely Shari Song)
- **We retain Senator Steve Hobbs (D) in the 44th 56% to 43%**
- **Teamster-endorsed Tom Dent (R) leads Dani Bolyard (R) 63% to 36% in LD 13**
- **On the federal level, Susan DelBene, Derek Kilmer, Jim McDermott, Adam Smith and Denny Heck were safely reelected**

³⁷ Matthew House, “Get Registered, Get Informed, Vote!,” Teamsters 117, September 17, 2014. Available online at: http://www.teamsters117.org/get_registered_get_informed_vote

³⁸ Dustin Lambro, “Haven’t Voted Yet? Time is Running Out. Endorsements Here!,” Teamsters 117, November 1, 2014. Available online at: http://www.teamsters117.org/teamsters_vote

- **Seattle Metro’s Prop 1 passed by a wide margin at 58% to 41%**
- **Dan Newhouse is leading Clint Dider 51% to 48% in CD 4**

Thank you to all of the Teamsters who worked so hard during this election by participating in our countless phonebanks and canvassing activities. We will be calling on your support again two years from now when the climate will look much different, and perhaps more favorable, to working families, as the presidential election approaches.” (Emphasis in original)

See **App. 488.**³⁹

26. A December 23, 2014, article by Paul Zilly posted on the union’s website and entitled, “A Labor Resurgence, with Local 117 Leading the Way,” states:

“Members of Teamsters 117 won important victories – through progressive legislation, through political action, in negotiations, in arbitration, and perhaps most significantly, by bringing hundreds of new workers into the Union...

Workers rode the SeaTac victory into the city of Seattle, where a coalition of labor, faith, and community groups helped achieve the historic passage of a \$15/hr minimum wage law. Local 117’s role in that campaign, as in the SeaTac initiative, was key to its success...

Some Local 117 members questioned our involvement in the campaign. Why expend the energy and resources when Union members are already making more than the minimum? Make no mistake - the fight to raise the minimum wage is a Union issue. Not only is it morally the right thing to do, but by raising the floor, we will be able to negotiate stronger contracts with higher wages for all Union members.”

See **App. 489.**⁴⁰

27. A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Canvass for Dunshee, Wilson & Hobbs,” states:

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the [*sic*] wait staff and cooks in

³⁹ Dustin Lambro, “Election 2014 – Silver Linings?,” Teamsters 117, November 5, 2014. Available online at: http://www.teamsters117.org/election_2014_silver_linings

⁴⁰ Paul Zilly, “A Labor Resurgence, With Local 117 Leading the Way,” Teamsters 117, December 23, 2014. Available online at: <http://www.teamsters117.org/laborresurgence>

restaurants where we take our families, don't have to come to work sick or go without a day's pay

- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

That's why we are supporting Steve Hobbs for State Senate, and Hans Dunshee and Mike Wilson for State House. Each of them has pledged to support funding for our DOC contract. Their opponents have not, nor have they gone through our endorsement process to answer our tough questions. We need legislators like these guys who will fight for us.”

*See App. 490.*⁴¹

- 28.** A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Canvass for Tami Green!,” states:

“Teamsters 117 has the opportunity to make a difference this election by helping elect candidates who share our values.

Tami Green, a Union member and nurse, has represented her district in the state house since 2005. She is now running for the state Senate, and her seat could make the difference in whether we pass legislation important to our members, including funding for our contract with the Department of Corrections, or not.

We will be knocking on voters' doors to let them know about Tami and why her seat will matter to working families, and we need your help.”

*See App. 491.*⁴²

- 29.** A 2014 article posted on the union’s website and entitled, “Election 2014 – Endorsements,” states:

“Teamster members have a lot at stake in next year's legislative session, where state legislators will be writing a new budget for the next two years. Not only will this impact our members in the Department of Corrections, where the state approves funding for our Union contract, but every year we have to fight back

⁴¹ Dustin Lambro, “Canvass for Dunshee, Wilson & Hobbs,” Teamsters 117. Available online at: http://www.teamsters117.org/canvass_for_dunshee_wilson_hobbs

⁴² Dustin Lambro, “Canvass for Tami Green!,” Teamsters 117. Available online at: http://www.teamsters117.org/canvass_for_tami_green_0906

against legislation attacking our pensions, our collective bargaining rights, and workers' compensation benefits.

