



Senator Todd Young
CHAIRMAN

Kevin McLaughlin
EXECUTIVE DIRECTOR

July 27, 2020

William J. Bullock, Chairman
Brad Archibald, President/CEO
Pioneer Technical Services, Inc.
1101 S. Montana St.
Butte, MT 59701

RE: NRSC's "There's More" Advertisement

Dear Messrs. Bullock and Archibald:

We write today to demand that you immediately cease and desist from any attempts to interfere in our business relationships with Montana television stations and to use corporate resources to infringe on the NRSC's protected speech.

We understand that your company has requested Montana television stations to remove the NRSC's "There's More" advertisement from their airwaves on the basis of its allegedly "insulting" and "defamatory" implications about your company.

First, we never expressly named your company. Secondly, that an advertisement led you to draw "insulting" implications does not mean that the advertisement is defamatory. Indeed, the NRSC has robust protections under the First Amendment to discuss matters of public concern, which includes "vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964).

There are only two claims within the advertisement that could reasonably be interpreted to relate to your firm:

(1) "Bullock has been accused of steering funds to his brother's company."

This is well-tread territory. The media has already reported on previous television advertising that accused Bullock of steering funds to his brother's company.¹ Indeed, this accusation was disseminated on Montana airwaves across the state.²

(2) "It turns out, the company founded by Bullock's brother received more than \$14 million from state agencies."

By your own words, "Pioneer [Technical Services] was founded by Bill Bullock and two

¹ <https://nbcmontana.com/news/local/fact-checker-governors-race-ad-creates-controversy>. Interestingly enough, criticism of the claim was directed at the fact that "it's up to the governor (not the DOJ or Attorney General) to approve" grants from state agencies (emphasis added).

² https://www.youtube.com/watch?v=P8Ed_b85-0c&feature=plcp.

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others in 1991.” Moreover, the State of Montana’s transparency database shows that your firm has received over \$14 million from state agencies.³

These objections are simple to refute. Nevertheless, we felt it necessary to also address two broader objections about implications that appear to have struck a nerve.

First, you complain about the alleged implication that your company received state contracts because of “corruption and nepotism.” Importantly, our advertisement did not comment on *why* Steve Bullock directed state business that utilized your company. We simply highlighted the curious fact that, under the direction and management of Steve Bullock, state agencies conducted business with your company.

To be clear, “steering” is defined by Merriam-Webster as meaning: “to control or direct⁴ the course of.”⁵ According to the Montana government, “[t]he Governor makes all final decisions on all restoration plans and associated funding.”⁶ Indeed, 2-15-103, MCA provides that “the governor has full powers of supervision, approval, direction, and appointment” over state agencies, which include the nine agencies that contracted with your company (*emphasis added*). In practice, there are numerous press accounts of Bullock personally exercising this obligation, including in the context of projects that involved your company.⁷

Again, we left it up to Montanans to draw their own implications about Steve Bullock’s direction over this state business.

Secondly, you object to the implication that Bill Bullock remained involved with your firm after he “sold his interest” in the company in 2009. Bill Bullock’s involvement with Pioneer Technical Services after 2009 is remarkably easy to demonstrate. Your company’s corporate filings submitted

³ [Montana “Transparency in Government” Checkbook Accounts Payable.](#)

⁴ “Direct” is defined as meaning: “to regulate the activities or course of.” See, <https://www.merriam-webster.com/dictionary/direct>. Surely, you do not object to the suggestion that Bullock was responsible for regulating the activities of state agencies.

⁵ [https://www.merriam-webster.com/dictionary/steer#:~:text=steered%3B%20steering%3B%20steers,and%20hold%20to%20\(a%20course\)](https://www.merriam-webster.com/dictionary/steer#:~:text=steered%3B%20steering%3B%20steers,and%20hold%20to%20(a%20course))

⁶ <https://dojmt.gov/lands/butte-area-one/>.

