

CONFIDENTIAL

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 24-2323

The Board of the Office of Congressional Ethics (hereafter “the Board”), by a vote of no less than four members, on August 23, 2024, adopted the following report and ordered it to be transmitted to the Committee on Ethics of the United States House of Representatives (hereafter “the Committee”).

SUBJECT: Representative Cory Mills

NATURE OF THE ALLEGED VIOLATION: Rep. Mills may have omitted or misrepresented required information in his financial disclosure statements. If Rep. Mills failed to disclose or misrepresented required information in his financial disclosure statements, then he may have violated House rules, standards of conduct, and federal law.

Rep. Mills’s campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills’s personal funds. If Rep. Mills’s campaign committee accepted personal loans and contributions that exceeded campaign contribution limits, then Rep. Mills may have violated House rules, standards of conduct, and federal law.

Rep. Mills may have entered into, enjoyed, or held contracts with federal agencies. If Rep. Mills entered into, enjoyed, or held contracts with federal agencies while he was a Member of Congress, then he may have violated House rules, standards of conduct, and federal law.

Rep. Cory Mills’s campaign committee, Cory Mills for Congress, may have accepted in-kind contributions in the form of credit not extended in the ordinary course of business. If Rep. Mills’s campaign committee accepted credit for services to the campaign committee that was not extended in the ordinary course of business, then the campaign committee may have received excessive in-kind contributions in violation of House rules, standards of conduct, and federal law.

Rep. Mills’s campaign committee may have accepted a contribution that was not lawfully made pursuant to the Federal Election Campaign Act of 1971 by receiving credit not extended in the ordinary course of business. If Rep. Mills’s campaign committee received unlawful campaign contributions in the form of credit, then Rep. Mills may have accepted an impermissible gift in violation of House rules and standards of conduct.

RECOMMENDATION: The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have omitted or misrepresented required information in his financial disclosure statements.

VOTES IN THE AFFIRMATIVE: 5

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

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The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills's campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills's personal funds.

VOTES IN THE AFFIRMATIVE: 4

VOTES IN THE NEGATIVE: 1

ABSTENTIONS: 0

The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have entered into, enjoyed, or held contracts with federal agencies.

VOTES IN THE AFFIRMATIVE: 5

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills's campaign committee, Cory Mills for Congress, may have accepted excessive in-kind contributions in the form of credit not extended in the ordinary course of business.

VOTES IN THE AFFIRMATIVE: 5

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills accepted an impermissible gift in violation of House rules and standards of conduct.

VOTES IN THE AFFIRMATIVE: 5

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE: Omar S. Ashmawy, Staff Director & Chief Counsel.

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FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 24-2323

On August 23, 2024, the Board of the Office of Congressional Ethics (hereafter “the Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*).

I. INTRODUCTION

A. Summary of Allegations

1. Rep. Cory Mills was elected to represent Florida’s seventh congressional district in 2022 and sworn in as a Member of Congress on January 3, 2023.¹ Prior to joining Congress, Rep. Mills founded a munitions manufacturer that does business with the federal government.²
2. In this review, the OCE examined multiple issues related to contracts between the defense contractor wholly owned by Rep. Mills and the federal government. The OCE also reviewed various discrepancies in Rep. Mills’s candidate, new Member and, most recently filed, 2023 financial disclosure reports. This raised further questions about Rep. Mills’s ability to afford significant personal loans to his principal campaign committee, Cory Mills for Congress (“the campaign committee”).
3. Further, Federal Election Commission (“FEC”) filings showed that Rep. Mills’s campaign committee held a significant amount of debt for over a year which raised concerns that the campaign may have accepted excessive in-kind contributions in the form of credit not extended in the ordinary course of business or that Rep. Mills may have received an impermissible gift.
4. While the OCE was able to obtain some documentary evidence from publicly available sources, many key witnesses, including Rep. Mills, refused to cooperate with this review. This concerted effort to limit OCE’s access to relevant information, often from witnesses also represented by Rep. Mills’s attorney, undermined these investigative efforts.³

¹ Congressman Cory Mills, About, <https://mills.house.gov/about>.

² Jack Newsham, Katherine Long, Bryan Metzger, and Azmi Haroun, *Rep. Cory Mills founded a company that sells arms to foreign governments. He won’t say which ones.*, BUSINESS INSIDER (March 28, 2023), available at <https://www.businessinsider.com/rep-cory-mills-florida-congress-sells-weapons-foreign-government-committee-2023-3>; Pacem Defense, <https://www.pacem-defense.com/>, (last visited August 21, 2024); see also Rep. Mills, Candidate Financial Disclosure Report, filed May 7, 2021; Rep. Mills, Candidate Financial Disclosure Report, Amended on March 26, 2023.

³In a recent Committee on Ethics report, the Committee admonished a Member of Congress for making vague or misleading statements to the OCE and an Investigative Subcommittee, for making slow or non-responsive productions. The Committee explained:

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5. In summary, the Board looked at the following allegations and reached the following conclusions:
6. Rep. Mills may have omitted or misrepresented required information in his financial disclosure statements. If Rep. Mills failed to disclose or misrepresented required information in his financial disclosure statements, then he may have violated House rules, standards of conduct, and federal law.
7. Rep. Mills's campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills's personal funds. If Rep. Mills's campaign committee accepted personal loans and contributions that exceeded campaign contribution limits, then Rep. Mills may have violated House rules, standards of conduct, and federal law.
8. Rep. Mills may have entered into, held, or enjoyed contracts with federal agencies. If Rep. Mills entered into, held, or enjoyed contracts with federal agencies while Rep. Mills was a Member of Congress, then Rep. Mills may have violated House rules, standards of conduct, and federal law.
9. Rep. Cory Mills's campaign committee, Cory Mills for Congress, may have accepted in-kind contributions in the form of credit not extended in the ordinary course of business. If Rep. Mills's campaign committee accepted credit for services to the campaign committee that was not extended in the ordinary course of business, then the campaign committee may have received excessive in-kind contributions in violation of House rules, standards of conduct, and federal law.
10. Rep. Mills's campaign committee may have accepted a contribution that was not lawfully made pursuant to the Federal Election Campaign Act of 1971 by receiving credit not extended in the ordinary course of business. If Rep. Mills's campaign committee received unlawful campaign contributions in the form of credit, then Rep. Mills may have accepted an impermissible gift in violation of House rules and standards of conduct.