We know that if we want to have an impact in Olympia on the priorities we care about, we must have boots on the ground to help elect the candidates who support our priorities. Check out our 2014 General Election Voter Contact Activities page to find events near you or to find out more information about how you can help be involved.

Here is a running list of candidates who have been endorsed by the Washington Teamsters Legislative League or by Teamsters Local 117.”

*See App. 492.*⁴³

30. A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Phone Bank for Dawn Morrell,” states:

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the wait staff and cooks in restaurants where we take our families, don't have to come to work sick or go without a day's pay
- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

That's why we are supporting Dawn Morrell for State House... Dawn won her last race by a handful of votes, so the more Teamsters we can get to vote the more we are likely to keep this ally in the legislature.”

*See App. 493.*⁴⁴

31. A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Phone Bank for Dunshee, Wilson & Hobbs,” states:

⁴³ “Election 2014 – Endorsements: What’s At Stake In This Year’s Elections,” Teamsters 117. Available online at: http://www.teamsters117.org/election_2014

⁴⁴ Dustin Lambro, “Phone Bank for Dawn Morrell,” Teamsters 117. Available online at: http://www.teamsters117.org/phone_bank_for_dawn_morrell

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the wait staff and cooks in restaurants where we take our families, don't have to come to work sick or go without a day's pay
- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

That's why we are supporting Steve Hobbs for State Senate, and Hans Dunshee and Mike Wilson for State House... We need legislators like these guys who will fight for us.”

*See App. 494.*⁴⁵

32. A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Phone Bank for Schlicher, Seaquist & Arbogast,” states:

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the wait staff and cooks in restaurants where we take our families, don't have to come to work sick or go without a day's pay
- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

⁴⁵ Dustin Lambro, “Phone Bank for Dunshee, Wilson & Hobbs,” Teamsters 117. Available online at: http://www.teamsters117.org/phone_bank_for_dunshee_wilson_hobbs

That's why we are supporting Judy Arbogast for State Senate, and Larry Seaquist and Nathan Schlicher for State House... We need legislators like these guys who will fight for us.”

*See App. 495.*⁴⁶

- 33.** A 2014 article posted on the union’s website and entitled, “General Election Voter Contact Activities,” states:

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the wait staff and cooks in restaurants where we take our families, don't have to come to work sick or go without a day's pay
- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

That's where your help is critical. We can't win in November unless we get the vote out, and the most effective way to do that is to talk to voters -- on the phone and on their doorsteps. That work makes a difference in getting voters to turn in their ballot.

You can sign up below to participate in any voter contact event happening in your area. While there may not be an event happening in your local area, the below races are the most competitive and where our work will have the most impact.”

*See App. 496.*⁴⁷

- 34.** A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Thurston/Mason/Lewis Political Action Committee Meeting,” states:

⁴⁶ Dustin Lambro, “Phone Bank for Schlicher, Seaquist & Arbogast,” Teamsters 117. Available online at: http://www.teamsters117.org/phone_bank_for_schlicher_seaquist_arbogast

⁴⁷ “2014 General Election Voter Contact Activities,” Teamsters 117. Available online at: http://www.teamsters117.org/2014_general_election_voter_contact_activities

“Legislators who work in Olympia will decide next year the fate of our DOC contract, as well as whether we win statutory arbitration rights. Both of these wins will require careful planning and a lot of effort from our membership.

This Spring Political Action Committee (PAC) meeting will be our opportunity to meet as a group together and plan out our political program in the year ahead.

