

FEDERAL ELECTION COMMISSION

In the matter of:

MUR_____

Georgians for Strong Families, Inc.

Charles Gantt, Treasurer, Georgians for Strong Families, Inc., in his official
capacity as treasurer and in his personal capacity

Georgians for Strong Families Action, Inc.

Nathan Parsons-Schwarz, Treasurer, Georgians for Strong Families Action, Inc. in his
official capacity as treasurer and in his personal capacity

Unknown Respondent(s)

COMPLAINT

1. This complaint concerns two known individuals and additional unknown persons who, through two corporations incorporated by the same third individual, appear to have violated the Federal Election Campaign Act ("FECA") by knowingly engaging in a scheme to shield from disclosure the true sources of at least \$160,000 in political contributions resulting in at least \$150,000 in independent political expenditures to influence the results of the 2022 Republican primary in Georgia's 14th congressional district during a hotly contested 2022 election season in that state.

2. Complainant Citizens for Responsibility and Ethics in Washington ("CREW") brings this complaint before the Federal Election Commission ("FEC" or "Commission") seeking an immediate investigation and enforcement action against Respondents Georgians for Strong Families, Inc., a federally registered political committee ("GFSF PAC"), GFSF PAC's Treasurer Charles Gantt, Georgians for Strong Families Action, Inc. ("GFSFA"), GFSFA's Treasurer Nathan Parsons-Schwarz, and any unknown persons who contributed to GFSF PAC in the name of GFSFA.

3. Bryan P. Tyson incorporated GFSF PAC and GFSFA during a two-week period in January 2022. GFSFA is ostensibly a tax-exempt social welfare organization, while GFSF PAC registered as a political committee with the FEC shortly after incorporation.

4. The same year they were incorporated, GFSF PAC received a total of \$160,000 in contributions, all of which came from one source: GFSFA. Days after receiving GFSFA's contribution, GFSF PAC spent \$150,000 on independent expenditures to influence the

Republican primary in Georgia's 14th congressional district.

5. The only publicly identifiable source of funding for GFSFA in 2022 was \$200,000 from American Unity Fund, Inc. ("AUF"), ostensibly a tax-exempt social welfare organization. The source of GSFA's other funding remains unknown.

6. GFSFA and AUF had overlapping leadership and management in 2022. GFSFA's board members included Tyler Deaton, who served as AUF's Senior Advisor, and Nathan Parsons-Schwarz, who served as AUF's Director of Operations. Mr. Parsons-Schwarz concurrently served as GFSFA's treasurer and AUF's custodian of records. Separately, Mr. Deaton and Mr. Parsons-Schwarz managed the political strategy firm Allegiance Strategies, LLC.

7. Based on the above and further detailed below, it appears GFSFA qualified as a political committee in 2022, its first year of existence, but violated the FECA by failing to register as one and failing to submit the mandatory reports required of political committees to the Commission. The FECA requires any organization making over \$1,000 in political contributions to other political committees in one year to register as a "political committee" with the Commission and disclose its donors. *See* 52 U.S.C. § 30101(4)(A). In 2022, GFSFA paid a total of \$182,000 to two federally registered political committees, GFSF PAC and Value in Electing Women PAC, amounting to 58.8% of GFSFA's overall spending that year. A total of 51.7% of GFSFA's overall spending that year went to GFSF PAC. Because GFSFA was formed in 2022, these percentages also reflect GFSFA's lifetime spending as of the end of calendar year 2022.

8. Alternatively, there is also reason to believe that GFSFA violated 52 U.S.C. § 30104(c) by using GFSF PAC as a conduit to make political expenditures in GFSF PAC's name, thereby hiding the true sources of these expenditures and the contributions that funded them. The FECA requires disclosures by any entity that makes over \$250 worth of independent expenditures in a calendar year. 52 U.S.C. § 30104(c)(1); *Citizens for Resp. & Ethics in Wash. v. Fed. Election Comm'n*, 316 F. Supp. 3d 349 (D.D.C. 2018), *aff'd*, 971 F.3d 340 (D.C. Cir. 2020). GFSFA was GFSF PAC's sole donor in 2022, contributing \$160,000 on May 5, 2022. GFSF PAC reported converting those funds into \$150,000 in independent expenditures within five days. There is no indication that GFSF PAC had any independent

control over the money contributed to it by GFSFA. Instead, there is reason to believe GFSFA made expenditures in the name of GFSF PAC with the effect and intention of shielding from public disclosure the true sources of at least \$150,000 in what were actually its own independent expenditures.

9. There is also reason to believe that unknown persons violated the FECA by making \$160,000 in contributions to GFSF PAC in the name of GFSFA, with the knowledge and acquiescence of GFSFA and GFSF PAC. The FECA and FEC regulations prohibit making a contribution in the name of another person, knowingly permitting one's name to be used to effect such a contribution, or knowingly accepting such a contribution. 52 U.S.C. § 30122. Both the overlap between GFSFA and GFSF PAC and the speed by which funds were passed through GFSFA to GFSF PAC provide reason to believe GFSFA was used as a conduit for a contribution to a political committee, in violation of the FECA.

10. As treasurers for their respective entities for the purposes of the FECA during the relevant period, Mr. Parsons-Schwarz and Mr. Gantt are liable in their professional and personal capacities for the violations above. On information and belief, their violations of the FECA were knowing and willful, or they recklessly failed to fulfill duties specifically imposed on treasurers by the FECA, or they have intentionally deprived themselves of the operative facts giving rise to the violation. The FEC should investigate these allegations and take appropriate action to enforce the FECA.

Complainants

11. Complainant CREW is a non-profit, non-partisan corporation organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the rights of citizens to be informed about the activities of government officials, ensuring the integrity of those officials, protecting our political system against corruption, and reducing the influence of money in politics.