Efforts like the ones [this Member] undertook to delay and impede the ISC's investigation were not only highly detrimental to the Committee's work and reputation of the House, they were themselves sanctionable misconduct. This matter should serve as an important reminder to all individuals within the House community that when confronted with allegations of unethical conduct, they should take immediate steps to investigate and correct the issues and ensure that they do not occur again in the future. Allowing unethical conduct to continue in a Member's campaign and/or congressional office makes that Member complicit in the violation and the offending Member will be held accountable. Moreover, when an individual delays acknowledging violations under review by the Committee that they know to be true, not only can the work of the Committee be impeded, but such stalling is inconsistent with the duty of candor owed to the Committee, may be viewed as an aggravating factor depending on the circumstances, or, as was the case in this matter, lead to a finding of a separate violation.

House Committee on Ethics, Investigative Subcommittee Report, In the Matter of Allegations Relating to Representative David Schweikert, 116th Cong. 2d Sess. (2020) at 6.

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11. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have omitted or misrepresented required information in his financial disclosure statements.
12. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills's campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills's personal funds.
13. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have entered into, enjoyed, or held contracts with federal agencies.
14. The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills's campaign committee, Cory Mills for Congress, may have accepted excessive in-kind contributions in the form of credit not extended in the ordinary course of business.
15. The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills accepted an impermissible gift in violation of House rules and standards of conduct.

B. Jurisdictional Statement

16. The allegations that were the subject of this review concern Representative Cory Mills, a Member of the United States House of Representatives from the 7th Congressional District of Florida. The Resolution the United States House of Representatives adopted creating the Office of Congressional Ethics ("OCE") directs that, "[n]o review shall be undertaken ... by the [B]oard of any alleged violation that occurred before the date of adoption of this resolution."⁴ The House adopted this Resolution on March 11, 2008.

C. Procedural History

17. The OCE received a written request for a preliminary review in this matter signed by at least two members of the Board on May 21, 2024. The preliminary review commenced on May 22, 2024.⁵
18. On May 22, 2024, the OCE notified Rep. Mills of the initiation of the preliminary review, provided him with a statement of the nature of the review, notified him of his right to be represented by counsel in this matter, and notified him that invoking his right to counsel would not be held negatively against him.⁶

⁴ H. Res. 895 of the 110th Congress § 1(e) (2008) (as amended) (hereafter the "Resolution").

⁵ A preliminary review is "requested" in writing by members of the Board of the OCE. The request for a preliminary review is received by the OCE on a date certain. According to the Resolution, the timeframe for conducting a preliminary review is 30 days from the date of receipt of the Board's request.

⁶ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Mills (May 22, 2024).

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19. At least three members of the Board voted to initiate a second-phase review in this matter on June 20, 2024. The second-phase review commenced on June 21, 2024.⁷ The second-phase review was scheduled to end on August 4, 2024.
20. On June 20, 2024, the OCE notified Rep. Mills of the initiation of the second-phase review in this matter, and again notified him of his right to be represented by counsel in this matter, and that invoking that right would not be held negatively against him.⁸
21. The Board voted to extend the second-phase review by an additional period of fourteen days on July 18, 2024. The additional period ended on August 18, 2024.
22. The Board voted to refer the matter to the Committee for further review and dismissal and adopted these findings on August 23, 2024.
23. The report and its findings in this matter were transmitted to the Committee on August 29, 2024.

D. Summary of Investigative Activity

24. The OCE requested documentary and in some cases testimonial information from the following sources:
 - (1) Rep. Mills;
 - (2) Department of Justice, Bureau of Prisons;
 - (3) Department of Interior, National Park Service;
 - (4) David Satterfield;
 - (5) Steve Martin;
 - (6) Wells Fargo & Company;
 - (7) Capital Bank;
 - (8) Evolve Bank & Trust;
 - (9) Chain Bridge Bank;
 - (10) Rapid Loop Consulting;
 - (11) Right Aim Media;
 - (12) X Strategies, LLC;
 - (13) Something Else Strategies;
 - (14) KGT Global;
 - (15) Amy Dunn;
 - (16) Emily Hoover;
 - (17) Benjamin Niden-Preis;
 - (18) Jesse Phillips;
 - (19) David Pollack;
 - (20) Andrew Knaggs;

⁷ According to the Resolution, the Board must vote (as opposed to make a written authorization) on whether to conduct a second-phase review in a matter before the expiration of the 30-day preliminary review. If the Board votes for a second phase, the second phase commences the day after the preliminary review ends.

⁸ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Mills (Jun. 20, 2024).

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- (21) Harun Tanda; and
- (22) Brian Crouch.

25. The following individuals and entities refused to cooperate with the OCE's review:

- (1) Rep. Mills;
- (2) David Satterfield;
- (3) Steve Martin;
- (4) Capital Bank;
- (5) Evolve Bank & Trust;
- (6) Chain Bridge Bank;
- (7) Rapid Loop Consulting;
- (8) Right Aim Media;
- (9) X Strategies, LLC;
- (10) Something Else Strategies;
- (11) KGT Global;
- (12) Emily Hoover;
- (13) Amy Dunn;
- (14) Andrew Knaggs;
- (15) Harun Tanda; and
- (16) Brian Crouch.

