

BEFORE THE  
FEDERAL ELECTION COMMISSION

In re:

## **6TH CONGRESSIONAL DISTRICT**

## REPUBLICAN FEDERAL COMMITTEE,

**R. SCOTT SAYRE**, Chairman, and

**J. HUDSON MCWILLIAMS, Treasurer**

## Respondents

Matter Under Review #:

7386

## COMPLAINT

## I. INTRODUCTION

1. This complaint is offered upon information and belief and pursuant to 52 U.S.C. § 30109 regarding violations of the Federal Election Campaign Act of 1971 (hereinafter “Act”) committed by the **6TH CONGRESSIONAL DISTRICT REPUBLICAN FEDERAL COMMITTEE** (hereinafter “COMMITTEE”), which is subject to the provisions of the Act.

2. The **COMMITTEE** is currently planning a nominating convention (hereinafter “CONVENTION”) subject to the provisions of the Act, to select the party’s successor to incumbent **Congressman Bob Goodlatte**, who announced his retirement on November 9<sup>th</sup>, 2017<sup>1</sup>. The **CONVENTION** is organized under the Plan of Organization of the Republican Party of Virginia<sup>2</sup> (hereinafter “STATE PARTY PLAN”) and the adopted bylaws<sup>3</sup> (hereinafter

<sup>1</sup> [https://www.washingtonpost.com/local/virginia-politics/goodlatte-of-virginia-retiring-from-congress-after-13-terms/2017/11/09/8819c6e4-c568-11e7-afe9-4f60b5a6c4a0\\_story.html](https://www.washingtonpost.com/local/virginia-politics/goodlatte-of-virginia-retiring-from-congress-after-13-terms/2017/11/09/8819c6e4-c568-11e7-afe9-4f60b5a6c4a0_story.html)

<sup>2</sup> <http://www.virginia.gop/wp-content/uploads/Party-Plan-Amended-April-2016-2.pdf>

<sup>3</sup> <http://www.sixthdistrictgop.org/wp-content/uploads/2017/12/BYLAWS-OF-THE-SIXTH-CONGRESSIONAL-DISTRICT-REPUBLICAN-PARTY.pdf>

1 "COMMITTEE BYLAWS") of the **COMMITTEE**. The **CONVENTION** was formally called  
2 on January 6<sup>th</sup>, 2018<sup>4</sup> by the **COMMITTEE**.

3       3. Upon information and belief, and upon review of public documents filed through the  
4       FEC as well as documents available through other public sources, **Anne Seaton** alleges the  
5       **COMMITTEE** has failed to properly report receipts and disbursements connected with its  
6       **CONVENTION** and other federal campaign activities during the 2017 – 2018 biennium.

7       4. Upon information and belief, and upon review of relevant source materials, **Anne**  
8 **Seaton** alleges the **COMMITTEE** has failed to meet other statutory requirements imposed by  
9 the Act.

## II. PARTIES

12       5. **Anne Seaton** (hereinafter “COMPLAINANT”) is a resident within Virginia’s Sixth  
13 Congressional District at all times material to this complaint, who resides at  
14 Waynesboro, VA 22980. Additionally, **COMPLAINANT** serves as a registered voter in the 6<sup>th</sup>  
15 **District.**

16           **6. The 6TH CONGRESSIONAL DISTRICT REPUBLICAN FEDERAL**  
17 **COMMITTEE**, FEC ID C00005801, is a qualified party committee subject to the provisions of  
18 the Act. In its most recent filing with the FEC, made on April 15<sup>th</sup>, 2018, the **COMMITTEE**  
19 reported its address as 1063 Coronado Lane, Lynchburg, VA 24502<sup>5</sup>.

20           **7. R. SCOTT SAYRE** (hereinafter “**SAYRE**”) currently serves as Chairman<sup>6</sup> of the  
21 **COMMITTEE**, following his election on May 21<sup>st</sup>, 2016<sup>7</sup>, for a term of two years expiring at

<sup>4</sup> <http://www.sixthdistrictgop.org/wp-content/uploads/2018/01/2018-6th-District-Convention-Final-1718.pdf>

<sup>25</sup> <sup>5</sup> <http://docquery.fec.gov/pdf/718/201804159108189718/201804159108189718.pdf>

<sup>26</sup> <http://virginia.gop/state-central-committee/>

1 the **CONVENTION** to be held on May 19<sup>th</sup>, 2018. SAYRE exercise actual authority over all  
 2 operations of the Committee, including maintaining compliance with federal law.