12. In furtherance of its mission, CREW seeks to expose unethical and illegal conduct of those involved in government. One way that CREW does this is by educating citizens regarding the integrity of the electoral process and our system of government. Toward this end, CREW monitors the campaign finance activities of those who run for federal and state office and those who support or oppose such candidates and publicizes those who violate federal campaign

finance laws through its website, press releases, and other methods of distribution. CREW also files complaints with the FEC when it discovers violations of the FECA. Publicizing campaign finance violators and filing complaints with the FEC serve CREW's mission of keeping the public informed about individuals and entities that violate campaign finance laws and deterring future violations of campaign finance law.

13. In order to assess whether an individual, candidate, political committee, or other regulated entity is complying with federal campaign finance law, CREW needs the information contained in receipts and disbursements reports that political committees and others must file pursuant to the FECA, 52 U.S.C. §§ 30103, 30104; 11 C.F.R. §§ 104.1–22, 109.10. CREW is hindered in its programmatic activity when an individual, candidate, political committee, or other regulated entity fails to disclose or provides false information in reports required by the FECA.

14. CREW relies on the FEC's proper administration of the FECA's reporting requirements because the FECA-mandated disclosure reports are the only source of information CREW can use to determine if an individual, candidate, political committee, or other regulated entity is complying with the FECA. The proper administration of the FECA's reporting requirements includes mandating that all disclosure reports required by the FECA are properly and timely filed with the FEC. CREW is hindered in its programmatic activity when the FEC fails to properly administer the FECA's reporting requirements.

Respondents

15. GFSF PAC is a political committee incorporated in Georgia on January 5, 2022, by Bryan Tyson. *See* Ga. Sec'y of State, GFSF PAC Certificate and Articles of Incorporation (Jan. 6, 2022), *available at*

<https://ecorp.sos.ga.gov/BusinessSearch/DownloadFile?filingNo=22170814>

[<https://perma.cc/JJP6-2L3J>].

16. GFSF PAC registered with the FEC as a political committee on January 11, 2022. *See* GFSF PAC, Statement of Organization (original), FEC Form 1 (Jan. 11, 2022), *available at*

<https://docquery.fec.gov/pdf/509/202201119474954509/202201119474954509.pdf>

[<https://perma.cc/8QBS-SJUG>]. That registration noted that it is an independent expenditure-only political committee, commonly known as a super PAC. *Id.*

17. Charles Gantt is the treasurer of GFSF PAC. Gantt is named as a respondent in

both his official and personal capacities. *Id.*

18. GFSFA is a tax-exempt organization incorporated in Georgia on January 14, 2022, by Bryan Tyson. *See* Ga. Sec’y of State, GFSFA Certificate and Articles of Incorporation (Jan. 19, 2022), *available at* <https://www.documentcloud.org/documents/22084271-georgians-for-strong-families-action-ga-articles-of-incorporation> [<https://perma.cc/T4H2-SMB5>]. GFSFA is organized under section 501(c)(4) of the Internal Revenue Code and based in Marietta, Georgia. GFSFA, 2022 Form 990 (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990> [<https://perma.cc/9CJE-AADW>]. The organization had no employees in calendar year 2022 and three volunteer workers. *Id.*

19. As of the filing of this complaint, GFSFA is not a registered political committee.

20. Nathan Parsons-Schwarz is the secretary and treasurer of GFSFA. *Id.* Parsons-Schwarz is named as a respondent in both his official and personal capacities. Mr. Parsons-Schwarz is a partner and Executive Vice President of Allegiance Strategies and the Director of Operations for American Unity Fund. *See Our Team*, Allegiance Strategies, LLC, <https://www.allegiancestrategies.com/team> [<https://perma.cc/X6SD-CZPS>] (last visited Sept. 26, 2024); *Meet Our Team*, Am. Unity Fund, <https://www.americanunityfund.com/team-auf> [<https://perma.cc/VF9Z-9MAN>] (last visited Sept. 26, 2024).

21. Unknown Respondents are any unknown persons who are the true sources of contributions to GFSF PAC made in the name of GFSFA. The identity of such unknown persons are not ascertainable because GFSFA did not and has not disclosed its contributors as required by the FECA.

Factual allegations

22. According to GFSFA’s 2022 Form 990 tax return, filed under penalty of perjury, the organization spent a total of \$309,291 between January 14, 2022, and the end of its 2022 fiscal year on December 31, 2022, including \$182,000 in political expenditures accounting for 58.8% of its total spending that year. *See* GFSFA, 2022 Form 990, Part I, Line 8, 18; Schedule C, Part I-A, Line 2 (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS>

990 [<https://perma.cc/9CJE-AADW>].

23. GFSFA reported gifting, depositing, or distributing funds to Value in Electing Women PAC, a political committee registered with the FEC. *See* GFSFA, 2022 Form 990, Schedule C, Part I-C (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990ScheduleC> [<https://perma.cc/9CJE-AADW>]; Value in Electing Women PAC, Statement of Organization, FEC Form 1 (Apr. 23, 1997), *available at* <https://docquery.fec.gov/pdf/211/97031983211/97031983211.pdf> [<https://perma.cc/QN68-YM2Z>]. Specifically, GFSFA reported gifting, depositing, or distributing \$22,000 to Value in Electing Women PAC in 2022. *See* GFSFA, 2022 Form 990, Schedule C, Part I-C (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990ScheduleC> [<https://perma.cc/9CJE-AADW>].

