

BEFORE THE FEDERAL ELECTION COMMISSION OF THE UNITED STATES OF AMERICA

In the Matter of:
Patriots Run Project
1835 7th Street NW
Washington, DC 20001

RT Group

Common Sense America LLC
3722 South Las Vegas Blvd
Unit 1812
Las Vegas, NV 89158

“Will Haywood”

“Johnny Shearer”

MUR No. _____

COMPLAINT

1. Complainant brings this complaint before the Federal Election Commission (“FEC” or “Commission”) seeking an immediate investigation and enforcement action against the entity known as “Patriots Run Project” – and/or unknown individuals operating as this entity – for violations of the Federal Election Campaign Act, as amended (“FECA”).
2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on published information providing reason to believe that Patriots Run Project and the persons operating this entity failed to register with the Commission as a political committee, and failed to file required disclosure reports, in violation of 52 U.S.C. §§ 30103 and 30104, respectively.
3. The Commission should make the necessary reason to believe findings and commence an immediate investigation into Patriots Run Project and any persons found to be operating the committee.

STATEMENT OF THE LAW

4. A “political committee” is 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.¹ The Supreme Court limited this definition to “only encompass organizations that are under the control of a candidate or the major purpose of which is the nomination or election of a candidate.”²
5. The payment of a candidate’s costs to gain access to the ballot, including the costs of signature gathering and state ballot access fees, are expenses for the purpose of influencing an election, and in this case, constitute in-kind contributions to the prospective candidates’ committees.³ The information set forth below indicates that Patriots Run Project was responsible for the payment of ballot access payments on behalf of candidates for federal office.

¹ 52 U.S.C. § 30101(4)(A).

² *Buckley v. Valeo*, 424 U.S. 1, 79 (1976); see also *FEC v. Mass. Citizens for Life, Inc.*, 479 U.S. 238, 262 (1986) (if “spending become[s] so extensive that the organization’s major purpose may be regarded as campaign activity, the corporation would be classified as a political committee”).

³ See generally FEC Advisory Opinion 1994-05 n.1 (White) (“expenditures to influence your election would include amounts you spend ... to promote yourself for the general election ballot by seeking signatures on nomination petitions”); Advisory Opinion 1984-11.

6. A political committee must file a statement of organization with the Federal Election Commission within 10 days of becoming a political committee within the meaning of Section 30101(4).⁴
7. After registering, political committees must file regular disclosure reports with the Federal Election Commission, as set forth in 52 U.S.C. § 30104.

STATEMENT OF FACTS

8. According to an *Associated Press* report, “[f]or the past year, the group [Patriots Run Project] has recruited Trump supporters to run as independent candidates in key swing districts where they could siphon votes from Republicans in races that will help determine which party controls the House next year.”⁵ The *AP* reports that Patriots Run Project has recruited candidates in Iowa, Nebraska, Montana, Virginia, and Minnesota.⁶ The *AP* report also finds that “a significant sum has been spent – and some of it traces back to Democratic consulting firms.”⁷
9. A report issued by the Institute for Strategic Dialogue found that at one time, the “Patriots Run Project was a network of 26 domains, 10 websites, 15 Facebook pages and 13 linked Facebook groups.”⁸ “PRP is not a registered business entity (e.g. corporation, LLC, etc), tax-exempt organization or political action committee (PAC).”⁹
10. *The Washington Post* reported that Patriots Run Project “appeared to be run by a small U.S.-based group, the RT Group. Though it criticized both Republicans and Democrats, it offered conservatives step-by-step instructions on how to run for office.”¹⁰
11. Patriots Run Project has spent at least \$48,000 on political advertising on Facebook and Instagram.¹¹ An individual reportedly associated with Patriots Run Project also contributed \$1,340 to a federal candidate to pay a candidate filing fee in Montana.¹² (The Montana Free Press reported the filing fee was \$1,740).¹³ According to a Montana Free Press report:

Soon after agreeing to PRP’s offer, Hayes said, he traveled to Helena for a meeting arranged by the Patriots Run Project with an unidentified donor, whom Hayes describes as a man in his 50s, 6 feet tall, with dark hair, and a spouse who was also present at the meetup.

⁴ 52 U.S.C. § 30103(a).

⁵ Ryan J. Foley and Brian Slodysko, *A secretive group recruited far-right candidates in key US House races. It could help Democrats*, *Associated Press* (Sept. 16, 2024), <https://apnews.com/article/patriots-run-project-congress-candidates-trump-democrats-republicans-election-d29b438f46589bd7ecced80ac64e93a4>.

⁶ *Id.*

⁷ *Id.*

⁸ Max Read and Kevin D. Reyes, *Patriots Run Project network exposes Meta’s transparency failures*, *Institute for Strategic Dialogue* (June 13, 2024), https://www.isdglobal.org/digital_dispatches/patriots-run-project-network-exposes-metas-transparency-failures/; see also Rebecca Kern, *The Montana candidate recruited by a bogus political group*, *Politico* (June 14, 2024), <https://www.politico.com/news/2024/06/14/fake-political-group-montana-candidate-00163036>.

⁹ *Id.*

¹⁰ Naomi Nix, *Fake accounts on Meta pushed conservatives to run for office as independents*, *The Washington Post* (Aug. 15, 2024), <https://www.washingtonpost.com/technology/2024/08/15/meta-foreign-influence-fake-accounts/>.

