

BEFORE THE FEDERAL ELECTION COMMISSION

CAMPAIGN LEGAL CENTER
1101 14th Street, NW, Suite 400
Washington, DC 20005
(202) 736-2200

v.

MUR No. _____

MEI SERVICES, INC.
2951 Piedmont Rd. NE, Suite B
Atlanta, GA 30305

COMPLAINT

1. Patriots PAC, LLC (“Patriots PAC”), a hybrid PAC with a separate non-contribution account that is registered with the Federal Election Commission (“FEC” or “Commission”), reported receiving a \$90,000 contribution from MEI Services, Inc. (“MEI Services”) on March 17, 2022, which was performing on an active federal contract at the time. As such, MEI Services appears to have violated the statutory prohibition on federal contractor contributions in the Federal Election Campaign Act of 1971, as amended (“FECA”).
2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that MEI Services violated the prohibition on federal contractor contributions by contributing \$90,000 to Patriots PAC.¹
3. “If the Commission, upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of [the Federal Election Campaign Act] . . . [t]he Commission *shall* make an investigation of such alleged violation”²

¹ 52 U.S.C. § 30109(a)(1).

² 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

FACTUAL BACKGROUND

4. Patriots PAC is a hybrid PAC with a separate non-contribution account that registered with the Commission on March 8, 2022.³ Its treasurer is Melvin Johnson.⁴
5. On March 17, 2022, Patriots PAC received a \$90,000 contribution from MEI Services, which disclosed an address of 2951 Piedmont Rd. NE, Suite B, Atlanta, GA, 30305.⁵ This is the only contribution that Patriots PAC has reported receiving.⁶
6. According to documents filed with the Georgia Secretary of State, MEI Services was organized as a domestic profit corporation in Georgia in 1998, and its 2022 Annual Registration form lists its address as 2951 Piedmont Rd. NE, Suite B, Atlanta, GA, 30305.⁷
7. MEI Services is a medical supplier, according to NPI Profile, a national database of healthcare providers covered under HIPAA.⁸
8. According to USASpending.gov, “the official source for spending data for the U.S. Government,”⁹ MEI Services has been awarded \$3.9 million total in federal contracts from a variety of federal departments and agencies, including the Department of the Treasury, Department of Defense (“DOD”), Department of Justice (“DOJ”), and Department of Veterans Affairs (“VA”) since 2011.¹⁰

³ Patriots PAC, Statement of Org. at 1 (Mar. 8, 2022). The committee initially registered as a corporate separate segregated fund (SSF), then reorganized as a hybrid PAC with a separate noncontribution account on May 17, 2022. See Amend. Statement of Org. at 1-2 (May 17, 2022).

⁴ *Id.*

⁵ Patriots PAC, 2022 Apr. Quarterly Report at 6 (Apr. 18, 2022).

⁶ Patriots PAC, All Receipts, https://www.fec.gov/data/receipts/?two_year_transaction_period=2022&committee_id=C00807958&data_type=processed (last viewed July 1, 2022).

⁷ Georgia Secretary of State, Business Entity Records, MEI Services, Inc., 2022 Annual Registration (Jan 8, 2022) (attached as Exhibit A).

⁸ MEI SERVICES, INC, NPI 1295174407, <https://npiprofile.com/npi/1295174407> (last viewed July 1, 2022); see About NPI Profile, <https://npiprofile.com/> (last viewed July 1, 2022).

⁹ USASpending.gov, Mission, <https://www.usaspending.gov/#/about> (last visited June 30, 2022).

¹⁰ USASpending.gov, Recipient Profile MEI Services Inc., <https://www.usaspending.gov/recipient/b512b8c2-eb3c-ca04-b3ee-cca9caf94e5c-C/all> (last visited Jun. 30, 2022).

9. At the time of the contribution, MEI Services had an active federal contract to supply intravenous therapy products and other related services to the Treasury Department.¹¹
10. During the 2022 election cycle, Patriots PAC made two independent expenditures totaling \$31,418 supporting Vernon Jones, a candidate for the U.S. House of Representatives in Georgia’s 10th Congressional district.¹² Jones lost in a primary runoff election on June 21, 2022.