24. Value in Electing Women PAC seemingly erroneously reported to the FEC that it received \$22,000 from GFSF PAC, rather than GFSFA. *See* Value in Electing Women PAC, FEC Form 3X, October Monthly Report, Schedule A (Oct. 20, 2022), *available at* <https://docquery.fec.gov/cgi-bin/fecimg/?202210209537674635> [<https://perma.cc/G324-7CLV>]. However, the GFSF PAC's own FEC filings do not reflect that it was the source of the contribution. Value in Electing Women PAC reported these transfers as contributions, indicating that it intended the disbursements to influence federal elections. *Id.*

25. Value in Electing Women PAC engaged in political activity influencing elections in the 2022 election cycle. *See* Value in Electing Women PAC, FEC Form 3X, Year End Report (Jan. 31, 2023), *available at* <https://docquery.fec.gov/pdf/681/202301319575338681/202301319575338681.pdf> [<https://perma.cc/F2GA-2BVE>].

26. GFSFA also reported gifting, depositing, or distributing funds to GFSF PAC, an independent expenditure-only political action committee, also known as a super PAC, registered with the FEC. GFSFA, 2022 Form 990, Schedule C, Part I-C, Line 5 (Nov. 15, 2024), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS>

990ScheduleC [<https://perma.cc/9CJE-AADW>]. Specifically, GFSFA reported gifting, depositing, or distributing \$160,000 to GFSF PAC in 2022. *Id.* GFSFA reported this gift, deposit, or disbursement as political campaign activity on Schedule C of its 2022 990. *Id.*

27. Though GFSF PAC successfully terminated its registration with the FEC in late 2023, it had been registered with the FEC as a super PAC since January 2022. *See* GFSF PAC, Statement of Organization (original), FEC Form 1 (Jan. 11, 2022), *available at* <https://docquery.fec.gov/pdf/509/202201119474954509/202201119474954509.pdf> [<https://perma.cc/8QBS-SJUG>]; FEC, Termination Approval (Sept. 14, 2023), *available at* <https://docquery.fec.gov/pdf/296/202309140300192296/202309140300192296.pdf> [<https://perma.cc/CN99-HQM9>].

28. GFSF PAC reported to the FEC that GFSFA's gifts, deposits, or distributions were "contributions"—that is, disbursements intended to influence federal elections. *See* GFSF PAC, FEC Form 3X, July Quarterly Report, Schedule A, Section A (July 12, 2022), *available at* <https://docquery.fec.gov/pdf/646/202207129518365646/202207129518365646.pdf> [<https://perma.cc/KJL5-DCEF>]. GFSFA was GFSF PAC's sole donor in 2022. *Id.* GFSF PAC reported receiving GFSFA's contribution on May 5, 2022. *Id.*

29. GFSF PAC immediately used the funds from GFSFA to engage in political activity to influence federal elections in the 2022 election cycle. One day after GFSFA's \$160,000 contribution, on May 6, 2022, GFSF PAC reported spending \$33,500 in independent expenditures to produce campaign advertisements and then spent an additional \$116,500 in independent expenditures four days later on May 10, 2022, to air those advertisements to influence the Republican primary in Georgia's 14th congressional district opposing Rep. Marjorie Taylor Greene (R-GA) by supporting Jennifer Strahan. *Id.*, Schedule E, *available at* <https://docquery.fec.gov/pdf/646/202207129518365646/202207129518365646.pdf> [<https://perma.cc/KJL5-DCEF>]. In total, GFSF PAC reported spending \$150,000 on independent expenditures. *Id.*

30. In addition, GFSFA and GFSF PAC have other notable connections. Both entities were incorporated by the same individual, Bryan Tyson. Tyson incorporated GFSF PAC on January 5, 2022. *See* Ga. Sec'y of State, GFSF PAC Certificate and Articles of Incorporation (Jan. 6, 2022), *available at*

<https://ecorp.sos.ga.gov/BusinessSearch/DownloadFile?filingNo=22170814>
[<https://perma.cc/JJP6-2L3J>]. GFSF PAC registered with the FEC on January 11, 2022. *See* GFSF PAC, Statement of Organization (original), FEC Form 1 (Jan. 11, 2022), *available at* <https://docquery.fec.gov/pdf/509/202201119474954509/202201119474954509.pdf>
[<https://perma.cc/8QBS-SJUG>]. Three days later, on January 14, 2022, he incorporated GFSFA. *See* Ga. Sec’y of State, GFSFA Certificate and Articles of Incorporation (Jan. 19, 2022), *available at* <https://www.documentcloud.org/documents/22084271-georgians-for-strong-families-action-ga-articles-of-incorporation> [<https://perma.cc/T4H2-SMB5>].

31. GFSFA reported a total of \$309,291 in expenses in 2022. GFSFA, 2022 Form 990, Part I, Line 18 (Nov. 15, 2022), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990> [<https://perma.cc/9CJE-AADW>]. Other than the disbursements to political committees discussed above, GFSFA reported \$15,000 in fundraising expenses, \$111,828 in fees for services by non-employees including a “digital and social media communications program,” \$383 for insurance, and \$80 in bank charges. *Id.* at Part IX; Part III, Line 4a.

32. GFSFA reported receiving \$360,000 in revenue in 2022. *Id.* at Part I, Line 8. GFSFA’s only known donor in 2022 was American Unity Fund Inc. (“AUF”), a section 501(c)(4) organization “dedicated to engaging Republican supporters & officeholders in advancing the freedom of LGBTQ Americans.” AUF, 2022 Form 990, Part I, Line 1 (Nov. 14, 2022), *available at* <https://projects.propublica.org/nonprofits/organizations/461707548/202343189349318819/IRS990> [<https://perma.cc/8QHJ-FC7F>] (quotation modified from all uppercase to sentence case). AUF reported giving GFSFA \$200,000 in 2022. AUF, 2022 Form 990, Schedule I, Part II (Nov. 14, 2024), *available at* <https://projects.propublica.org/nonprofits/organizations/461707548/202343189349318819/IRS990ScheduleI> [<https://perma.cc/8QHJ-FC7F>]. AUF reported on its 2022 tax return that it “obtains grant agreements from grantees limiting the use of the funds to social welfare purposes,” and “if the grantee makes subsequent grants to certain organizations, the grantee will obtain a similar agreement limiting the use of those funds.” *Id.* at Part IV, Line 2

(quotations modified from all uppercase to sentence case). Despite this assertion, GFSFA reported distributing \$182,000 to federally registered political committees, and GFSFA's other donor or donors provided no more than \$160,000, suggesting that at least some of AUF's funds were converted into federal contributions.

