

AD SCRIPT	FACTS
<p><i>The National Republican Senatorial Committee is responsible for the content of this advertising.</i></p>	<p style="text-align: center;"><u>OUT OF STATE AND OUT OF TOUCH:</u> ANOTHER OUTSIDE GROUP TRIES TO MAKE JON TESTER INTO SOMETHING HE'S NOT</p> <p>NRSC Ad Depicted Tester With 10 Fingers...But Tester Lost 3 Fingers in Childhood Accident. In August 2012, the Missoula Independent reported: “The biggest point of contention over the NRSC ad, however, was a photo of President Obama and Tester exchanging a cozy handshake. The photo depicted Tester with 10 fingers. Anyone familiar with the senator recognized the problem: Tester only has two on his left hand, a pinkie and a thumb. He lost the other three in a meat grinder accident when he was 9 years old.” [Missoula Independent, 8/30/12]</p> <p>HEADLINE – GOP Attack Ad Shows Five-Fingered Tester Shaking Obama’s Hand. [AP, 9/30/2011]</p> <p>HEADLINE – Tester Not Happy With GOP Attack Ad Portraying Him With Fingers He Lost to Childhood Accident. [AP, 9/29/2011]</p> <p>National Republican Senatorial Committee Released Ad With “Edited Photo Erroneously Portrays Tester as Having a Left Hand With All Five Fingers.” As reported by the AP, “The most recent hullabaloo comes over an ad from the National Republican Senatorial Committee that portrays Tester as cozy with Washington, D.C., lobbyists. It also shows a photo of Tester happily greeting President Barack Obama, no doubt aimed at sending a message to Montana voters about the ties between the two. But the edited photo erroneously portrays Tester as having a left hand with all five fingers. Three of those fingers were taken when Tester, as a child, was working in the family farm’s butcher shop.” [AP, 9/29/2011]</p> <p>HEADLINE – NRSC Restores Tester’s Fingers. [Politico, 9/28/2011]</p> <p>NRSC Ad Shows Tester “Managed to Regrow Three Fingers He Lost in Farm Accident Decades Ago.” As reported by Politico, “You’ve got to hand it to the National Republican Senatorial Committee; they’ve certainly shown how Senator Tester has knuckled down to work for the interest of Montanans while he’s been in Washington — so much so that he has managed to regrow three fingers he lost in a farm accident decades ago.” [Politico, 9/28/2011]</p> <p>Tester Is A “Seven-Fingered Organic Farmer Who Brings Montana Beef Back With Him To Washington.” In May 2012, Capitol New York reported: “In Montana, the state's Democratic governor recently wrote off the president's chances there—in part due to the president's ambivalence about the Keystone Pipeline—but nonetheless predicted the re-election</p>

of Senator Jon Tester, the seven-fingered organic farmer who brings Montana beef back with him to Washington, and who was one of the biggest Democratic surprises when he won in 2006.” [[Capitol New York, 5/3/12](#)]

Third-Party Ad Showing Tester With Five Fingers “May Have Inadvertently Served Senator Well” By Evoking “Something Indelible About Tester’s Life Story.” In June 2012, the [Washington Post](#) reported: “Last fall, the committee that organizes on behalf of Republican Senate candidates created an attack ad featuring a photo of Tester greeting President Obama. The picture showed the senator with his left hand reaching toward the president, and that hand suddenly had all its fingers. Tester’s campaign spokesman decried ‘the made-up photo’ at the time. But that odd distortion by his opponents may have inadvertently served the senator well. The digital trickery brought more focus to the senator’s childhood accident than the senator might have on his own. The actual hand evokes something indelible about Tester’s life story, about dangerous farm chores, about overcoming adversity.” [[Washington Post, 6/3/12](#)]

TURK STOVALL: I'm Turk Stovall. I'm a fourth generation Montana rancher.

[image: Turk talking in his barn; goes to still of him outside]
[words on screen: "Turk Stovall"]

TS: The death tax is a barrier for Montana family farms and ranches to keep going.

[image: Turk talking in his barn]

TS: It all became a reality when my dad just passed away.