Here’s our Agenda for these meetings:

- *debrief the legislative session that just finished*
- *look over and review our candidate questionnaire*
- *schedule dates to interview candidates running for the legislature in 2014*
- *decide our next meeting*
- *plan for the fall mobilization*

In November 2014, all 98 members of the state House of Representatives and half of the 49 members of the state Senate are up for election. Our ability to win in Olympia on the issues we care about like winning interest arbitration or funding for our DOC contract hinges on who wins in November. We need our members to be involved in the political process.” (Emphasis in original)

See **App. 497**.⁴⁸

35. A 2014 article by Dustin Lambro posted on the union’s website and entitled, “Volunteer Recruitment Phone Bank,” states:

“As a Union, we have a lot at stake in next year's legislative session, which begins in January.

- We have an interest arbitration award to fund for our DOC members, which must be voted on by all our legislators Up or Down.
- We are working hard to pass statewide Paid Sick Days legislation to ensure that no one, including our the wait staff and cooks in restaurants where we take our families, don't have to come to work sick or go without a day's pay
- We will continue to lead in our fight against bad legislation for working families like Right to Work (for less) legislation, rollbacks to our pension system for public employees, and cuts to our strong Worker's Compensation system.

We absolutely can't win on these priorities if we don't have the votes in the State House and State Senate. It's simple math.

⁴⁸ Dustin Lambro, “Thurston/Mason/Lewis Political Action Committee Meeting,” Teamsters 117. Available online at: http://www.teamsters117.org/thurston_mason_lewis_political_action_committee_meeting0425

Every Monday between now and Election Day we will make calls to other Teamsters to ask for their help in volunteering for election activities. The more calls we make the more volunteers we have working to turn out the vote!”

See **App. 498**.⁴⁹

36. A January 12, 2015, article by Paul Zilly posted on the union’s website and entitled, “Legislative Session Kicks Off in Olympia,” states:

“The 2015 legislative session kicked off today in Olympia and will run for 105 days. With a divided legislature, advancing our Union's legislative priorities will be challenging to say the least.

Our ability to be successful in protecting and expanding the rights of working families will depend on our willingness to get engaged in the political process, to speak up, and get involved.

One of our most important priorities this session will be funding our DOC contract. To achieve that goal, we have organized a DOC/Teamsters Lobby Day on January 27...

We will also be working on a bill that would provide Teamster taxi cab operators with the choice of whether to participate in the State's L&I program and one that would create a more level playing field for drivers in the State's for-hire and personal transportation industry...

Teamsters 117 employs a full-time Lobbyist, Brenda Wiest, who will be on the ground every day in Olympia working to protect the rights of Local 117 members and their families.

Brenda works closely with Political Action Coordinator Dustin Lambro, who is organizing opportunities throughout session for members to speak directly with their legislators about critical issues.

LEGISLATIVE PRIORITIES - 2015

- Funding the DOC contract - interest arbitration award
- Passing a PSERS bill for DOC health care employees
- Ensuring that funds are allocated to meet the growing prison population, which helps keep DOC staff safe
- Fighting efforts to move offenders out-of-state
- Passing a bill that would permit taxicab operators the right to opt into the State's L&I program

⁴⁹ Dustin Lambro, “Volunteer Recruitment Phone Bank,” Teamsters 117. Available online at: http://www.teamsters117.org/volrecruitment0929_20141006

- Ensure a level playing field with regard to for-hire drivers (regulations/insurance)
- Passing statewide Paid Sick Days legislation
- Passing a Transportation and Revenue Package
- Preserving our Workers' Comp System

In addition, we will be:

- Opposing all attacks on prevailing wage law
- Supporting efforts to raise the minimum wage
- Opposing all attacks on the state's pension system
- Supporting Family and Medical Leave Insurance
- Fighting to stop predatory lending practices
- Fighting to stop wage theft
- Passing a paycheck fairness act"

*See App. 499.*⁵⁰

37. An October 9, 2015 article by Paul Zilly posted on the union's website and entitled, "Local 117 Teamster Sgt. Michael Boe Running for Office," states:

"Talk about a true blue Teamster.