33. AUF has ties to GFSFA beyond the contribution. Two of GFSFA's board members—Nathan Parsons-Schwarz, the organization's Treasurer/Secretary, and Tyler Deaton—are listed on AUF's website as part of its "team." GFSFA, 2022 Form 990, Part VII (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990> [<https://perma.cc/9CJE-AADW>]. AUF's website describes Mr. Deaton as a "senior advisor" and Mr. Parsons-Schwarz as its "director of operations." *Meet Our Team*, Am. Unity Fund, <https://www.americanunityfund.com/team-auf> [<https://perma.cc/VF9Z-9MAN>] (last visited Sept. 26, 2024). Parsons-Schwarz is also listed on American Unity Fund's IRS Form 990 as the person who possesses the organization's books and records. AUF, 2022 Form 990, Part VI, Line 20 (Nov. 14, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/461707548/202343189349318819/IRS990> [<https://perma.cc/8QHJ-FC7F>].

34. Separately, Mr. Deaton and Mr. Parsons-Schwarz also work together at Allegiance Strategies, LLC, where Deaton is president and Parsons-Schwarz is executive vice president. *Our Team*, Allegiance Strategies, LLC, <https://www.allegiancestrategies.com/team> [<https://perma.cc/X6SD-CZPS>] (last visited Sept. 26, 2024). Per their website, Allegiance Strategies provides political strategy services. Allegiance Strategies, LLC, Home Page, <https://www.allegiancestrategies.com/> [<https://perma.cc/ZEZ9-ZB4J>] (last visited Sept. 26, 2024).

Count I **GFSFA's Failure to Register as a Political Committee**

35. GFSFA was a political committee in 2022 and continues to be one, but failed and continues to fail to register as one with the FEC.

36. The FECA and FEC regulations define a "political committee" as "any committee,

club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes expenditures aggregating in excess of \$1,000 during a calendar year.” 52 U.S.C. § 30101(4)(A); 11 C.F.R. § 100.5(a). An “expenditure” includes “any . . . payment, distribution, . . . deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(9)(A)(i); 11 C.F.R. § 100.111(a). A “contribution” includes “any gift . . . or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A)(i); 11 C.F.R. § 100.52(a).

37. The Commission has previously concluded that organizations could trigger the \$1,000 expenditure threshold by making contributions to other political committees. *See* FEC Advisory Op. 1996-18 (Int’l Ass’n of Fire Fighters) (finding that a conduit organization that accepted funds from individual donors and then exercised control over the funds by contributing the funds to political committees would itself become a political committee because these contributions are appropriately considered “expenditures”).

38. In 2022, GFSFA made expenditures aggregating in excess of \$1,000 and accepted contributions in excess of \$1,000.

39. In 2022, GFSFA gifted, deposited, or distributed a total of \$182,000 to two federally registered political committees, GFSF PAC and Value in Electing Women PAC. Political committees registered with the FEC and their expenditures are, “by definition, campaign related.” *Buckley v. Valeo*, 424 U.S. 1, 79 (1976). Further, GFSF PAC reported the transfers from GFSFA as “contributions,” meaning they were provided “for the purpose of influencing [an] election for Federal office,” 52 U.S.C. § 30101(8)(A)(i); 11 C.F.R. § 100.52(a). GFSFA’s gifts, deposits, or distributions to GFSF PAC and Value in Electing Women PAC were transfers made for the purpose of influencing an election for federal office, and therefore qualify as expenditures under the FECA.

40. Alternatively, if GFSFA used GFSF PAC as a passthrough to make an independent expenditure that the law requires to be attributed to and reported as having been made by GFSFA, *see infra* Count II, then GFSFA would have made \$150,000 in independent expenditures in 2022. Independent expenditures qualify as expenditures for purposes of satisfying the FECA’s test for political committee status. *See Citizens for Resp. & Ethics in*

Wash. v. Fed. Election Comm’n, 209 F. Supp. 3d 77, 83-84 (D.D.C. 2016).

41. In order to finance its expenditures, GFSFA also accepted contributions in excess of \$1,000 in 2022. *See* GFSFA, 2022 Form 990, Part I, Line 8 (Nov. 15, 2023), *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990> [<https://perma.cc/9CJE-AADW>]. The speed with which GFSFA converted contributions to it into contributions to GFSF PAC and other political committees, the close association between GFSFA and GFSF PAC, the apparent lack of meaningful reported activity unrelated to making contributions, and the lack of any record of non-election-related activity by GFSFA prior to the contributions provide reason to believe the purpose of the transfers to GFSFA was to influence federal elections.

42. Entities whose “major purpose” is the nomination or election of federal candidates can be “political committees.” *Buckley*, 424 U.S. at 79. The FEC conducts a fact-intensive, case-by-case analysis of an organization to determine if its major purpose is the nomination or election of federal candidates. Political Committee Status, 72 Fed. Reg. 5595-02, 5601 (Feb. 7, 2007) (to be codified at 11 C.F.R. pt. 100) (“Supplemental E&J”). An organization can exhibit a qualifying major purpose through its organizational planning documents, *id.* at 5605, or through sufficiently extensive spending on federal campaign activity. *See Fed. Election Comm’n v. Mass. Citizens for Life, Inc.*, 479 U.S. 238, 262 (1986); Supplemental E&J, 72 Fed. Reg. at 5601. Independent expenditures, electioneering communications, and gifts, deposits, or distributions to political committees are qualifying federal campaign activity. Further, under the FECA, an organization’s political committee status is determined by viewing the activities and spending of the organization in the relevant “calendar year.” 52 U.S.C. § 30101(4)(A). Accordingly, an organization’s major purpose must be evaluated on the same time frame. It is not proper to determine major purpose by looking at the lifetime activities of the organization, as the purpose of an organization can change over time. *See Citizens for Resp. & Ethics in Wash. v. Fed. Election Comm’n*, 209 F. Supp. at 94.