26. The following individuals and entities were represented by the same counsel and refused to resolve a conflict of interest arising from multiple representation in spite of receiving notice pursuant to OCE Rule 14(B). Their multiple representation may have prejudiced the review:

- (1) Rep. Mills;
- (2) Right Aim Media; and
- (3) Rapid Loop Consulting.

II. REP. MILLS MAY HAVE OMITTED OR MISREPRESENTED REQUIRED INFORMATION IN HIS FINANCIAL DISCLOSURE STATEMENTS.

A. Applicable Law, Rules, and Standards of Conduct

27. Federal Statutes

*Pursuant to the Ethics in Government Act, "[a]ny individual who is [a Member of Congress] during any calendar year and performs the duties of his position or office for a period in excess of sixty days in that calendar year shall file on or before May 15 of the succeeding year a report containing the information described in section 102 (a)."*⁹ *Additionally, candidates for Congress must also file financial disclosure statements.*¹⁰

⁹ 5 U.S.C. app. 4 § 101(d).

¹⁰ 5 U.S.C. app. 4 § 101(c).

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The contents of a financial disclosure report filed pursuant to the Ethics in Government Act must include “[t]he identity and category of value of any interest in property held during the preceding calendar year in a trade or business, or for investment or the production of income, which has a fair market value which exceeds \$1,000 as of the close of the preceding calendar year”¹¹

The Ethics in Government Act further states that each report must include a statement of “[t]he identity and category of value of the total liabilities owed to any creditor . . . which exceed \$10,000 at any time during the preceding calendar year. . . .”¹²

Under the False Statements Act, 18 U.S.C. § 1001, “whoever . . . knowingly and willfully—

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;*
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or*
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;*

shall be fined under this title, [and] imprisoned not more than 5 years”

Under the Sarbanes-Oxley Act (“Sarbanes-Oxley”), 18 U.S.C. § 1519, “[w]henever knowingly alters, . . . conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States . . . or in relation to or contemplation of any such matter . . . shall be fined under this title, imprisoned not more than 20 years, or both.”

Under Sarbanes-Oxley, 18 U.S.C. § 2(a), “[w]henever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.” Under Sarbanes-Oxley, 18 U.S.C. § 2(b), “[w]henever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.”

28. House Rules

House Rule 26, clause 2 provides, “[f]or the purposes of this rule, the provisions of title I of the Ethics in Government Act of 1978 shall be considered Rules of the House as they pertain to Members, Delegates, the Resident Commissioner, officers, and employees of the House.”

¹¹ 5 U.S.C. app. 4 § 102(a)(3).

¹² 5 U.S.C. app. 4 § 102(a)(4).

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29. House Ethics Committee Guidance: Committee Reports

In the Matter of Allegations Relating to Representative Vernon G. Buchanan, the Committee noted that inadvertent errors and omissions “are not uncommon” in financial disclosure statements.¹³ When a filer fully and accurately remedies disclosures errors or omissions and pays a fine (when warranted), the Committee will generally take no additional action.¹⁴ However, the Committee described concern with respect to errors and omissions that are not properly remedied, “are knowing or willful, or appear to be significantly related to other potential violations.”¹⁵ The Committee went on to explain that “accurate and complete reporting on Financial Disclosure Statements should be every filer’s goal and is necessary to be in compliance with House Rules and federal law. All filers are encouraged to promptly file amendments whenever they learn of errors or omissions. Failure to do so may constitute a knowing and willful violation.”¹⁶

In the Matter of Allegations Relating to Representative Laura Richardson, the Committee found that Rep. Richardson “violated . . . House Rule XXIII clauses 1 [and] 2, and clause 2 of the Code of Ethics for Government Service . . . by obstructing the investigation of the Committee and the Investigative Subcommittee through the alteration or destruction of evidence, the deliberate failure to produce documents responsive to requests for information and a subpoena, and attempting to influence the testimony of witnesses.”¹⁷

In July 2020, the Committee published a June 2020 Investigative Subcommittee Report (ISC) explaining: “[t]he ISC is well-aware that Members have demanding schedules that do not afford them the time to tend to the minutiae of every campaign transaction or congressional office task to ensure their campaigns and congressional offices operate in full compliance with relevant rules and laws. Members often delegate such oversight and compliance responsibilities to others . . . But Members must be held to account when they know or should know of ethical violations that occur within the organizations they oversee; abdicate their duty to supervise the staff to whom they delegate substantial responsibilities; disregard concerns as they are brought to their attention; and hamstringing compliance professionals by not supplying necessary information or providing false information.”¹⁸

30. House Ethics Committee Financial Disclosure Instruction Guide

According to the House Ethics Committee, “each individual is responsible for the completeness and accuracy of the information contained in the individual’s FD Statement or PTR, even if someone else prepared, or assisted in preparing, all or part of it.”¹⁹

¹³ House Committee on Ethics, Investigative Subcommittee Report, *In the Matter of Allegations Relating to Representative Vernon Buchanan*, 112th Cong. 2d Sess. (2012) at 5.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ House Committee on Ethics, Investigative Subcommittee Report, *In the Matter of Allegations Relating to Representative Laura Richardson*, 112th Cong. 2d Sess. (2012) at 3.

¹⁸ *Id.*

¹⁹ House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2024, at 17.