[image: picture of Turk's father]

FICTION vs. FACT

REHBERG STRETCHES THE TRUTH ON HIS OWN ESTATE TAX STORY

Rehberg Bends Some Facts To Get His Message Across—Even Facts About His Own History. In September 2012, the [High Country News](#) reported: “I’ve found that like all politicians, Rehberg bends some facts to get his message across - even facts about his own history that need no embellishment.” [[High Country News, 9/3/12](#)]

High Country News On Rehberg’s Estate Tax Story: “The Reality Isn’t Quite As Clear-Cut As Denny Rehberg’s Stories.” In September 2012, [High Country News](#) reported: “And again, the reality isn’t quite as clear-cut as Denny Rehberg’s stories. As is often the case with inheritances, there were many heirs and a maze of financial arrangements as several key Rehbergs died. Basically, the Rehbergs decided that the ranchland would end up with Jack Rehberg and his kids, while the former dairy land and those subdivided lots would end up with other heirs.” [[High Country News, 9/3/12](#)]

FACT: Rehberg Family Started Subdividing and Selling Off Ranchland Decades Before They Paid Estate Tax. According to a recent research story by High Country News, Rehberg’s family started subdividing and selling off ranchland decades before they paid any estate taxes in the death of Rehberg’s grandmother and great-grandmother. As reported by High Country News, “A.J. Rehberg began subdividing the land in 1941, carving out 34.75 acres near the airport and the rim’s edge -- some of the best real estate in Montana, overlooking the whole city and the Yellowstone River Valley. (One of the houses built there is now worth about \$900,000.) In the same choice suburban area, A.J. sold another 14 acres in 1942. A.J. and his wife subdivided another 89 acres of the ranchland just above the rim in 1956, and began selling lots, averaging about \$200 per acre (the equivalent of about \$1,600 per acre today). In 1959 and 1960, they launched the Warbonnet Subdivision on some of the best land below the rim -- 58 acres tucked against the base of the

cliffs, turned into dozens of lots.” [High Country News, [9/3/12](#)]

“It Appears Rehbergs Didn’t Have to Sell Any Land to Pay Those Taxes.” As reported by High Country News, “Mary Ada had about \$30,000 in investments and savings, and the family paid about \$14,000 in inheritance-related taxes to the feds and Montana -- less than 10 percent of the estate's value, according to probate court documents. It appears that the Rehbergs didn't have to sell any land to pay those taxes.” [High Country News, [9/3/12](#)]

High Country News: “Here's A Totally Different Creation Story, Equally True, Drawn From A Fuller Set Of Facts: Denny Rehberg Is A Fourth Generation Montana Real Estate Speculator And Subdivider.” In September 2012, High Country News reported: “Here's a totally different creation story, equally true, drawn from a fuller set of facts: Denny Rehberg is a fourth generation Montana real estate speculator and subdivider.” [High Country News, [9/3/12](#)]

TS: We could lose the whole outfit that him and my mom spent a lifetime putting together. [image: Turk talking in his barn]

TS: I was really surprised Jon Tester voted for the death tax. [image: still of JT] [words on screen: 'Jon Tester Voted For The Death Tax,' 'CQ Vote #129, 3/23/07']

TS: He's voting for his party, not for Montanans. [image: Turk talking in his barn; flashes to three men on horses and dog on the range]

TS: We need somebody new. [image: Turk talking in the barn; pans to Turk on a horse]

JON TESTER: PROTECTING FAMILY FARMS AND RANCHES

TESTER HELPED PASS ESTATE TAX EXEMPTION FOR WORKING FARMS AND RANCHES

Tester: “The Last Thing Montana Farmers And Ranchers Need Is Another Avoidable Hurdle” Like Estate Tax Hike. In July 2012, the Billings Gazette reported: “U.S. Sens. Jon Tester, D-Mont, Clair McCaskill, D-Mo, and Mark Pryor, D-Ark, introduced a bill Friday to extend the current estate tax break through Dec. 31, 2013. For a decade, the tax on estates passed on by individuals to family members has been capped at 35 percent with the estate’s first \$5 million in value — or \$10 million for married couples — going tax-free. Currently, those terms are set to expire Dec. 31 along with other tax cuts enacted under George Bush in 2001 and 2003. The top tax rate would jump to 55 percent without an extension. ‘Congress needs to pass this bill, because the last thing Montana farmers and ranchers need is another avoidable hurdle to jump over as we deal with record drought,’ Tester said in a prepared statement.” [Billings Gazette, [7/27/12](#)]

Tester Introduced Legislation That Would Keep The Estate Tax At Current Level and Protect Family Farms and Ranches. In September 2012, the National Journal reported: “When the Democratic bill was debated in July, three concerned Democrats—Sens. Jon Tester of Montana, Claire McCaskill of Missouri, and Mark Pryor of Arkansas—strove to inoculate themselves by introducing their own legislation, which would keep the estate tax at its current level. This allowed Tester and McCaskill, who are locked in tough reelection battles, to vote for the Democratic tax bill and still be for a reduced estate tax as they faced the voters this year.” [National Journal, [9/11/12](#)]