43. Gifts, deposits, or distributions with federally registered PACs and Super PACs amounted to 58.8% of GFSFA’s spending in 2022, with 51.7% of GFSFA’s spending going to one super PAC, GFSF PAC. This spending is sufficiently “extensive” to conclude the

organization's major purpose was to elect or nominate federal candidates. Supplemental E&J, 72 Fed. Reg. at 5605 (noting a group devoting at least "50-75%" of spending to campaign activity in a calendar year qualified as a political committee).

44. Additionally, because GFSFA was just created in January 2022, GFSFA's lifetime gifts, deposits, or distributions to federally registered PACs amounted to 58.8% of GFSFA's spending.

45. GFSFA met both the statutory and major purpose tests for political committee status in 2022. Accordingly, GFSFA became a political committee in 2022.

46. FECA and FEC regulations require all political committees to register with the FEC within 10 days of becoming a political committee. 52 U.S.C. § 30103(a); 11 C.F.R. § 102.1(d).

47. GFSFA is not, and has never been, registered, and continues to fail to register, as a political committee with the FEC.

48. GFSFA has not terminated its political committee status with the FEC.

49. By failing and continuing to fail to register as a political committee, GFSFA violated and continues to violate 52 U.S.C. § 30103(a) and 11 C.F.R. § 102.1(d).

50. If this violation was knowing and willful, it is subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Count II **GFSFA's Failure to File Mandatory Reports with the Commission**

51. As a political committee, GFSFA was and is required to file periodic reports with the FEC that, among other things: (1) identify all individuals who contributed an aggregate of more than \$200 in a year to GFSFA, the amount each individual contributed, and the date of the contribution; (2) identify all political committees that made a contribution to GFSFA, the amount each committee contributed, and the date of the contribution; (3) detail GFSFA's outstanding debts and obligations; and (4) list all of GFSFA's expenditures. 52 U.S.C. § 30104(a)(4), (b); 11 C.F.R. §§ 104.1(a), 104.8.

52. A political committee is also under a continuous obligation to report any

information the committee was previously required to report, but which it did not. *Filing Amendments*, Fed. Election Comm’n, <https://www.fec.gov/help-candidates-and-committees/filing-amendments/> [<https://perma.cc/7SXX-CVBU>] (last visited Sept. 27, 2024) (“The committee must file an amended report if it: [d]iscovers that an earlier report contained erroneous information[, or d]oes not obtain all the required information concerning a particular transaction”); *see also* FEC Advisory Op. 1999-33 at 3 (MediaOne PAC) (Jan. 28, 2000) (political committee “must amend” prior erroneous reports that omitted contributor information).

53. GFSFA became a political committee by May 5, 2022, and no later than September 15, 2022. GFSFA has not terminated its political committee status with the FEC.

54. Accordingly, starting in 2022 and continuing through today and into the future, the FECA obligated and continues to obligate GFSFA to file the required disclosure reports.

55. GFSFA failed to file any of these reports with the FEC and continues to fail to file these reports with the FEC. By failing and continuing to fail to file these reports, GFSFA violated and continues to violate 52 U.S.C. § 30104(a)(4), (b) and 11 C.F.R. §§ 104.1(a), 104.8.

56. If this violation was knowing and willful, it is subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Count III **GFSFA’s Failure to Report Its Own Independent Expenditures**

57. There is reason to believe GFSF PAC served as a conduit for GFSFA’s own independent expenditures, that GFSFA is responsible for these independent expenditures, and that the GFSFA failed to disclose its contributors to the FEC in violation of 52 U.S.C. § 30104(c) and 11 C.F.R. § 109.10.

58. The FECA imposes disclosure obligations on any entity that makes over \$250 worth of independent expenditures in a calendar year. 52 U.S.C. § 30104(c). Such entities must provide information about at least some of the contributions they receive. First, they must “identif[y] each . . . person . . . who makes a contribution to the reporting committee

during the reporting period, whose contribution or contributions have an aggregate amount or value in excess of \$200 within the calendar year . . . together with the date and amount of any such contribution.” *Id.* §§ 30104(c)(1), 30104(b)(3)(A). Second, such entities must disclose “each person who made a contribution in excess of \$200 . . . for the purpose of furthering an independent expenditure.” *Id.* § 30104(c)(2)(C); *Citizens for Resp. & Ethics in Wash. v. Fed. Election Comm’n*, 316 F. Supp. 3d 349 (D.D.C. 2018), *aff’d*, 971 F.3d 340 (D.C. Cir. 2020).

59. In contrast to making an expenditure, FEC regulations provide that one makes a contribution “when the contributor relinquishes control over the contribution.” 11 C.F.R. § 110.1(b)(6); *see also* 52 U.S.C. § 30116(a)(8) (“[C]ontributions which are in any way earmarked or otherwise directed through an intermediary or conduit to [a] candidate, shall be treated as contributions from such person to such candidate.”). Consequently, if a contributor does not relinquish control, but rather exercises control over the ultimate expenditure or provides the funds with directions on its eventual expenditure, the contributor has not made a contribution, but has rather made the expenditure. *Cf. United States v. O’Donnell*, 608 F. 3d 546, 550, 554 (9th Cir. 2010) (“To identify the individual who has made the [transaction], we must look past the intermediary’s essentially ministerial role to the substance of the transaction” and “it is implausible that Congress, in seeking to promote transparency, would have understood the relevant [actor to be reported] to be the intermediary who merely transmitted the [funds]”); 11 C.F.R. § 110.11(c)(4)(i) (requiring, as identification of who made the independent expenditure, a disclaimer identifying who “is responsible for the content of this advertising”); *cf. also* FEC Advisory Op. 2008-10 (Votervoter.com) (Oct. 24, 2008) (finding intermediary company that causes independent expenditure to air nonetheless does not “mak[e]” the ad where it did not exercise control over the ad).