Sgt. Michael Boe, Shop Steward at the Monroe Correctional Complex, is as dedicated and loyal as they come.

He's been down to Olympia on countless occasions to lobby on behalf of working families. He's testified in committee, spoken out to the press, and canvassed for Teamster-endorsed candidates.

Now he's running a campaign of his own, and he needs our support.

Sgt. Boe is vying for a seat on the Lake Stevens City Council. In 2013, he narrowly lost his election for city council by just a handful of votes...

Tomorrow Teamster members will be out in the community getting the vote out in support of Michael...

Please support this excellent Teamster candidate running for office."

*See App. 500.*⁵¹

⁵⁰ Paul Zilly, "Legislative Session Kicks Off in Olympia," Teamsters 117, January 12, 2015. Available online at: http://www.teamsters117.org/legislative_session2015

⁵¹ Paul Zilly, "Local 117 Teamster Sgt. Michael Boe Running for Office," Teamsters 117, October 9, 2015. Available online at: http://www.teamsters117.org/true_blue_teamster

38. A November 4, 2015 article by Dustin Lambro posted on the union’s website and entitled, “Election 2015: A Good Night for Teamsters,” states:

“Election night 2015 is in the books, and while there are still thousands of ballots to count, there are some clear winners.

And some of the biggest winners were Teamsters who stand to benefit from having new elected officials who share our values.

There are some heartbreaks as well, as with any election, but we can be proud that Local 117 did all it could to help those candidates we supported.

Thanks to all of you for your shoe leather and your phone calls for helping put some of our endorsements over the top.

First off, our efforts in the city of Pacific proved to work, as Local 174 member from Waste Management, David Storaasli, beat his opponent and is up by about 10 points.

It’s clear our work with Teamsters and labor households in general made all the difference against a candidate who didn’t really do much voter contact.

It also looks like we also won the race for King County Assessor, as Teamster 117 member John Wilson beat incumbent and longtime politician Lloyd Hara.

There’s a race where labor made the difference in exposing how the incumbent sent jobs overseas to an outside offshore firm and busted Unions.

Those are a couple of the early highlights. See how the rest of our Teamster-endorsed candidates and issues fared by checking the election results on the Secretary of State's website.”

*See App. 501.*⁵²

39. An article posted on the union’s website entitled, “2015 Candidate Questionnaires,” states:

“Here are all the candidate questionnaires for the races in which our committee will make endorsement recommendations to the Executive Board of Local 117 for election year 2015.”

⁵² Dustin Lambro, “Election 2015: A Good Night for Teamsters,” Teamsters 117, November 4, 2015. Available online at: <http://www.teamsters117.org/election2015>

*See App. 502.*⁵³

40. A 2015 article by Dustin Lambro posted on the union’s website and entitled, “Knocking on doors to get out the Union vote!,” states:

“Union members are more likely to vote if another Union member asks them to vote. That’s why this coming Saturday, we are going to get out the vote for our endorsed candidates David Storaasli (a Teamsters 174 member) and State Rep. Carol Gregory, who is running for reelection, in Pacific.”

*See App. 503.*⁵⁴

41. A 2015 article by Dustin Lambro posted on the union’s website and entitled, “Michael Boe Door Knocking,” states:

“Sgt. Michael Boe from MSU is running for Lake Stevens City Council. He narrowly lost his last election for city council in 2013 by just a handful of votes. Michael has been a leader in helping get our DOC contract funded in Olympia. He’s been endorsed by Kirk Pearson and our Union. Helping him win is critical for all of us at DOC.”

*See App. 504.*⁵⁵

42. An article posted on the union’s website and entitled, “Election 2015,” states:

“The following represents the Teamsters 117 political endorsements for the 2015 election cycle, as well as some selected races from Teamsters Joint Council No. 28.”

*See App. 505.*⁵⁶

43. A February 17, 2016 article by Dustin Lambro posted on the union’s website and entitled, “Boost our Economy, Raise up Washington!,” states:

“One of our biggest electoral priorities this year is to rebalance our economy in favor of the middle class and expand opportunities for all Washingtonians.