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The House Ethics Committee further explains, one must report the following debts of himself, his spouse, or his dependent child if they totaled more than \$10,000 at any point during the reporting period:

- *Personal loans*
- *MEMBERS ONLY: Mortgages and home equity loans on personal residences*
- *Loans or debts on which you are a co-signer*
- *Liabilities of a business if you are personally liable for the debt.* ²⁰

B. Rep. Mills May Have Omitted or Misrepresented Required Information in His Candidate and New Member Financial Disclosure Statements

31. In this review, the OCE examined Rep. Mills's personal finances and liabilities to better understand certain discrepancies in his candidate and Member financial disclosure statements and his capacity to personally loan his campaign funds. In this process, the OCE identified two liabilities that Rep. Mills omitted from his financial disclosure filings.
32. Specifically, Members of Congress must report any debts personally owned by them, their spouse, dependent children or that are jointly held at any time with any individual that were more than \$10,000 at any point in the reporting period.²¹ Filers are required to report personal loans, student loans, mortgages on rental property or properties held for investment purposes, liabilities of a business if the filer is personally liable for the debt and revolving debt accounts.²²
33. Additionally, Members of Congress, unlike candidates, officers and employees of the House, must report mortgages and home equity loans on personal residences.²³
34. In his New Member financial disclosure report, Rep. Mills disclosed a personal residence located in Fairfax County, Virginia, with a street address listed as: 1198 Windrock Drive.²⁴ Despite his lack of cooperation, the OCE confirmed that this address was Rep. Mills's personal residence through a deed of trust.²⁵ The OCE sought to confirm whether Rep. Mills had been a guarantor on a mortgage, which he would have been required to report as a liability.
35. The OCE reviewed publicly available records filed with the Fairfax County Clerk's Office. A review of records associated with the abovementioned residence indicates that Rep. Mills

²⁰ *Id.* at 31; House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2022, at 31.

²¹ House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2021, at 31; House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2022, at 31. *See also* House Committee on Ethics, Instruction Guide, Financial Disclosure Reports for Calendar Year 2023 and Periodic Transaction Reports at 59.

²² *Id.*

²³ *Id.*

²⁴ Rep. Mills, Candidate Financial Disclosure Report, filed May 7, 2021; Rep. Mills, Candidate Financial Disclosure Report, Amended on March 26, 2023; Rep. Mills, New Member Financial Disclosure Report, Filed May 12, 2023.

²⁵ Fairfax County Clerk's Office, Credit Line Deed of Trust and Security Agreement, May 28, 2021. (Exhibit 1 at 24-2323_0002 - 0031).

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purchased the home in 2017 for \$4,175,000.²⁶ A credit line deed of trust for the property shows that in August 2018, Rep. Mills and his wife were guarantors for a \$5,000,000 mortgage for the residence. The OCE reviewed a certificate of satisfaction filed in May 2021, showing that the loan had been paid in full.²⁷

36. However, according to a certificate of satisfaction reviewed by the OCE, in May 2021, Rep. Mills and his wife were guarantors for a \$4,290,000 loan from Waygar Capital²⁸ that was not paid off until June 2023. This loan should have been reported on Rep. Mills's New Member financial disclosure report.
37. Additionally, as of May 2021, Rep. Mills and his wife were guarantors for a \$23,538,757.91 Canadian Dollar ("CAD") loan package for two affiliated entities: Pacem Defense and ALS, Inc.,²⁹ from Waygar Capital.³⁰ This included an \$11,538,757.91 CAD non-revolving loan. Since they were personally liable as guarantors, this loan should have been reported on Rep. Mills's candidate and New Member financial disclosure forms.
38. Due to Rep. Mills's lack of cooperation, the OCE was unable to determine whether Rep. Mills satisfied these financial obligations or whether he failed to report any other personal liabilities or debts.³¹
39. Rep. Mills's counsel told the OCE that all questions could be answered based on publicly available information, rejecting any responsibility to answer questions about his ethical disclosure obligations under House rules and federal law.³²
40. Based on the foregoing, the Board finds that there is substantial reason to believe that Rep. Mills omitted and misrepresented required information in his financial disclosure reports.

²⁶ Fairfax County Department of Tax Administration Property Records, Map # 0194210010; In February 2023, Rep. Mills transferred ownership of this property to 1198 Windrock, LLC—an LLC wholly owned by Rep. Mills. Shortly following this transfer, Rep. Mills sold the home for \$3,975,000 in June 2023.

See Rep. Mills, Candidate Financial Disclosure Report, Amended on March 26, 2023.

²⁷ Fairfax County Clerk's Office, Certificate of Satisfaction, May 28, 2021. (Exhibit 2 at 24-2323_0033 - 0035)

²⁸ Waygar Capital is a Canadian asset-based lender that provides financial solutions to mid-market companies. Waygar Capital's clients are typically unable to access traditional bank financing for a variety of reasons including, but not limited to poor financial performance, unacceptable leverage ratios, or restrictive financial covenants. In most cases, borrowers can obtain higher advance rates against their collateral pools. Waygar Capital focuses on the integrity of the ownership/management team as well as collateral pledged in support of the loan request. *See* Waygar Capital, About Us, www.waygarcapital.com, (last visited August 21, 2024).

²⁹ A description of these entities and Rep. Mills's ownership interest is provided in more detail later in this report. [*See infra*. Section III].

³⁰ Fairfax County Clerk's Office, Credit Line Deed of Trust and Security Agreement, May 28, 2021. (Exhibit 1 at 24-2323_0002 - 0031).

³¹ As discussed in Section III, the OCE also reviewed various discrepancies related to reported earned income in Rep. Mills's candidate and new Member disclosure.

³² Letter from Charlie Spies, Dickinson Wright PLLC, Counsel to Rep. Right Aim Media and Rapid Loop Consulting, to Omar Ashmawy ("Response to OCE's RFI") (July 11, 2024). The OCE received representations from counsel and gave those statements appropriate evidentiary weight.