60. GFSFA was GFSF PAC’s sole donor in 2022. Within one day of GFSFA’s disbursement to GFSF PAC, GFSF PAC used GFSFA’s funds to create an independent expenditure. Within four days of GFSFA’s donation, GFSF PAC had expended nearly the entirety of the sum it received from GFSFA to air that independent expenditure. The speed within which the funds passed through GFSF PAC gives rise to a reason to believe GFSF PAC acted as a mere conduit. *See* Factual and Legal Analysis at 11, MUR 7464 (LZP, LLC),

(June 10, 2021) (analysis adopted 6-0 by Commission providing “temporal proximity” of transactions, there two days, supported reason to believe entity was a conduit). GFSF PAC terminated itself in 2023 shortly after making these independent expenditures, and had no significant other expenses. *See* GFSF PAC, FEC Form 3X, Termination Report, Line 7, 21, 23 (Sept. 12, 2023) , *available at* <https://docquery.fec.gov/pdf/481/202309129597025481/202309129597025481.pdf> [<https://perma.cc/FVN4-F68F>] (reporting only \$7,450 in expenses, including \$3,500 to compliance firm paid in connection with 2022 IEs, and a \$3,950 contribution to Value in Electing Women PAC).

61. There is no indication that GFSF PAC had any independent control over the money contributed to it. Instead, there is reason to believe GFSF PAC was created to serve as a vehicle to shield GFSFA’s donors from public disclosure. The names of both organizations are nearly identical. The same person incorporated them within two weeks of each other and, within a few months of their creation, their transactions amounted to the near entirety of GFSF PAC’s activities and at least a majority of GFSFA’s. GFSF PAC, moreover, shares personnel with AUF, GFSFA’s only known donor.

62. Because GFSF PAC’s expenditures appear to have been made at the direction of GFSFA, GFSFA was the entity that “made” the independent expenditures. As such, it was obligated to file an independent expenditure report with the Commission and disclose its contributors as provided by the FECA.

63. By failing to report its independent expenditure and disclose the contributions it received to the Commission, GFSFA violated 52 U.S.C. § 30104(c).

64. Alternatively, GFSF PAC’s expenditures, once correctly attributed to GFSFA, required GFSFA to register as a political committee and to file and report the disbursements and receipts because the independent expenditures would qualify GFSFA as a political committee. GFSFA has not registered with or made disclosures to the FEC.

65. Paragraph 40 is incorporated here by reference.

66. In 2022, political expenditures by GFSFA in the name of GFSF PAC alone amounted to \$150,000, or over 48.5% of GFSFA’s 2022 spending. When combined with the \$22,000 GFSFA gifted, deposited, or distributed to Value in Electing Women PAC, GFSFA’s

expenditures to nominate or elect federal candidates constitute at least 55.6% of its 2022 spending.

67. Thus, by virtue of being the true source of GFSF PAC's expenditures, GFSFA met both the statutory and major purpose tests for political committee status in 2022 and became a political committee in 2022. GFSFA has not registered with the FEC or terminated its political committee status. Accordingly, GFSFA violated and continues to violate 52 U.S.C. §§ 30103, 30104(a)(4), (b) and 11 C.F.R. §§ 102.1(d), 104.1(a), 104.8.

68. If this violation was knowing and willful, it is subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Count IV

Unknown Respondent(s) Contribution to GFSF PAC in the Name of GFSFA

69. Alternatively, the available information indicates unknown persons made a \$160,000 contribution to GFSF PAC in the name of GFSFA in violation of 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b).

70. The FECA and FEC regulations prohibit making a contribution in the name of another person and knowingly permitting one's name to be used to effect a contribution in the name of another person. 52 U.S.C. § 30122; 11 C.F.R. § 110.4(b).

71. Bryan P. Tyson incorporated GFSF PAC on January 5, 2022. *See* Ga. Sec'y of State, GFSF PAC Certificate and Articles of Incorporation (Jan. 6, 2022), *available at* <https://ecorp.sos.ga.gov/BusinessSearch/DownloadFile?filingNo=22170814> [<https://perma.cc/JJP6-2L3J>]. Just eight days later, Mr. Tyson incorporated GFSFA on January 14. *See* Ga. Sec'y of State, GFSFA Certificate and Articles of Incorporation (Jan. 19, 2022), *available at* <https://www.documentcloud.org/documents/22084271-georgians-for-strong-families-action-ga-articles-of-incorporation> [<https://perma.cc/T4H2-SMB5>].

72. GFSFA is controlled by employees of its only known donor, AUF. Two of GFSFA's three Board members, including Mr. Parsons-Schwarz, GFSFA's treasurer, are employed by AUF. Parsons-Schwarz also keeps AUF's books and records. AUF, 2022 Form

990, Part VI, Line 20 (Nov. 14, 2022), *available at* <https://projects.propublica.org/nonprofits/organizations/461707548/202343189349318819/IRS990> [<https://perma.cc/8QHJ-FC7F>]. Separately, Mr. Parsons-Schwarz and another GFSFA Board member, Mr. Deaton, are colleagues at Allegiance Strategies, LLC, where Deaton is president and Parsons-Schwarz is executive vice president. *Our Team*, Allegiance Strategies, LLC, <https://www.allegiancestrategies.com/team> [<https://perma.cc/X6SD-CZPS>] (last visited Sept. 30, 2024). Allegiance Strategies provides political strategy services. Allegiance Strategies, LLC, Home Page, <https://www.allegiancestrategies.com/> [<https://perma.cc/ZEZ9-ZB4J>] (last visited Sept. 30, 2024).