SUMMARY OF LAW

11. Under FECA, a “contribution” is defined as “any gift . . . of money or anything of value made by any person for the purpose of influencing any election for Federal office.”¹³
12. Federal law prohibits a federal contractor from making any “contribution to any political party, committee, or candidate for public office” at any time between the commencement of negotiations for a federal contract and the completion of performance or termination of negotiations for the contract.¹⁴
13. Federal law additionally prohibits any person from knowingly soliciting such a contribution from a federal contractor.¹⁵
14. The contractor contribution ban applies to any person “who enters into any contract with the United States or any department or agency thereof” for “the rendition of personal services” or for “furnishing any material, supplies, or equipment,” or for “selling any land or building,” if “payment for the performance of such contract or payment for such material, supplies,

¹¹ USAspending.gov, Contract Summary MEI Services Inc., https://www.usaspending.gov/award/CONT_AWD_20342321F00012_2036_20342320D00001_2036 (last visited Jun. 30, 2022).

¹² Patriots PAC, LLC., Independent Expenditures, https://www.fec.gov/data/independent-expenditures/?data_type=processed&most_recent=true&committee_id=C00807958&is_notice=false&filing_form=F3X&filing_form=F5

¹³ 52 U.S.C. § 30101(8)(A)(i).

¹⁴ 52 U.S.C. § 30119(a)(1).

¹⁵ 52 U.S.C. § 30119(a)(2).

equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress.”¹⁶

15. The contractor contribution ban applies from when a request for proposals is sent out (or when contractual negotiations commence) until the completion of performance of the contract or the termination of negotiations.¹⁷
16. The Commission has made clear since at least 2011 that the government contractor prohibition applies to contributions to IEOPCs: in MUR 6403, the Commission emphasized that a contractor making a contribution to a political committee to fund independent expenditures is not itself making an expenditure; therefore, a contribution to such a committee falls “squarely within the statute’s prohibitions.”¹⁸
17. Moreover, in 2017, the Commission noted that there is no *de minimis* exception to the federal contractor contribution, finding that even if a contributor’s federal contract work is only a “small fraction” of its overall business, this “does not negate the company’s status as a federal contractor.”¹⁹
18. Even when the prohibited contractor contribution has been refunded, the Commission has pursued enforcement action. In 2019, the Commission found reason to believe federal contractor Ring Power Corporation violated Section 30119 when it contributed \$50,000 to an IEOPC, finding that Ring Power’s remedial measures, including obtaining a refund of the illegal contribution from the IEOPC, “do not excuse the violation.”²⁰

¹⁶ 52 U.S.C. § 30119(a)(1); 11 C.F.R. § 115.1(a).

¹⁷ 52 U.S.C. § 30119(a)(1); 11 C.F.R. § 115.1(b).

¹⁸ Factual and Legal Analysis at 5, 9, MUR 6403 (Alaskans Standing Together).

¹⁹ Factual and Legal Analysis at 4-5, MUR 7099 (Suffolk Construction Co., Inc.) (finding reason to believe that federal contractor Suffolk Construction Company, Inc. violated 52 U.S.C. § 30119(a)(1) by contributing \$200,000 to an IEOPC).

²⁰ Factual and Legal Analysis at 4, MUR 7451 (Ring Power Corp.); *see* Factual and Legal Analysis at 2-3, MUR 7568 (Alpha Marine Servs., Inc.) (same).

19. The federal contractor ban applies in circumstances where there is “a very specific quo for which the contribution may serve as the quid,” and it was upheld unanimously by the *en banc* U.S. Court of Appeals for the D.C. Circuit in *Wagner v. FEC*, where the court stated that “the record offers every reason to believe that, if the dam barring contributions were broken, more money in exchange for contracts would flow through the same channels already on display.”²¹

CAUSE OF ACTION

I. MEI SERVICES, INC. VIOLATED THE FEDERAL CONTRACTOR CONTRIBUTION BAN

20. FECA and Commission regulations prohibit a federal contractor from making a contribution to any political committee during the period in which a federal contract is being negotiated or performed.²²
21. According to USASpending.gov, “the official source for spending data for the U.S. Government,”²³ MEI Services has been awarded \$3.9 million total in federal contracts from the Department of the Treasury, Department of Defense (“DOD”), Department of Justice (“DOJ”), and Department of Veterans Affairs (“VA”) since 2011.²⁴ The company was performing on a federal contract with the Treasury Department at the time of its contribution to Patriots PAC.²⁵
22. Consequently, there is reason to believe that MEI Services, a federal contractor, violated FECA’s federal contractor contribution ban by making a \$90,000 contribution to Patriots PAC during the period its federal contracts were being negotiated and/or performed.