- **Tester Sponsored A Bill To Extend The Estate Tax Breaks.** In August 2012, the Havre Daily News reported: “But shortly after the Senate vote last week, Tester joined Sens. Claire McCaskil D-Mo., and Mark Pryor, D-Ark.,

in sponsoring a bill to extend the estate tax breaks.” [[Havre Daily News, 8/3/12](#)]

- **Tester Introduced Bill To Extend The Current Estate Tax Levels That Protect Family Farms and Ranches.** In July 2012, [The Hill](#) reported: “A group of Democratic senators in tough reelection races introduced a bill extending the current estate tax levels for another year. Sens. Claire McCaskill (Mo.), Mark Pryor (Ark.) and Jon Tester (Mont.) introduced the legislation Wednesday — the same day they voted for the Democrats’ tax plan to raise taxes on annual income of more than \$250,000.” [[The Hill, 7/26/12](#)]

Tester to Extend Bush-Era Tax Cuts, Cut Estate Tax Rate to Current Rate That Protects Family Farms and Ranches. In December 2010, Senator Tester voted for a Reid, D-Nev., motion to concur in the House amendment to the Senate amendment with a further Reid and McConnell, R-Ky., substitute amendment no. 4753 that would extend the 2001- and 2003-enacted tax cuts for all taxpayers for two years, as well as revive the lapsed estate tax at a 35 percent rate on estates worth more than \$5 million. It also would continue expended unemployment insurance benefits for 13 months. [CQ; Vote 276, [12/15/10](#)]

- **Under Bill Tester Voted For, "Almost No One Will Have To Worry About Paying The Estate Tax."** In December 2010, the [New York Times](#) reported: "Almost no one will have to worry about paying the estate tax under the tax legislation just approved by Congress. By one estimate, from Alan Rothschild, the chairman of the American Bar Association’s real property, trust and estate law section, less than one-half of 1 percent of people who die in 2011 will be hit by the estate tax. In contrast, 10.5 percent paid the estate tax in 1977." [[New York Times, 12/17/10](#)]

Tester Voted In Favor Of An Estate Tax Cut. In April 2009, the [New York Times](#) reported: “In addition to Ms. Lincoln, other Democratic senators voting for the estate tax cut were Max Baucus and Jon Tester of Montana, Evan Bayh of Indiana, Maria Cantwell and Patty Murray of Washington, Mary Landrieu of Louisiana, Ben Nelson of Nebraska, Bill Nelson of Florida and Mark Pryor of Arkansas.” [[New York Times, 4/8/09](#)]

Tester Voted to Create Reserve Fund Allowing for Impact of Legislation To Set Estate Tax Exemption at \$5 Million, Rate at 35 Percent. In March 2007, Senator Tester voted for an amendment that would create a reserve fund to allow for the impact of any legislation to set the estate tax exemption rate at \$5 million per estate and reduce the top estate tax rate to 35 percent from 45 percent, with a 5 percent surcharge on large estates. [CQ; Vote 101, [3/23/07](#)]

Tester Voted For Conferees To Insist FY 2008 Budget Conference Report Allowed for Reduction of the Estate Tax Rate to 35 Percent. In May 2007, Senator Tester voted for a motion to instruct conferees to insist that the conference report adjust the budget resolution to allow for the reduction of the estate tax top marginal rate to 35 percent and an exemption that would shield small estates from having to file estate tax returns. [CQ; Vote 159, [5/9/07](#)]

Tester Voted To Allow Up To \$45 Billion For Estate Tax Relief Over Six Years. In March 2008, Senator Tester voted for an amendment no. 4196 that would adjust the resolution to allow up to \$45 billion for estate tax relief over six years, providing it does not increase the deficit. [CQ; Vote 49, [3/13/08](#)]

Tester Voted to Set Estate Tax Rate At 35 Percent and Estate Tax Exemption at \$5 Million, Closed Offshore Tax Loopholes. In March 2008, Senator Tester voted for an amendment no. 4378 that would adjust the resolution to allow for the estate tax rate to be set at 35 percent and the exemption amount at \$5 million. It would be offset by closing tax loopholes that allow offshore deferral of compensation and transactions entered into solely for the purpose of avoiding taxation. [CQ; Vote 76, [3/13/08](#)]

Tester Voted For FY 2010 Budget Resolution Allowing For Legislation To Establish An Estate Tax Exemption Level Of \$5 Million and Estate Tax Rate of 35 Percent. In April 2009, Senator Tester voted for a Lincoln, D-Ark., amendment no. 873 that would allow a deficit-neutral increase in the discretionary spending cap to pay for the impact of any legislation that would establish an estate tax exemption level of \$5 million, indexed for inflation, a maximum estate tax rate of 35 percent, a reunification of the estate and gift credits, and portability of exemption between spouses. [CQ; Vote 146, [4/2/09](#)]