73. At some point in 2022, GFSFA received a total of \$360,000, consisting of \$200,000 from AUF and \$160,000 from an unknown source.

74. On May 5, 2022, a few months after its creation, GFSFA contributed \$160,000 to GFSF PAC. GFSFA was GFSF PAC's sole funder in 2022.

75. Within days, GFSF PAC engaged in political activity by spending \$150,000 on independent expenditures in the Republican primary in Georgia's 14th congressional district. *See supra* ¶ 33.

76. GFSFA's only other reported substantial activity is gifting, depositing, or distributing \$22,000 to Value in Electing Women PAC. Other than its transfers to political committees, GFSFA's only other reported expenses were \$15,000 in fundraising expenses, \$111,828 in fees for non-disclosed services by non-employees, \$383 for insurance, and \$80 in bank charges. *See supra* ¶ 27.

77. There is reason to believe Unknown Respondents(s) who funded GFSFA intended for GFSFA to serve as a conduit for contributions that they understood would ultimately be deposited with GFSF PAC, a federally registered political committee.

78. Accordingly, there is reason to believe that Unknown Respondent(s) who contributed to the GFSF PAC in the name of GFSFA violated 52 U.S.C. § 30122 by making contributions in the name of another.

79. Additionally, there is reason to believe GFSFA violated 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b) when it knowingly permitted its name to be used to effect a \$160,000 contribution by AUF and unknown person(s) to GFSF PAC in its own name. GFSFA's primary

activity in 2022 was to accept and pass-on funds to GFSF PAC. Further, the overlap in persons associated with GFSFA, GFSF PAC, and AUF, the nearly identical names of GFSFA and GFSF PAC, and the temporal proximity of the two entities' creation provides reason to believe GFSFA knew it was serving as a conduit for funds ultimately destined for GFSF PAC.

80. Additionally, there is reason to believe GFSF PAC violated 52 U.S.C. §§ 30104(a)(4), (b), 30122 and 11 C.F.R. §§ 104.1(a), 104.8 when it knowingly accepted a contribution in the name of another and failed to report the true sources of contributions it attributed to GFSFA. The funds received from GFSFA constituted the entirety of the funds GFSF PAC accepted, underscoring the importance of the funds to GFSF PAC and the likelihood GFSF PAC would seek to understand the true source of the funds. Further, the temporal proximity between GFSFA's creation and its transfer to GFSF PAC would lead one to know GFSFA was acting as conduit. Further, the overlap in persons associated with GFSFA, GFSF PAC, and AUF, the nearly identical names of GFSFA and GFSF PAC, and the temporal proximity of the two entities' creation provides reason to believe GFSF PAC knew it accepting funds in the name of another when it received and attributed the contributions to GFSFA.

81. If these violations were knowing and willful, they are subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Count V

Mr. Parsons-Schwarz's Failure to Register and Report on behalf of GFSFA

82. Since its incorporation on January 14, 2022, GFSFA has listed Nathan Parsons-Schwarz as its treasurer, secretary, and board member. *See* GFSFA, 2022 Form 990, Part VII, *available at* <https://projects.propublica.org/nonprofits/organizations/874545187/202333199349310738/IRS990> [<https://perma.cc/9CJE-AADW>].

83. As the treasurer and secretary of GFSFA since 2022, Mr. Parsons-Schwarz has the authority and responsibility at GFSFA to sign filings with government agencies on behalf of GFSFA. *Id.*

84. As alleged above and incorporated herein, GFSFA qualified as a political

committee no later than 2022 and has not terminated that status.

85. For the purposes of the FECA, therefore, Mr. Parsons-Schwarz was, is, and continues to be treasurer of GFSFA since 2022. *See* 52 U.S.C. § 30102(a), (c).

86. Under the FECA, treasurers of political committees like GFSFA are responsible for registering them with the FEC and filing disclosure reports as required. 52 U.S.C. § 30104(a); *Treasurer's liability*, Fed. Election Comm'n (Aug. 11, 2011), <https://www.fec.gov/updates/treasurers-liability/> [<https://perma.cc/8WBP-7GJX>].

87. A political committee treasurer is personally liable for a failure by the political committee to file required reports. *Id.*; Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3, 5 (Jan. 3, 2005) (to be codified at 11 C.F.R. pt. 111).

88. Mr. Parsons-Schwarz is or should be aware of his responsibilities as treasurer and the possibility of personal liability for his failures to carry out his duties. He has served as treasurer to at least two political committees registered with the FEC, both before he served as treasurer to GFSFA. *See Committees*, Fed. Election Comm'n, https://www.fec.gov/data/committees/?treasurer_name=Parsons-Schwarz [<https://perma.cc/KL7S-82KJ>] (last visited Sept. 30, 2024) (searching for Parsons-Schwarz as treasurer).

89. By failing to cause GFSFA to register with the FEC, Mr. Parsons-Schwarz personally violated and continues to violate 52 U.S.C. § 30103(a) and 11 C.F.R. § 102.1(d).

90. By failing to cause GFSFA to file disclosure reports as required by the FECA, Mr. Parsons-Schwarz personally violated and continues to violate 52 U.S.C. § 30104(a)(4), (b) and 11 C.F.R. §§ 104.1(a), 104.8.

91. Alternatively, by failing to cause GFSFA to disclose its donors to the Commission, Mr. Parsons-Schwarz personally violated 52 U.S.C. § 30104(c).