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III. REP. MILLS'S CAMPAIGN COMMITTEE MAY HAVE ACCEPTED EXCESSIVE CONTRIBUTIONS IN THE FORM OF PERSONAL LOANS AND CONTRIBUTIONS THAT MAY NOT HAVE DERIVED FROM REP. MILLS'S PERSONAL FUNDS

A. Applicable Law, Rules, and Standards of Conduct

41. Federal Statutes

Under 52 U.S.C. § 30104(b)(3), “[e]ach report shall under this section shall disclose . . . the identification of each—

(A) 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 (or election cycle, in the cause of an authorized committee of a candidate for Federal office) . . .

(E) person who makes a loan to the reporting committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and the date and amount or value of such loan”

42. Federal Regulations

Pursuant to 11 CFR § 110.1(b)(1), “No person shall make contributions to any candidate, his or her authorized political committees or agents with respect to any election for Federal office that, in the aggregate, exceed \$2,000.” This limit applies to each election the candidate participates in (e.g., primary, general, run-off, etc.) and is adjusted for inflation every two years.³³ For the 2021 to 2022 election cycle, the contribution limit was \$2,900.³⁴

11 C.F.R. § 110.10 states that “candidates for Federal office may make unlimited expenditures from personal funds as defined in 11 CFR 100.33.”

11 C.F.R. § 100.33 defines “personal funds of a candidate” to mean “the sum of all the following:

(a) Assets. Amounts derived from any asset that, under applicable State law, at the time the individual became a candidate, the candidate had legal right of access to or control over, and with respect to which the candidate had -

(1) Legal and rightful title; or

(2) An equitable interest;

(b) Income. Income received during the current election cycle, of the candidate, including:

(1) A salary and other earned income that the candidate earns from bona fide employment;

³³ See 11 C.F.R. § 110.1(b).

³⁴ See FEC, Contribution Limits for 2021-2022, <https://www.fec.gov/updates/contribution-limits-2021-2022/> (last visited August 27, 2024).

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(2) *Income from the candidate's stocks or other investments including interest, dividends, or proceeds from the sale or liquidation of such stocks or investments;*

...

(c) *Jointly owned assets. Amounts derived from a portion of assets that are owned jointly by the candidate and the candidate's spouse as follows:*

(1) *The portion of assets that is equal to the candidate's share of the asset under the instrument of conveyance or ownership; provided, however,*

(2) *If no specific share is indicated by an instrument of conveyance or ownership, the value of one-half of the property."*

43. House Ethics Manual

According to the House Ethics Manual, "a Member . . . must take reasonable steps to ensure that any outside organization over which he or she exercises control—including the individual's own authorized campaign committee . . .—operates in compliance with applicable law."³⁵

The House Ethics Manual further states that, "While FECA and other statutes on campaign activity are not rules of the House, Members and employees must also bear in mind that the House Rules require that they conduct themselves 'at all times in a manner that shall reflect creditably on the House' (House Rule 23, clause 1). In addition, the Code of Ethics of Government Service, which applies to House Members and staff, provides in ¶ 2 that government officials should '[u]phold the Constitution, laws and legal regulations of the United States and of all governments therein and never be a party to their evasion.' Accordingly, in violating FECA or another provision of statutory law, a Member or employee may also violate these provisions of the House rules and standards of conduct"³⁶

B. Rep. Mills's Campaign Committee May Have Accepted Excessive Contributions in the Form of Personal Loans and Contributions That May Not Have Derived from Rep. Mills's Personal Funds

44. In addition to the circumstances described above, another area of concern the OCE reviewed is the source of \$1,848,900 in personal loans made by Rep. Mills to his campaign. In 2021, Rep. Mills reportedly loaned his campaign \$641,500 over the course of five payments.³⁷ In 2022, the campaign committee's filings show that Rep. Mills loaned his campaign an additional \$1,207,400 consisting of eight individual loans.³⁸

45. While personal loans by the candidate are not subject to contribution limits, the loan proceeds must come directly from the candidate's personal funds. For instance, if Rep. Mills

³⁵ Committee on Ethics, HOUSE ETHICS MANUAL (2022 Print) at 132 (hereinafter "HOUSE ETHICS MANUAL").

³⁶ *Id.*

³⁷ Cory Mills for Congress, FEC 2021 Year-End Report of Receipts and Disbursements, Schedule C at 123-126, filed January 31, 2022.

³⁸ Cory Mills for Congress, FEC 2022 Year-End Report of Receipts and Disbursements, Schedule C at 31, filed January 31, 2022.

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borrowed funds from another source, only to later loan those funds to his campaign, such an arrangement should have been properly reported in his FEC disclosures.

46. One reason for inquiry was that in addition to the omitted liabilities noted in the prior section, the OCE found potential discrepancies in Rep. Mills's 2021 and 2022 Candidate Financial Disclosure Reports. Individuals running for Congress are required to file a financial disclosure statement once they qualify as a candidate.³⁹ Specifically, his 2021 candidate report indicated that Rep. Mills earned \$500,000 in earned income from January 1, 2021, to approximately May 7, 2021—when he filed his first candidate report.⁴⁰ However, his 2022 candidate report, covering the 2021 and 2022 calendar year reported a salary of only \$310,271 in all of 2021.⁴¹
47. In his second candidate report, covering the 2022 calendar year, Rep. Mills reported a salary of \$587,248 from Pacem Solutions International.⁴² However, in his New Member financial disclosure report, also covering the same 2022 calendar year, Rep. Mills reported a salary from the same entity of \$1,248,748.00.⁴³ Without cooperation from Rep. Mills, the OCE was unable to understand the extent of these reporting inconsistencies and was further unable to confirm Rep. Mills's 2021 and 2022 earned income.⁴⁴
48. The discrepancies in Rep. Mills's financial disclosure reports, raised concerns about whether he had sufficient funds to personally cover the loans he made to his campaign. During this review, the OCE requested numerous documents from Rep. Mills, including personal income tax returns and other financial records, which could have confirmed the source of the funds used. However, because Rep. Mills did not cooperate, the OCE relied on the information provided in his financial disclosure reports. Below is a summary of the publicly available information:
 - i. 2021 Loans Totaling \$641,500*
49. The OCE reviewed whether Rep. Mills had the personal funds available to loan the abovementioned amount to his campaign. Rep. Mills did not cooperate with this review and the OCE was unable to address the reporting discrepancies in his candidate and New Member financial disclosure reports.
50. An analysis of his financial disclosure reports suggests that Rep. Mills had the apparent means to fund the loan in question. Specifically, even when considering the lowest reported