Tester Voted To Proceed to Set Estate Tax Rate at 35% on Estates Worth More Than \$5 Million.. In December 2010, Senator Tester voted for a motion to invoke cloture (thus limiting debate) on the Reid, D-Nev., motion to concur in the House amendment to the Senate amendment with a further Reid and McConnell, R-Ky., substitute amendment, no. 4753, that would extend the 2001- and 2003-enacted tax cuts for all taxpayers for two years, as well as reinstitute estate tax at a 35 percent rate on estates worth more than \$5 million. It also would extend unemployment insurance benefits for 13 months. [CQ; Vote 272, [12/13/10](#)]

Tester Voted To Set Estate Tax Rate at 35% on Estates Worth More Than \$5 Million. In December 2010, Senator Tester voted for a Reid, D-Nev., motion to concur in the House amendment to the Senate amendment with a further Reid and McConnell, R-Ky., substitute amendment no. 4753 that would extend the 2001- and 2003-enacted tax cuts for all taxpayers for two years, and set the estate tax at a 35 percent rate on estates worth more than \$5 million. It also would continue expended unemployment insurance benefits for 13 months. [CQ; Vote 276, [12/15/10](#)]

Tester Co-Sponsored Bill To Extend 35% Estate Tax Levels. In July 2012, Tester co-sponsored a McCaskill, D-Mo., bill that would extend for an additional year the estate, gift, and generation-skipping transfer provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001. [S. 3440, co-sponsored on 7/25/12]

REHBERG VOTED TO ALLOW HARMFUL ESTATE TAX ON MONTANA FAMILY FARMS AND RANCHES

Rehberg Voted Against Cutting Estate Tax to Current Rate. In 2010, Rehberg voted against extending the 2001 and 2003 tax cuts for all taxpayers for two years and set the estate tax at 35 percent on estates worth more than \$5 million for two years. The measure also extended unemployment insurance benefits for 13 months and cut the employee portion of the Social Security tax by 2 percentage points. The measure was seen as a compromise from both sides of the aisle as liberals did not want to extend tax cuts for upper income earners nor extend the estate tax, and conservatives were upset about an extension of benefits which were not offset. The final package was estimated to cost \$857 billion. According to CNN, extending the Bush tax cuts in the measure would cost \$544.3 billion. The bulk, \$463 billion, was for the extension of families making less than \$250,000. Approximately \$81.5 billion was attributable to the extension of cuts that applied to the highest income families. The bill passed, 277-148. [CQ Weekly, [1/03/11](#); CNN, [12/07/10](#); HR 4853, [Vote 647](#), 12/17/10]

- **HEADLINE – Estate Tax to Return in 2011, And It Could Hurt Ordinary Folks.** [USA Today, [7/23/2010](#)]
- **Without Congressional Action, Estate Tax Would Return to High Rates That Affect Regular People.** As reported by USA Today, “The federal estate tax is scheduled to return with a vengeance on Jan. 1, 2011, imposing a levy of up to 55% on estates valued at more than \$1 million. And the same congressional paralysis that allowed the tax to expire in 2010 could thwart efforts to pare it back, estate planning attorneys say.” [USA Today, [7/23/2010](#)]

Rehberg Voted AGAINST Eliminating Estate Tax. In March 2012, Rehberg voted against the Garrett, R-N.J., substitute amendment that would provide \$2.663 trillion in new budget authority for fiscal 2013, not including off-budget accounts. It would limit non-defense discretionary spending for fiscal 2013 to \$931 billion. It would assume a health care overhaul that would, beginning in 2023, transform Medicare into a health insurance program that provide premium subsidies to enrollees to help offset the cost of health insurance policies. It also would assume conversion of the federal share of Medicaid spending into a block grant to states that would be level-funded at \$267 billion per year for the next 10 years. *It would assume an overhaul of the tax code that would eliminate the estate tax*, allow taxpayers to switch to a system with two tax brackets and cut the corporate tax rate to 25 percent. [H Con Res 112, [Vote #149](#), 3/29/2012]

Rehberg Voted Against Increasing The Estate Tax Exemption. In June 2006, Rehberg voted against a motion that required instructions to include language that would increase the estate tax exemption to \$3 million for individuals and \$6 million for married couples in 2007 and \$3.5 million for individuals and \$7 million for married couples in 2009. [H.R. 5638, Vote #314, [6/22/06](#)]