3 **8. J. HUDSON MCWILLIAMS** (hereinafter “**TREASURER**”) currently serves as the  
 4 treasurer of the **COMMITTEE** and has electronically signed filings submitted to the FEC on the  
 5 **COMMITTEE**’s behalf, beginning with the quarterly filing on July 15<sup>th</sup>, 2017<sup>8</sup>.

6 **9. ALBERT TUCKER** (hereinafter “**FORMER TREASURER**”) formerly served as the  
 7 treasurer of the **COMMITTEE** and electronically signed its FEC quarterly filing on April 6<sup>th</sup>,  
 8 2017<sup>9</sup>, as well as all filings within the 2015 – 2016 biennium.

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10 **III. JURISDICTION**

11 10. The Federal Election Commission has authority to remedy violations of 52 U.S.C. §  
 12 30101-30126 and may begin an investigation pursuant to 52 U.S.C. § 30109 upon receipt of a  
 13 complaint meeting statutory and administrative requirements.

14 11. As alleged herein, violations of the Act committed by the **COMMITTEE** in  
 15 connection with federal election activity, by a committee organized for federal election purposes,  
 16 during the course of a federal nominating convention, are within the scope of the FEC’s  
 17 investigatory and enforcement powers.

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20 **IV. OBLIGATIONS OF THE COMMITTEE**

21 12. Federal law requires the **COMMITTEE** to periodically file reports of receipts and  
 22 disbursements in accordance with the provisions of the Act.

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24 <sup>7</sup> [http://www.newsadvance.com/news/local/scott-sayre-elected-th-congressional-district-chair/article\\_63d8214d-89ca-5cc8-8bba-759e933d4b3c.html](http://www.newsadvance.com/news/local/scott-sayre-elected-th-congressional-district-chair/article_63d8214d-89ca-5cc8-8bba-759e933d4b3c.html)

25 <sup>8</sup> <http://docquery.fec.gov/pdf/415/201707159066734415/201707159066734415.pdf>

26 <sup>9</sup> <http://docquery.fec.gov/pdf/925/201704069052024925/201704069052024925.pdf>

1       13. Federal law requires the **COMMITTEE** to maintain a federal account, either  
2 exclusively for federal activity, or properly allocate and account for federal funds where  
3 comingled with nonfederal funds, according to the provisions of the Act.

4       14. Federal law requires the **COMMITTEE** to only solicit and accept contributions from  
5 permissible sources, according to the provisions of the Act.

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8       **V. COMPLAINT ONE – FAILURE TO REPORT FEDERAL ELECTION ACTIVITY**

9       15. The **COMMITTEE** appears materially deficient in meeting its federal reporting  
10 obligations, having not filed any transactions throughout 2017 and 2018, despite planning a  
11 federal nominating convention and conducting other federal election activity in connection with  
12 the 2018 election for the United States House of Representatives in Virginia's Sixth  
13 Congressional district.

14       16. The **COMMITTEE** appears to be conducting all transactions through its state  
15 account, established and maintained under the laws of the Commonwealth of Virginia and  
16 reported to the Virginia Department of Elections<sup>10</sup>.

17       17. Despite raising money for federal election activity, which includes planning a federal  
18 nominating convention requiring the receipt of \$5000 filing fees from each candidate for the  
19 United States House of Representatives, the **COMMITTEE** has not reported any receipts to its  
20 federal account since September 8<sup>th</sup>, 2016<sup>11</sup>.

21       18. Despite spending money on federal election activity, which includes planning a  
22 federal nominating convention requiring the expenditure of funds in connection with nominating

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25       <sup>10</sup> <http://cfreports.sbe.virginia.gov/Committee/Index/fb200e82-fd82-e111-9bed-984be103f032>

26       <sup>11</sup> <https://www.fec.gov/data/committee/C00005801/?tab=raising&cycle=2016>

1 a party candidate for the United States House of Representatives, the **COMMITTEE** has not  
2 reported any expenditures drawn on its federal account since September 4<sup>th</sup>, 2016<sup>12</sup>.

3 19. The **COMMITTEE** has reported no federal receipts or expenditures in the entirety of  
4 the years 2017 and 2018<sup>13</sup>.