⁵³ “2015 Candidate Questionnaires,” Teamsters 117. Available online at: http://www.teamsters117.org/2015_candidate_questionnaires2

⁵⁴ Dustin Lambro, “Knocking on Doors to Get Out of the Union Vote!,” Teamsters 117. Available online at: http://www.teamsters117.org/knocking_on_doors_to_get_out_the_union_vote_1017

⁵⁵ Dustin Lambro, “Michael Boe Door Knocking,” Teamsters 117. Available online at: http://www.teamsters117.org/michael_boe_door_knocking1010

⁵⁶ “Election 2015: 2015 General Election Endorsements,” Teamsters 117. Available online at: http://www.teamsters117.org/election_2015

Initiative 1433, which our union has endorsed, would phase in a minimum wage increase to \$13.50 by 2020 and provide all Washington workers with access to earned sick and safe leave.

This initiative will lift up 730,000 low-wage workers and add about \$2.5 billion to our state's economy annually.

Teamsters Local 117 is a part of a coalition of labor and community groups that will be gathering signatures to put the initiative on the ballot this November.”

*See App. 506.*⁵⁷

44. A March 2, 2016 article by Dustin Lambro posted on the union's website and entitled, “Can you Help Raise Up Washington in 2016?,” states:

“Raise Up Washington, a coalition of concerned Washingtonians and labor, faith, and community groups including our Union, is launching a statewide ballot initiative to support working people. Initiative 1433 would raise Washington State's minimum wage from \$9.47 to \$13.50 and allow workers to earn paid sick and safe leave, phased in over four years...

Will you join thousands of working people across Washington who are helping collect signatures to put I-1433 on the ballot? ...

With your help, Washington voters will have the opportunity to vote YES on I-1433 to raise wages and provide common sense paid sick leave.”

*See App. 507.*⁵⁸

45. A March 7, 2016 article by Paul Zilly posted on the union's website and entitled, “Teamsters on the front lines working to raise up Washington,” states:

“Members of Teamsters 117 joined roughly 100 labor and community activists this weekend for the kickoff to Raise Up Washington!, the campaign to pass a statewide initiative to raise the minimum wage and allow working Washingtonians the ability to earn paid sick days.”

*See App. 508.*⁵⁹

⁵⁷ Dustin Lambro, “Boost Our Economy, Raise Up Washington!,” Teamsters 117, February 17, 2016. Available online at: http://www.teamsters117.org/boost_our_economy_raise_the_wage

⁵⁸ Dustin Lambro, “Can You Help Raise Up Washington in 2016?,” Teamsters 117, March 2, 2016. Available online at: http://www.teamsters117.org/raise_up_washington_in_2016

⁵⁹ Paul Zilly, “Teamsters on the Front Lines Working to Raise up Washington,” Teamsters 117, March 7, 2016. Available online at: http://www.teamsters117.org/teamsters_on_the_front_lines_helping_to_raise_up_washington

46. A March 14, 2016 article by Paul Zilly posted on the union’s website and entitled, “Local 117 Shop Stewards - the Backbone of our Union,” states:

“Secretary-Treasurer John Scearcy welcomed members and laid out the State of our Union... He discussed member engagement, financial stability, political action, staffing, and our ‘members first’ membership model... Throughout the day, we collected hundreds of signatures in support of a statewide citizens' initiative (I-1433), which, if passed by voters this November, will boost the minimum wage and provide all Washingtonians the ability to earn sick and safe leave.”

*See App. 509.*⁶⁰

47. A June 28, 2016, article by Paul Zilly posted on the union’s website and entitled, “Teamster Pride on Display at the IBT Convention,” states:

“Members and staff reported on recent organizing wins and political victories where Teamster candidates were elected to political office... We are engaging in the bold, necessary work to win strong contracts, build union density through organizing, and take on legislative and political fights to benefit our members.”