92. Given the nature of the allegations here, with two closely related entities, incorporated by the same person during a narrow time window the same year they received the funds at issue, the speed by which funds were passed to GFSF PAC through GFSFA (the PAC's sole donor), and the speed at which these funds were spent on political expenditures to influence the results of a hotly contested primary, there is reason to believe GFSFA's treasurer was aware of the scheme to shield from disclosure the true sources of the political

contributions here.

93. On information and belief, Mr. Parsons-Schwarz's violations of the FECA were knowing and willful, or he recklessly failed to fulfill duties specifically imposed on treasurers by the Act, or he has intentionally deprived himself of the operative facts giving rise to the violation.

94. If these violations were knowing and willful, they are subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Count VI

Mr. Gantt's Failure to Report on behalf of GFSF PAC

95. Since its creation, Charles Gantt has been listed as the Treasurer of GFSF PAC.

96. As Treasurer of GFSF PAC in 2022, Mr. Gantt has the authority and responsibility at GFSF PAC to sign filings with government agencies on behalf of GFSF PAC. GFSF PAC, Statement of Organization (original), FEC Form 1 (Jan. 11, 2022), *available at* <https://docquery.fec.gov/pdf/509/202201119474954509/202201119474954509.pdf> [<https://perma.cc/W3HL-82LK>].

97. For the purposes of the FECA, therefore, Mr. Gantt was the treasurer of GFSFA in 2022. *See* 52 U.S.C. § 30102(a), (c).

98. Under the FECA, treasurers of political committees like GFSF PAC are responsible for filing disclosure reports as required. 52 U.S.C. § 30104(a); *Treasurer's liability*, Fed. Election Comm'n (Aug. 11, 2022), <https://www.fec.gov/updates/treasurers-liability/> [<https://perma.cc/8WBP-7GJX>].

99. A political committee treasurer is personally liable for a failure by the political committee to file required reports. *Id.*; Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3, 5 (Jan. 3, 2005) (to be codified at 11 C.F.R. pt. 111).

100. By failing to cause GFSF PAC to file accurate disclosure reports as required by the FECA, Mr. Gantt personally violated 52 U.S.C. §§ 30104(a)(4), 30104(b), 30122, as well as 11 C.F.R. §§ d 104.8, 110.4. Mr. Gantt is or should be aware of his responsibilities as treasurer and the possibility of personal liability for his failures to carry out his duties. He has served as a

treasurer for dozens of political committees registered with the FEC. *See, e.g.,* Citizens For Conservative Leadership, Inc., Statement of Organization (amended), FEC Form 1 (July 16, 2019), *available at*

<https://docquery.fec.gov/pdf/425/201907169151385425/201907169151385425.pdf>

[<https://perma.cc/PN62-UPXU>]; Am. Heartland PAC, Statement of Organization (amended), FEC Form 1 (July 16, 2019), *available at*

<https://docquery.fec.gov/pdf/420/201907169151385420/201907169151385420.pdf>

[<https://perma.cc/SU9J-5M9P>]; Restore Am. Leadership, FEC Form 3X, Year End Report (Jan. 25, 2021), *available at*

<https://docquery.fec.gov/pdf/703/202101259413347703/202101259413347703.pdf>

[<https://perma.cc/62KK-E4ON>]; Texans for a Strong and Secure Am., FEC Form 3X, Termination Report (Feb. 18, 2021),

<https://docquery.fec.gov/pdf/931/202102189428322931/202102189428322931.pdf>

[<https://perma.cc/YT6N-8UGR>].

101. In fact, Mr. Gantt was the treasurer for two political committees that have entered into settlement agreements with the FEC related to allegations that they violated the FECA during the same election cycle as the transactions here. *See* Settlement Agreement, ADR 1098, Fed. Election Comm’n (June 5, 2023), *available at*

https://www.fec.gov/files/legal/adrs/1098/1098_07.pdf [<https://perma.cc/7NVF-3YPF>];

Settlement Agreement, ADR 1152, Fed. Election Comm’n (Apr. 24, 2024), *available at*

https://www.fec.gov/files/legal/adrs/1152/1152_07.pdf [<https://perma.cc/4RGG-FVPF>].

102. Given the nature of the allegations here, with two closely related entities, incorporated by the same person during a narrow time window the same year they received the funds at issue, the speed by which funds were passed to GFSF PAC through GFSFA (the PAC’s sole donor), and the speed at which these funds were spent on political expenditures to influence the results of a hotly contested primary, there is reason to believe the PAC’s treasurer was aware of the scheme to shield from disclosure the true sources of the political contributions here.

103. On information and belief, Mr. Gantt’s violations of the FECA were knowing and willful, or he recklessly failed to fulfill duties specifically imposed on treasurers by the Act, or he has intentionally deprived himself of the operative facts giving rise to the violation.

104. If these violations were knowing and willful, they are subject to criminal penalties and should be referred to the Department of Justice for investigation. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Conclusion

WHEREFORE, complainant CREW requests that the FEC conduct an investigation into these allegations; declare the respondents to have violated the FECA and applicable FEC regulations; and order respondents to correct these violations by providing to complainant and filing with the FEC corrected disclosure reports that, among other things, identify and make public relevant contributors. In addition, the complainants request that the FEC impose sanctions appropriate to these violations, and take such further action as may be appropriate, including referring this matter to the Department of Justice for criminal prosecution.



ON BEHALF OF COMPLAINANT
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VERIFICATION

Citizens for Responsibility and Ethics in Washington and Noah Bookbinder verify that the statements made in the attached Complaint are, upon information and belief, true. Sworn pursuant to 18 U.S.C. § 1001.



Noah Bookbinder

Sworn to and subscribed before me this 10th day of October, 2024



Notary Public Shaila Bornstein