³⁹ 5 U.S.C. app. 4 § 101(c); House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2021, at 3.; House Committee on Ethics, Instruction Guide, Financial Disclosure Statements and Periodic Transaction Reports, Calendar Year 2022, at 3.

⁴⁰ Rep. Mills, Candidate Financial Disclosure Report, filed May 7, 2021.

⁴¹ Rep. Mills, Candidate Financial Disclosure Report, filed January 9, 2023.

⁴² *Id.*

⁴³ Rep. Mills, New Filer Financial Disclosure Report, filed May 12, 2023.

⁴⁴ Rep. Mills filed an amendment to his second candidate Financial Disclosure Report five days before the end of the OCE's review, on August 13, 2024. In this new filing, Rep. Mills reported salary for the calendar year remained the same. However, he removed unearned income from Pacem Solutions reported in his original filing.

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51. However, the OCE notes that Rep. Mills’s recent financial disclosure amendments and lack of consistency across reports covering the same time period undermine his reported income.

ii. 2022 Loans totaling \$1,207,400

52. As stated above, the OCE found discrepancies in Rep. Mills reported earned income for 2021 and 2022. Specifically, in 2022, Rep. Mills first reported a salary of \$587,248 and later reported a salary of \$1,248,748.⁴⁵ However, if accepted at face value, Rep. Mills’s reported assets and income for the 2022 calendar year, using the minimum reported values in his amended filings, show that he would have had sufficient funds to loan his campaign \$1,207,400.⁴⁶

53. The OCE notes that as of August 13, 2024, five days before the OCE’s review ended, Rep. Mills filed an amendment to his 2022 financial disclosure report.⁴⁷ In this most recent filing, Rep. Mills increased the 2022 value of a Bank of America checking account from \$50,000-\$100,000 to \$100,000-\$250,000.⁴⁸

54. In addition to the change in his reported checking account, Rep. Mills also removed his unearned income from Pacem Solutions. This is noteworthy because Rep. Mills, through his counsel, made representations to the OCE about his income and personal finances, that relied on the information contained in his original filing.⁴⁹ In a letter from Rep. Mills’s counsel, dated July 30, 2024 he stated in part, through counsel:

“On May 12, 2023, Rep. Mills filed a New Filer financial disclosure report with House Ethics. The reporting period for the new filer report was January 1, 2022 through December 31, 2022. The income disclosed on that report is outlined below:

Source:	Amount:
4700 Providence Road (commercial rental property)	\$100,001 - \$1,000,000
Pacem Solution International (unearned/Schedule A)	\$100,001 - \$1,000,000
Pacem Solution International (earned/Schedule C	\$1,248,748

The minimum amount of income Rep. Mills received in 2022 pursuant to his financial disclosure was \$1,448,750...Add the minimum amount in his interest bearing bank accounts and you get \$1,548,752. The maximum income Rep. Mills could have received in 2022 plus the maximum in his interest bearing bank accounts is \$3,448,748. Thus, Rep. Mills’ income

⁴⁵ Rep. Mills, Candidate Financial Disclosure Report, filed January 9, 2023; Rep. Mills, New Filer Financial Disclosure Report, filed May 12, 2023.

⁴⁶ *Id.*

⁴⁷ Rep. Mills, Candidate Financial Disclosure Report, Amended August 13, 2024.

⁴⁸ *Id.*

⁴⁹ Letter from Charlie Spies, Dickinson Wright PLLC, Counsel to Rep. Right Aim Media and Rapid Loop Consulting, to Omar Ashmawy (“Response to OCE’s RFI”) (July 11, 2024). The OCE received representations from counsel and gave those statements appropriate evidentiary weight.

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*plus assets held in interest bearing bank accounts in 2021[sic] was between \$1,548,752 and \$3,448,748. Again, more than enough to cover the \$1,207,400 loaned to his campaign in 2022.*⁵⁰

55. However, based on his most recent amended filing, the minimum amount of income Rep. Mills received in 2022 would have been \$1,348,750 and the maximum would have been \$2,448,748. Although Rep. Mills's financial disclosure reports ostensibly show he could have had the funds to loan his campaign \$1,848,900 in 2021 and 2022, the fact that he changed the reported amounts that his counsel relied upon in response to the OCE, calls into question the accuracy and truthfulness of his financial disclosure reports, and further undermines the evidence of whether the personal loan to his campaign came from the personal funds of the candidate.

56. Based on the foregoing, the Board finds that there is substantial reason to believe that Rep. Mills's campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills's personal funds.

IV. REP. MILLS MAY HAVE ENTERED INTO, HELD, OR ENJOYED CONTRACTS WITH FEDERAL AGENCIES DURING REP. MILLS'S CONGRESSIONAL SERVICE

A. Applicable Law, Rules, and Standards of Conduct

57. Federal Statutes

Under 18 U.S.C. § 431, "Whoever, being a Member of or Delegate to Congress . . . undertakes, executes, holds, or enjoys, in whole or in part, any contract or agreement, made or entered into in behalf of the United States or any agency thereof . . . shall be fined under this title."