*See App. 510.*⁶¹

48. A July 28, 2016 article by Dustin Lambro posted on the union’s website and entitled, “Key Statewide Races from our Primary Endorsements,” states:

“Yesterday, we launched our endorsements for the August 2nd Primary Election. Today, we wanted to give some context for why we decided to endorse certain candidates running for Statewide Executive Office.”

*See App. 511.*⁶²

49. An August 2, 2016 article by Dustin Lambro posted on the union’s website and entitled, “Get your ballot in the mail today!,” states:

“In addition to all of the endorsements we've made in the primary, I'd like to highlight a few with critical importance to our members... Here is a comprehensive list of our statewide endorsements as well as who we endorsed in legislative races in your area.”

⁶⁰ Paul Zilly, “Local 117 Shop Stewards – The Backbone of Our Union,” Teamsters 117, March 14, 2016. Available online at: http://www.teamsters117.org/local_117_shop_stewards_the_backbone_of_our_union

⁶¹ Paul Zilly, “Teamster Pride on Display at the IBT Convention,” Teamsters 117, June 28, 2016. Available online at: http://www.teamsters117.org/teamster_pride_on_display_at_the_ibt_convention

⁶² Dustin Lambro, “Key Statewide Races From Our Primary Endorsements,” Teamsters 117, July 28, 2016. Available online at: http://www.teamsters117.org/key_races_from_our_primary_endorsements

*See App. 512.*⁶³

50. A 2016 article posted on the union’s website entitled, “Teamsters Running for Office – 2016,” states:

“In the last several years, we've been successful in electing a number of Teamsters to elected office. If you serve in the legislature or in Congress, chances are you got your start running for local school board or city council. If we develop our own ‘farm team’ of city council members or school board members, help them develop good policy and build constituencies, they're more likely to succeed in the future in a run for higher office like the legislature.

Here's a partial list of Teamsters who currently serve in elected office...

In 2016, we have two 117 members who are running for office, both on the Eastside. You can read more about Ricardo Espinoza and Jared Frerichs, both of whom work at the Department of Corrections.”

*See App. 513.*⁶⁴

51. An article posted on the union’s website entitled, “Election 2016: What’s at Stake,” states:

“Working families are at a crossroads in this country - 2016 will be the year when voters will decide whether we will build an economy that works for everyone, or one that just continues to benefit the richest few...

To reverse this trend, we must support policies that both strengthen Unions and put more money in the pockets of middle-income Americans. That means supporting candidates who support the policies we support so we can turn around this decline both in Union membership as well as the income disparity for middle-class Americans.

Teamsters 117 supports candidates who prioritize working family issues, who prioritize investments in education, who support good retirement policies, and who oppose right-to-work-for-less laws. Please take into consideration who we endorse when you vote.”

*See App. 514.*⁶⁵

⁶³ Dustin Lambro, “Get Your Ballot in the Mail Today!,” Teamsters 117, August 2, 2016. Available online at: http://www.teamsters117.org/get_your_vote_in_the_mail_today

⁶⁴ “Teamsters Running for Office – 2016,” Teamsters 117. Available online at: http://www.teamsters117.org/teamsters_running_for_office_2016

⁶⁵ “Election 2016: What’s At Stake,” Teamsters 117. Available online at: <http://www.teamsters117.org/election2016>

52. A January 9, 2017 article by Paul Zilly posted on the union’s website and entitled, “DOC contract #1 priority as legislative session kicks off,” states:

“The 2017 legislative session kicked off in Olympia today, and with it comes serious challenges facing working families across our state.

Our top priority is to ensure that legislators invest in those who keep our communities safe.

Corrections employees put their lives on the line to serve and protect our communities, but are significantly underpaid for the important public safety work they perform...

A neutral arbitrator has awarded our DOC members a minimum 10.5 percent wage increase over the coming biennium. The state’s Office of Financial Management has deemed the award financially feasible and the Governor has included our contract in his budget.

Now it’s up to the state legislature to ensure that our contract gets funded and corrections employees get the respect they deserve.