5 20. The **COMMITTEE** has not reported any allocation of funds from any account at any  
6 time material to this complaint.

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## 9 **VI. COMPLAINT TWO – SOLICITATION OF PROHIBITED CONTRIBUTIONS**

10 21. The **COMMITTEE** maintains an active, official website at  
11 [www.SixthDistrictGOP.org](http://www.SixthDistrictGOP.org) through which it conducts its business and makes communications  
12 concerning federal elections.

13 22. The website contains extensive material connected with the **COMMITTEE**’s  
14 upcoming federal nominating convention.

15 23. The website solicits online donations in connection with federal election activity  
16 through the “Donate” link at the top of the page.

17 24. The website’s donation form allows users to make an individual or a source-  
18 prohibited corporate contribution by selecting the appropriate radio button on the donation page.

19 25. The website’s donation form allows users to make contributions in any amount,  
20 including contributions which federal contribution limits.

21 26. The website’s donation form contains no language noting statutory federal  
22 contribution limits. It also contains no language noting statutory prohibitions on contributions  
23 from corporations, labor unions, or source-prohibited federal contractors. It also contains no  
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25 <sup>12</sup> <https://www.fec.gov/data/committee/C00005801/?tab=spending&cycle=2016>

26 <sup>13</sup> <https://www.fec.gov/data/committee/C00005801/?tab=summary&cycle=2018>

1 language noting that federal contributions require the disclosure of donor information for  
2 transactions exceeding \$200 in the aggregate in an election cycle.

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4 **V. COMPLAINT THREE – COMINGLING OF FUNDS**

5 27. Despite maintaining an active federal account which reported no receipts or  
6 expenditures in 2017 or 2018, the **COMMITTEE** has routed all receipts and expenditures,  
7 federal or otherwise, through its state account, established and maintained under the laws of the  
8 Commonwealth of Virginia and reported to the Virginia Department of Elections.

9 28. The **COMMITTEE** has deposited all receipts throughout 2017 and 2018 into its state  
10 account, which maintains the **COMMITTEE**’s cash balance.

11 29. The **COMMITTEE** has paid all expenses connected with federal election activity in  
12 the years 2017 and 2018, including expenditures connected with its federal nominating  
13 convention, from its state account.

14 30. The **COMMITTEE** has not reported any allocation of funds from any account at any  
15 time material to this complaint.

16 31. The **COMMITTEE** is co-mingling federal and non-federal funds in its state account,  
17 sourced from both federally-permissible and federally-impermissible sources.

18 32. The **COMMITTEE** has received corporate contributions to the same account used to  
19 pay expenses in connection with its 2018 federal nominating convention.

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## VII. RELIEF

33. **COMPLAINANT** hereby requests the Federal Election Commission expeditiously investigate the aforementioned circumstances, the actions of the **COMMITTEE**, the actions of Chairman **SAYRE**, as well as all other circumstances which may become known in the course of its investigation.

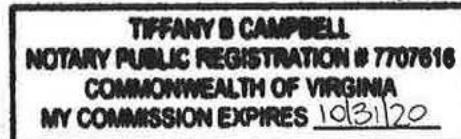
34. **COMPLAINANT** hereby requests the Federal Election Commission take all appropriate action to restrain further violations of the Act.

Sworn and submitted this 16<sup>th</sup> Day of May, 2018

**Anne Seaton.**

Waynesboro, VA 22980

Tiffany Campbell



OFFICE OF  
GENERAL COUNSEL

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF  
AUGUSTA

2018 MAY 17 PM 1:20

}) To wit:

**AFFIDAVIT**

Upon information and belief, the allegations of fact and other statements contained in the foregoing complaint against the 6<sup>th</sup> Congressional District Republican Federal Committee, R. Scott Sayre, and J. Hudson McWilliams before the Federal Elections Commission are true and complete to the best of my knowledge.

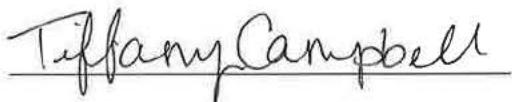
SUBSCRIBED AND SWORN

ANNE SEATON



Waynesboro, VA 22980

The foregoing instrument was subscribed and sworn to before me this 16 day of May, 2018, by Anne Seaton. Type of identification produced Drivers License.



Notary Public

Notary Registration Number: 7707610My Commission Expires: 10/31/20