²¹ *Wagner v. FEC*, 793 F.3d 1, 18 (D.C. Cir. 2015) (*en banc*).

²² 52 U.S.C. § 30119(a)(1); 11 C.F.R. Part 115.

²³ USASpending.gov, *Mission*, <https://www.usaspending.gov/#/about> (last visited June 30, 2022).

²⁴ USASpending.gov, Recipient Profile MEI Services Inc., <https://www.usaspending.gov/recipient/b512b8c2-eb3c-ca04-b3ee-cca9caf94e5c-C/all> (last visited Jun. 30, 2022).

²⁵ USASpending.gov, Contract Summary MEI Services Inc., https://www.usaspending.gov/award/CONT_AWD_20342321F00012_2036_20342320D00001_2036 (last visited Jun. 30, 2022).

PRAYER FOR RELIEF

23. Wherefore, the Commission should find reason to believe that Medical Place, Inc. violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
24. The Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Respectfully submitted,

/s/ Saurav Ghosh
Campaign Legal Center, by
Saurav Ghosh, Esq.
1101 14th Street, NW, Suite 400
Washington, DC 20005
(202) 266-5143

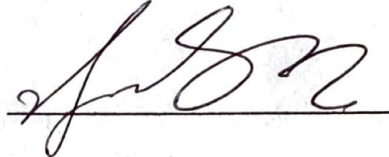
Saurav Ghosh, Esq.
Campaign Legal Center
1101 14th Street, NW, Suite 400
Washington, DC 20005
Counsel to the Campaign Legal Center
July 5, 2022

VERIFICATION

The complainant listed below hereby verify that the statements made in the attached
Complaint are, upon their information and belief, true.

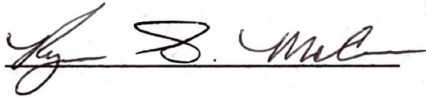
Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Campaign Legal Center



Saurav Ghosh, Esq.

Sworn to and subscribed before me this 5 day of July 2022.



Notary Public



City/County of FAIRFAX
Commonwealth of Virginia
The foregoing instrument was acknowledged before me
this 5 day of July, 2022
by SAURAV GHOSH
AS McCann Notary Public
My commission expires 09/30/2024

EXHIBIT A

STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

ANNUAL REGISTRATION

Electronically Filed

Secretary of State

Filing Date: 1/8/2022 6:58:44 PM

BUSINESS INFORMATION

CONTROL NUMBER	K815873
BUSINESS NAME	MEI SERVICES, INC.
BUSINESS TYPE	Domestic Profit Corporation
EFFECTIVE DATE	01/08/2022
ANNUAL REGISTRATION PERIOD	2022

PRINCIPAL OFFICE ADDRESS

ADDRESS	2951 PIEDMONT RD STE B, ATLANTA, GA, 30305, USA
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REGISTERED AGENT

NAME	ADDRESS	COUNTY
MICHAIL BOGACHEK	2951 PIEDMONT RD NE STE B, ATLANTA, GA, 30305, USA	Fulton

OFFICERS INFORMATION

NAME	TITLE	ADDRESS
MICHAEL BOGACHEK	SECRETARY	882 HYDE ROAD, MARIETTA, GA, 30068, USA
MICHAEL BOGACHEK	CFO	882 HYDE ROAD, MARIETTA, GA, 30068, USA
MICHAEL BOGACHEK	CEO	882 HYDE ROAD, MARIETTA, GA, 30068, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	Michael Bogachek
AUTHORIZER TITLE	Authorized Person