We’re calling on all Teamsters to support our DOC brothers and sisters in this effort. We’ll be meeting directly with legislators to urge them to fund our DOC contract on February 13 and 14.

That’s when we’re holding our DOC Legislative Reception and Lobby Day...

Throughout the legislative session, we will be tracking bills and other issues that impact all members of Teamsters Local 117. There will be many opportunities to testify at legislative hearings and speak directly with lawmakers. We will let you know when those opportunities arise.

It's critical that Teamsters get involved down in Olympia so that we can hold our representatives accountable and ensure that our state invests in working families.”

*See App. 515.*⁶⁶

53. A February 23, 2017, article by John Scearcy posted on the union’s website and entitled, “Secretary-Treasurer’s Message: United for the Future,” states:

“On February 14, more than 230 members of Teamsters 117 and their families converged on the State Capitol in Olympia for our DOC Lobby Day.

⁶⁶ Paul Zilly, “Doc Contract #1 Priority as Legislative Session Kicks Off,” Teamsters 117, January 9, 2017. Available online at: http://www.teamsters117.org/doc_contract_a_priority_as_legislative_session_kicks_off

It was our biggest, most successful Lobby Day event ever. Local 117 members met with dozens of legislators to discuss issues that directly impact their lives.

Our Lobby Day event exemplifies the kind of Union we are working to build. It's a Union where members are engaged, organized, informed, and politically active. Over the last few months, we have been developing a strategic plan that will shape the future of our Union. More than 2,400 members filled out our membership survey to provide input into the plan...

We've also held meetings of member leaders to critically analyze our Union...

Based on your feedback from the surveys and at these meetings, we have established four strategic priorities that will guide our Union into the future. They are: ...

4. Build our political power.

These are the issues that you identified as critically important to building unity and power for all working people and to help lift up our communities."

*See App. 516.*⁶⁷

54. An April 3, 2017 article by John Scearcy posted on the union's website and entitled, "Secretary-Treasurer's Message: Quarterly Update," states:

"On February 13-14, we held our largest, most successful Lobby Day ever. More than 230 of our members and their families converged on the State Capitol in Olympia.

Thanks to the massive member participation at the event, both the state Senate and House included funding for our DOC contract in their 2017-2019 operating budget proposals. This means it is now more than likely that our DOC members will receive at least a 10.5% general wage increase over the coming biennium.

We've also successfully fought back legislative attacks on collective bargaining, workers' comp, and on defined benefit pension plans. Our member-driven Political Advisory Committee convened in April to chart out a course for political endorsements this year...

We have also developed four strategic priorities that will guide our work moving forward. They are...

4. Build our political power.

⁶⁷ John Scearcy, "Secretary-Treasurer's Message: United for the Future," Teamsters 117, February 23, 2017. Available online at: http://www.teamsters117.org/united_for_the_future

Members identified these priorities through our membership survey and our meetings with member leaders.”

*See App. 517.*⁶⁸

55. A June 16, 2017 article by Dustin Lambro posted on the union’s website and entitled, “Teamsters 117 announces sole endorsement of Jessyn Farrell for Seattle Mayor,” states:

“Today Teamsters Local 117 announced they are backing Jessyn Farrell for Mayor of Seattle, voting to give her their sole endorsement in the race.”

*See App. 518.*⁶⁹

56. An article posted on the union’s website entitled, “Teamster Power Begins with You!,” states:

“Creating and maintaining local and statewide political allies is vital to our future.”

*See App. 519.*⁷⁰

57. An article posted on the union’s website entitled, “Political Action Committees (PACs),” states:

“With over 16,000 members statewide, Local 117’s ability to impact the electoral landscape is huge and your knowledge and experience are the most powerful tools to hold policy makers accountable to the critical issues impacting our members.”

*See App. 520.*⁷¹

58. An article posted on the union’s website entitled, “Sign the Petition: I Support Raising the Minimum Wage to \$15/hr. in Seattle,” states:

“Fresh from the Proposition 1 victory in the City of SeaTac that will dramatically improve wages and working conditions for over 6,000 low-wage workers at SeaTac Airport, Teamsters 117, together with a number of other unions, is taking the fight to increase the minimum wage to \$15 per hour to Seattle.”