¹¹ Max Read and Kevin D. Reyes, *Patriots Run Project network exposes Meta’s transparency failures*, *Institute for Strategic Dialogue* (June 13, 2024), https://www.isdglobal.org/digital_dispatches/patriots-run-project-network-exposes-metas-transparency-failures/; see also Rebecca Kern, *The Montana candidate recruited by a bogus political group*, *Politico* (June 14, 2024), <https://www.politico.com/news/2024/06/14/fake-political-group-montana-candidate-00163036>.

¹² Rebecca Kern, *The Montana candidate recruited by a bogus political group*, *Politico* (June 14, 2024), <https://www.politico.com/news/2024/06/14/fake-political-group-montana-candidate-00163036>.

¹³ Tom Lutey, *Internet watchdog says secret group recruited pro-Trump Montana Libertarian into congressional race*, *Montana Free Press* (June 18, 2024), <https://montanafreepress.org/2024/06/18/secret-group-recruits-montana-libertarian-candidate-for-congress/>.

Hayes and the couple met outside Hayes' Helena bank. There, Hayes said, he gave the man a deposit slip and then waited as he went inside to put enough money in Hayes's bank account to cover a candidate filing fee.¹⁴

12. In addition to Facebook advertising, Patriots Run Project has been connected to ballot access petition signature gathering efforts. The *AP* reports that “[i]n at least three races, petition signatures to qualify for the ballot were circulated by a Nevada company that works closely with the Democratic consulting firm Sole Strategies, according to documents, including text messages and a draft contract, as well as the firm’s co-founder.”¹⁵ The referenced Nevada company is identified as Common Sense America.
13. One individual who was recruited to run in Iowa told the *AP* that Patriots Run Project “paid to gather signatures for her but fell short.”¹⁶ Another individual said operatives “arranged for a firm to gather signatures across the district.”¹⁷ In both instances, *AP* identifies the signature gathering firm as Common Sense America, a Nevada limited liability company, and connected the firm to Zee Cohen-Sanchez, the co-founder of Sole Strategies, a Democratic consulting firm.¹⁸
14. Individuals involved in running Patriots Run Project are identified as “Will,” “Johnny,” “Will Haywood,” and “Johnny Shearer” in the news articles cited in this complaint. The identity of these individuals is not known at this time, although the *AP* spoke with an individual named John Shearer who may be one of the individuals in question.
15. The *AP* report references a “draft contract” for Common Sense America to collect signatures for a candidate in Nebraska, and identified “the proposed buyer of those services [as] Carolyn Cohen of Nyack, New York, a registered Democrat who has a history of supporting liberal causes.”¹⁹ The contract amount was \$3,300, exactly the per election contribution limit for federal candidates, which indicates the persons involved were aware that payment for petition signatures constitutes an in-kind contribution to the candidate.

CAUSES OF ACTION

AGAINST RESPONDENTS PATRIOTS RUN PROJECT, ET AL

Failure to Register as a Political Committee in Violation of 52 U.S.C. § 30103(a) and 11 C.F.R. § 102.1(d)

16. Patriots Run Project has received contributions in excess of \$1,000, and made expenditures in excess of \$1,000, for the purpose of influencing federal elections. Available information indicates that Patriots Run Project has the major purpose of influencing federal elections, including the election or defeat of federal candidates. Accordingly, Patriots Run Project is required to register with the Federal Election Commission as a political committee. Patriots Run Project’s failure to do so is in violation of 52 U.S.C. § 30103(a) and 11 C.F.R. § 102.1(d).

¹⁴ *Id.*

¹⁵ Ryan J. Foley and Brian Slodysko, *A secretive group recruited far-right candidates in key US House races. It could help Democrats*, Associated Press (Sept. 16, 2024), <https://apnews.com/article/patriots-run-project-congress-candidates-trump-democrats-republicans-election-d29b438f46589bd7ecccd80ac64c93a4>.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

Failure to Report Receipts and Disbursements in Violation of 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.1(a)

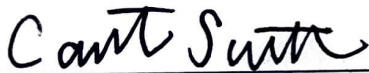
17. Patriots Run Project is a political committee under federal law. Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with 52 U.S.C. § 30104 and 11 C.F.R. § 104.1 et seq. Patriots Run Project has failed to file such reports in violation of the cited provisions.

PRAYER FOR RELIEF

18. The Commission should find reason to believe that Patriots Run Project has violated the above-stated provisions of the Act and Commission regulations. The Commission should conduct an immediate investigation under 52 U.S.C. § 30109(a)(2) and determine and impose appropriate sanctions for any and all violations. Further, the Commission should enjoin respondent from committee any future violations, and impose any additional necessary and appropriate remedies to ensure respondents' future compliance with the Act.

September 17, 2024

Respectfully Submitted,



Caitlin Sutherland, Executive Director
Americans for Public Trust
107 South West Street, Suite 442
Alexandria, VA 22314

VERIFICATION

19. The Complainant listed below hereby verifies that the statements made in the attached Complaint are, upon information and belief, true.

For Complainant "Americans for Public Trust"

Caitlin Sutherland
Caitlin Sutherland

City of Alexandria
Commonwealth of Virginia

The foregoing instrument was subscribed and sworn to before me this 17th day of September 2024 by Caitlin Sutherland.

[Signature]
Notary Public

Notary registration number: 7969380

My commission expires: 04/30/2025