18 U.S.C. § 433 states, "Section 431 and 432 of this title shall not extend to any contract or agreement made or entered into, or accepted by any incorporated company for the general benefit of such corporation . . . Any exemption permitted by this section shall be made a matter of public record."

41 U.S.C. § 6306 states, "A Member of Congress may not enter into or benefit from a contract or agreement or any part of a contract or agreement with the Federal Government . . . Any exemption under this subsection shall be made a matter of public record."

58. House Rules

House Rule 23, clause 1 states that "[a] Member . . . shall conduct himself at all times in a manner that shall reflect creditably on the House."

House Rule 23, clause 2 states that "[a] Member . . . shall adhere to the spirit and the letter of the Rules of the House . . ."

⁵⁰ *Id.*

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59. House Ethics Manual

According to the House Ethics Manual, “[u]nder the federal criminal code, a Member of Congress may not enter into a contract or agreement with the United States government. Any such contract is deemed void, and both the Member and the officer or employee who makes the contract on behalf of the federal government may be fined (18 U.S.C. §§ 431, 432).”⁵¹

The House Ethics Manual further explains, “[t]he Attorney General has interpreted this language to prohibit a general or limited partnership that includes a Member of Congress from entering into a contract with the federal government.”⁵² For this proposition, the Committee on Ethics cites a U.S. Department of Justice, Office of Legal Counsel opinion, which prohibited a Member from having an ownership interest in an entity that held leases with the federal government.⁵³

B. Rep. Mills May Have Entered Into, Held and Enjoyed Contracts with the Federal Government While Serving in Congress

i. Background on Entities Owned by Rep. Mills

60. Pursuant to federal law, Members of Congress are prohibited from contracting with the federal government.⁵⁴ The statutory prohibition under 18 U.S.C. § 431 broadly prohibits a Member of Congress from executing, holding, or enjoying, in whole or in part, such a federal contract.
61. However, Congress also outlined an exception to the prohibition in the cases where the Member of Congress’s interest was held through an incorporated company and the contract is for the general benefit of the corporation.⁵⁵ In cases where there is a corporate interest, the Member *may* be allowed to contract with the federal government, subject to public disclosure and other requirements.⁵⁶
62. There is some limited guidance from the Office of Legal Counsel on the scope of the statute. However, there is no relevant precedent pertaining to contracts with incorporated entities that are wholly owned by the Member of Congress, rendering the general benefit to the corporation the exclusive personal benefit of the Member of Congress. In such a case, the Member of Congress would be the sole beneficiary of the contract with the government.

⁵¹ HOUSE ETHICS MANUAL at 210.

⁵² *Id.* at 211. (citing 22 Op. O.L.C. 33, 34 (Feb. 17, 1998) which found that 18 U.S.C. § 431 prohibited a Member of Congress from holding a beneficial interest in a blind trust if the trust acquired an ownership interest in a limited partnership that held leases with the federal government) (citation date corrected from original).

⁵³ 22 Op. O.L.C. 33, *34 (Feb. 17, 1998).

⁵⁴ 18 U.S.C. § 431.

⁵⁵ 22 Op. O.L.C. 33, *35 (Feb. 17, 1998); *Applicability of 18 U.S.C. §§ 431-433 to Limited Partnership Interests in Government Leases*, Memorandum Opinion for the General Counsel, General Services Administration, from Beth Nolan, Deputy Assistant Attorney General, Office of Legal Counsel at 3 (Feb. 17, 1998).

⁵⁶ *Id.*

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Moreover, the incorporated company exception under 18 U.S.C. § 433 does not apply to limited liability companies.⁵⁷

63. Prior to being sworn in to Congress, Rep. Mills made a series of public statements regarding his business dealings with U.S. law enforcement agencies and foreign governments over the years.⁵⁸ Government procurement records show companies owned by Rep. Mills have been awarded numerous federal contracts.⁵⁹ These contracts primarily consist of purchase orders stemming from the manufacture and delivery of less than lethal ammunitions – products manufactured by the Member-owned entities Pacem Defense, LLC, Pacem Solutions International, LLC and ALS, Inc. – to federal law enforcement agencies and the U.S. Department of Justice.⁶⁰
64. Below is a brief overview of each entity owned by Rep. Mills:

Pacem Defense, LLC

65. In his 2022 candidate filing, Rep. Mills reported holding a 100% interest in Pacem Defense, LLC (“Pacem Defense”).⁶¹ According to Commonwealth of Virginia State Corporation Commission records, Pacem Defense was formed in July of 2015 as a limited liability company and Rep. Mills is listed as the sole member.⁶²
66. Rep. Mills’s wife, Rana Al Saadi is listed as the executive chairwoman of Pacem Defense.⁶³ The company conducts risk management assessments, intelligence collection, and security for media such as NPR news.⁶⁴ On October 18, 2018, Pacem Defense purchased AMTEC Less Lethal Systems, Inc. (“Amtec”) from AMTEC Corporation for approximately \$10 million.⁶⁵ After finalizing the acquisition of AMTEC, Pacem Defense changed the name of Amtec, it’s now wholly-owned subsidiary, to ALS, Inc. (“ALS”).⁶⁶

Pacem Solutions International, LLC

⁵⁷ *Id.* at *38.

⁵⁸ Jack Newsham, Katherine Long, Bryan Metzger, and Azmi Haroun, *Rep. Cory Mills founded a company that sells arms to foreign governments. He won’t say which ones.*, BUSINESS INSIDER (March 28, 2023), available at <https://www.businessinsider.com/rep-cory-mills-florida-congress-sells-weapons-foreign-government-committee-2023-3>.