⁶⁸ John Scarcy, “Secretary-Treasurer’s Message: Quarterly Update,” Teamsters 117, April 3, 2017. Available online at: http://www.teamsters117.org/st_quarterly_update_april2017

⁶⁹ Dustin Lambro, “Teamsters 117 Announces Sole Endorsement of Jessyn Farrell for Seattle Mayor,” Teamsters 117, June 16, 2017. Available online at: http://www.teamsters117.org/jessyn_farrell_for_seattle_mayor

⁷⁰ “Teamster Power Begins With You!,” Teamsters 117. Available online at: http://www.teamsters117.org/teamster_power_begins_with_you

⁷¹ “Political Actions Committees (PACS),” Teamsters 117. Available online at: <http://www.teamsters117.org/pacs>

See App. 521.⁷²

59. An article posted on the union’s website entitled, “Join an Action Group,” states:

“As a Union member, your involvement in political action is key to preserving good Teamster jobs with good benefits, family wages and decent working conditions for you and your family... With over 16,000 members statewide, Local 117's ability to impact the electoral landscape is huge and your knowledge and experience are the most powerful tools to hold policy makers accountable to the critical issues impacting our members.”

See App. 522.⁷³

The 64 above examples, taken only from the union’s website and posted over a span of six years, consistently emphasize the importance of political action to Teamsters 117’s mission. From getting the legislature to fund the collective bargaining agreements negotiated on behalf of Department of Corrections employees, to getting voters to approve the \$15 minimum wage initiative in SeaTac, political activity and outcomes are central to pursuing the union’s mission and achieving its goals, by its own admission.

While the union does employ means other than political action to advance its mission and achieve its goals, the Washington Supreme Court in *Utter* established that an organization may be considered a “political committee” if *one* of its primary purposes is to engage in electoral political activity.

The foregoing documentation should be more than sufficient to confirm that the stated goals and mission of Teamsters 117 depend heavily on political elections and decisions and that political action is one of the primary means by which the union advances its interests, thus fulfilling the primary purpose test established in *Dan Evans* and clarified in *Evergreen Freedom Foundation* and *Utter* to determine whether an entity is a “political committee” under the maker of expenditures prong.

Conclusion

If Teamsters Local 117 and Teamsters Local 117 Segregated Fund are legally separate entities, then SF quite clearly fulfills the definition of “political committee” found in the FCPA. The State Supreme Court’s determination in *Voters Education Committee* that 527 political organizations should be registered as political committees with the PDC confirms this conclusion.

Alternatively, however, if it is determined that SF is not legally separate from Teamsters 117, then the union itself fulfills the definition of “political committee” under the receiver of contributions prong because the union segregates members’ dues for political use and the members have constructive and/or actual knowledge of the segregation.

⁷² “Sign the Petition: I Support Raising the Minimum Wage to \$15/Hr in Seattle,” Teamsters 117. Available online at: http://www.teamsters117.org/fight_for_15hr

⁷³ “Join an Action Group,” Teamsters 117. Available online at: http://www.teamsters117.org/join_an_action_group

It also satisfies the “maker of expenditures” prong because engaging in political activity is one of the primary purposes of the union and one of the chief means by which the union advances its mission.

Either way, one of these entities needs to register with the PDC and report its contributions and expenditures as required by Chapter 42.17A RCW. The fact that neither has yet seen fit to do so means that hundreds of thousands of dollars spent influencing electoral politics in Washington has been obscured from the public.

This lack of transparency runs directly counter to the FCPA’s proclamation that “political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided.”

We respectfully request that you undertake a thorough investigation into these allegations and initiate an enforcement action.

Please do not hesitate to let us know if you would like us to clarify, expand upon or further document these allegations in any way. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Maxford Nelsen", written in a cursive style.

Maxford Nelsen
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