⁷ <https://www.mtpr.org/post/after-decade-long-fight-dirt-flying-parrot-tailings-removal-butte> (“Bullock announced the state would unilaterally remove the Parrot tailings, and started drawing up plans”); https://mtstandard.com/politics/where-to-go-six-sites-looked-at-as-new-home/article_78aed7c7-3d36-5dc8-85c3-735554a57ef9.amp.html (“A feasibility analysis of those locations should be complete by Nov. 13... Public Works Director Dave Schultz said Thursday that studies and analysis, much of it done by Pioneer Technical Services of Butte, have been conducted with no preconceived ideas.”); https://ravallirepublic.com/news/state-and-regional/article_64a52b51-c538-5874-a662-e95d22f28a62.html; <https://www.kbzk.com/news/outdoors/2019/07/16/successful-cleanup-of-mine-tailings-creek-near-cooke-city-celebrated/>; https://www.youtube.com/watch?time_continue=42&v=PyJ-foaAO3w&feature=emb_title (at 0:42 – 0:44, displaying your company’s corporate logo next to state agencies); <https://pioneer-technical.com/projects/mclaren-tailings-reclamation/> (Steve Bullock “praised the work, designed by Pioneer Technical Services”); https://pioneer-technical.com/wp-content/uploads/2015/04/Pioneer-GSA-Multiple-Award-Schedule_3-08-2016_s.pdf (Steve Bullock sent your company “a letter of appreciation... for helping Montana DEQ Remediation Division”).

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to the Secretaries of State for Montana,⁸ Alaska,⁹ Nevada,¹⁰ Wyoming,¹¹ and Washington¹² establish beyond any doubt that Bill Bullock served on your company's Board of Directors for the entirety of Steve Bullock's tenure as governor. Moreover, these legal filings indicate that Bullock's brother is currently serving as Chairman of its Board of Directors and classified by the state of Alaska as a "shareholder" with an ownership stake.¹³ Lastly, a simple google search for "William J Bullock Montana" provides a link to a profile that identifies Bullock's brother as serving on Pioneer Technical Services' Board of Directors.¹⁴

This was not hard to find. Indeed, your company either believes that Montana television stations and local media outlets are wildly incompetent, or your company's Chairman may have grown accustomed to special treatment when it relates to matters of Steve Bullock.

Given the ease with which these objections are refuted, we would not ordinarily waste our time addressing them. However, we felt it was necessary to sincerely explain the stakes of your haphazard involvement here.

The NRSC has little choice but to conclude that your company misled Montana television stations and local media outlets in an apparent attempt to manipulate a federal election to benefit the brother of your company's Chairman.

Manipulation of a federal election and the use of disinformation are not matters that we take lightly. Nor are they matters that we can simply ignore. Montanans expect decency and transparency when it comes to their campaigns for higher office. When you, utilizing corporate resources, mislead television stations and media outlets in order to prevent someone's political speech, you expedite a race-to-the-bottom that further erodes the public's trust in their elections.

Setting aside the extent to which you may have interfered in our contractual relationship with another business and potentially violated federal election laws prohibiting corporate contributions, we urge you to reconsider your decision to insert your company into this campaign.

It is imperative that we let the campaigns and voters engage in a rigorous debate about their candidates for higher office. Indeed, Montanans deserve it.

We trust that this matter is resolved and that you will allow Montanans to openly debate matters protected by the First Amendment, no matter what implications they may draw.

⁸ State of Montana, Secretary of State, Annual Reports 1991 - 2020, Pioneer Technical Services, Inc. (D072568).

⁹ State of Alaska, Department of Commerce, Biennial Reports 2013 – 2019, Pioneer Technical Services, Inc., *available at*: <https://www.commerce.alaska.gov/cbp/main/search/entities>. *See also*, Exhibit A.

¹⁰ State of Nevada, Secretary of State, Foreign Corporation Filings, Pioneer Technical services, Inc., *available at*: <https://esos.nv.gov/EntitySearch/OnlineEntitySearch>.

¹¹ State of Wyoming, Secretary of State, Annual Report 2015 – 2020, Pioneer Technical Services, Inc. *available at*: <https://wyobiz.wyo.gov/Business/FilingSearch.aspx>.

¹² State of Washington, Secretary of State, Annual Report 2013 – 2020, Pioneer Technical Services, Inc.

¹³ *See*, State of Montana, Secretary of State, Annual Report 2020, Pioneer Technical Services, Inc. (D072568); State of Alaska, Department of Commerce, Biennial Reports 2013 – 2019, Pioneer Technical Services, Inc., *available at*: <https://www.commerce.alaska.gov/cbp/main/search/entities> ("William Bullock... Shareholder").

¹⁴ <http://publicdocs.muni.org/sirepub/cache/2/oksxqv55ravjz045bzyjgh55/2524207272020065138125.PDF>.

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Please confirm receipt of this letter and that you will agree to cease and desist from interfering in our political advertising going forward. If not, we may have no choice but to seek legal remedies.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Dollar", written in a cursive style.

Ryan G. Dollar
General Counsel