Rehberg Voted Against Increasing The Estate Tax Exemption. In April 2005, Rehberg voted against an amendment

that would increase the estate tax exemption to \$3 million for individuals and \$6 million for married couples in 2006. In 2009, the exemption would increase to \$3.5 million for individuals and \$7 million for married couples. The substitute would freeze the maximum estate tax at the current rate of 47 percent and reinstate the 5 percent surtax on estates valued at more than \$10 million that was repealed under the 2001 tax law. [H.R. 8, Vote #101, [4/13/05](#)]

Rehberg Voted Against Making Sure The Estate Tax Rate Wouldn't Exceed 49%. In June 2003, Rehberg voted against an amendment that would cap the estate tax rate at 49% and exempt from the tax all estates under \$3 million. [H.R. 8, Vote #287, [6/18/03](#)]

Rehberg Voted To Sacrifice Social Security For The Estate Tax. In June 2002, Rehberg voted against a motion that would require instructions that the bill to permanently repeal the estate tax be reported back with language to add a new section that would provide that the bill's tax reductions are contingent on preserving Social Security. [H.R. 2143, Vote #218, [6/6/02](#)]

Rehberg Voted Against Requiring Estate Tax Relief In The Tax Cut Reconciliation Bill. In May 2001, Rehberg voted against a motion to instruct conferees to insist that the conference report not include phase-ins longer than five years, delayed effective dates, or sunsets. The conference report should include marriage penalty relief, estate tax relief, increasing the per-child tax credit, pension reform and permanent extension of the research tax credit. [H.R. 1836, Vote #146, [5/23/01](#)]

Rehberg Voted Against Estate Tax Relief For 99% Of All Farms And Two-Thirds Of All Others. In April 2001, Rehberg voted against a motion that would require instructions that to report the measure back with a substitute amendment that would include increasing the estate and gift tax exemption. The goal of the increase would be to exempt 99 percent of all farms and two-thirds of all others currently subject to the tax. [H.R. 8, Vote #83, [4/4/01](#)]

Rehberg Voted Against Increasing The Estate Tax Exemption Annually Over Ten Years. In April 2001, Rehberg voted against an amendment that would lower revenue by \$39.2 billion over 10 years. Beginning in 2002, the estate tax exemption would be increased from \$675,000 to \$2 million (\$4 million for married couples). The exemption would be raised \$100,000 annually until 2010, when it reaches a cap of \$2.5 million (\$5 million for couples). The amendment would retain current-law "step-up basis" provisions; repeal mileage limitations for tax-benefited conservation easements; repeal credit for estate taxes paid to a state and replace it with a deduction; and limit minority discounts used to calculate tax liability. [H.R. 8, Vote #82, [4/4/01](#)]

Narrator: The National
Republican Senatorial

**FACT: DENNIS REHBERG IS A CAREER POLITICIAN
REHBERG HAS SERVED IN WASHINGTON FOR 12 YEARS, FORGOTTEN WHO HE'S WORKING FOR**

PAID FOR BY MONTANANS FOR TESTER

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[words on screen: 'We Need Someone New', 'Jon Tester should not be forgiven. The National Republican Senatorial Committee is responsible for the content of this advertisement. Paid for by the National Republican Senatorial Committee and not authorized by any candidate or candidate's committee. www.NRSC.org']

Rehberg Has Served in Congress Since January 2001. Congressman Dennis Rehberg has served in Congress since January 2001. [CQ Member Profiles]

- **Rehberg Started Working in DC Politics in 1979.** Dennis Rehberg started working in politics in 1979 when he moved to Washington DC to work as a congressional aide for Rep. Ron Marlenee. Rehberg also worked on several campaigns. [CQ Member Profiles]
- **Rehberg Previously Served 6 Years as State Legislator.** Dennis Rehberg served 6 years in the Montana House of Representative from 1985 – 1991. [CQ Member Profiles]
- **Rehberg Previously Served 6 Years as Lieutenant Governor.** Dennis Rehberg served 6 years as Montana Lieutenant Governor from 1991 – 1997. [CQ Member Profiles.]
- **Rehberg Previously Ran for U.S. Senate in 1996.** Dennis Rehberg ran for U.S. Senate in 1996. [CQ Member Profiles]
- **Rehberg Was A Registered Lobbyist.** According to the Commissioner of Political Practices lobbying registration forms, Dennis Rehberg was a registered lobbyist for the Montana Association of Realtors starting in 1982. [Commissioner of Political Practices, [12/16/82](#)]