⁵⁹ Search Results, Federal Contract records, for Pacem Defense, LLC & Pacem Solutions International, LLC, USAspending.gov, (last visited August 27, 2024).

⁶⁰ *Id.*; Jack Newsham, Katherine Long, Bryan Metzger, and Azmi Haroun, *Rep. Cory Mills founded a company that sells arms to foreign governments. He won’t say which ones.*, BUSINESS INSIDER (March 28, 2023), available at <https://www.businessinsider.com/rep-cory-mills-florida-congress-sells-weapons-foreign-government-committee-2023-3>; Pacem Defense, <https://www.pacem-defense.com/>, (last visited August 21, 2024).

⁶¹ Rep. Mills, Candidate Financial Disclosure Report, Amended on March 26, 2023.

⁶² Commonwealth of Virginia State Corporation Commission Office of the Clerk, Entity ID # S5692134.

⁶³ Pacem Defense, ELT, <https://www.pacem-defense.com/elt>, (last visited, August 27, 2024).

⁶⁴ Congressman Cory Mills, About, <https://mills.house.gov/about> (last visited August 27, 2024).

⁶⁵ See National Presto Industries, Inc. Press Release dated October 18, 2018.

⁶⁶ See Filing with Florida Division of Corporations, Amendment Section, Document # F12000002201.

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67. Rep. Mills co-founded Pacem Solutions and held a 98% interest in Pacem Solutions International, LLC (“Pacem Solutions”),⁶⁷ until his most recent financial disclosure filing on August 13, 2024, where Rep. Mills reported a 49% interest.⁶⁸
68. Pacem Solutions was incorporated in March of 2014.⁶⁹ Until April 2023, Rep. Mills was listed as the agent of Pacem Solutions. However, as of that date, Rana Al Saadi, Rep. Mills’s wife, is now listed as the agent.⁷⁰ Mrs. Al Saadi is also listed as the Executive Chairwoman for Pacem Solutions.
69. According to its website, Pacem Solutions is currently registered and/or partnered with trusted local firms to work in the following countries: United States, Iraq, Afghanistan, Pakistan, UAE, Australia, Kenya, Malaysia and Kuwait.⁷¹ Pacem Solutions provides training, security and risk management, defense products and services.⁷²

ALS, Inc.

70. According to ALS, Inc.’s LinkedIn profile, “PACEM Defense/ALS, is a company that strives to provide the highest quality products and services to the military and law enforcement communities” worldwide. ALS, Inc., is located in Northern Florida and operates a 545-acre facility with 50,000 square feet of manufacturing and training space.⁷³
71. ALS, Inc., has been responsible for the successful delivery of hundreds of millions of rounds of ammunition and defense related articles to the United States and allied countries around the globe.⁷⁴
72. Rep. Mills did not disclose ALS, Inc., in any of his financial disclosure filings.
73. A review of ALS, Inc.’s 2022 annual report lists Mrs. Al Saadi as the director, and Andrew Knaggs, Chief Executive Officer (“CEO”) of Pacem Solutions/Pacem Defense and Tarun Handa, Chief Financial Officer (“CFO”) of Pacem Solutions/Pacem Defense as members of the corporation.⁷⁵

⁶⁷ Rep. Mills, Candidate Financial Disclosure Report, filed May 7, 2021.

⁶⁸ The OCE notes that as of the date of this report, Rep. Mills has filed a 2023 Financial Disclosure Report where his interest in Pacem Solutions has changed from 98% to 49%. *See* Rep. Mills, 2023 Annual Financial Disclosure Report, filed August 13, 2024.

⁶⁹ Commonwealth of Virginia State Corporation Commission Office of the Clerk, Entity ID # S4953727.

⁷⁰ Commonwealth of Virginia State Corporation Commission Office of the Clerk, Statement of Change of Registered Office and/or Registered Agent, Entity ID # S4953727.

⁷¹ Pacem Solutions International, Where We Are, <https://www.pacem-solutions.com/where-we-are> (last visited August 27, 2024).

⁷² *Id.*

⁷³ ALS, Inc., LinkedIn, 2024, <https://www.linkedin.com/company/amtec-less-lethal-systems-inc/> (last visited August 27, 2024).

⁷⁴ *Id.*

⁷⁵ Wisconsin Department of Financial Institutions, Domestic Business Corporation Annual Report. ALS, Inc., Entity ID: s089892, filed January 18, 2023. (Exhibit 3 at 24-2323_0037 - 0040).

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ii. Overview of Federal Contracts Awarded to Entities Owned by Rep. Mills

74. Federal procurement records show that Pacem Defense, Pacem Solutions and ALS, Inc. have been contracting with the federal government since 2019.⁷⁶ In 2021, Pacem Defense, through its ownership of ALS, was awarded contracts from the Departments of Justice and Department of Interior worth more than \$360,000.⁷⁷ Similarly, in 2020, Pacem Defense earned more than \$680,000 for work with the same agencies and the Department of Homeland Security.⁷⁸

75. As of January 1, 2023, ALS—and by extension Pacem Defense and Pacem Solutions—has continued to receive revenue from contracts awarded by Federal law enforcement agencies.⁷⁹ Therefore, if, as federal contracting records suggest, Pacem Defense and Pacem Solutions contracted with the federal government after the date in which Rep. Mills had officially been sworn in as a Member of Congress, Rep. Mills would likely have directly benefitted from contracts with the federal government.

iii. Contracts with the Department of Justice, Bureau of Prisons and Department of Interior, National Park Service

76. During this review, the OCE analyzed records provided by Department of Justice, Bureau of Prisons (“BOP”), and the Department of the Interior, National Park Service (“NPS”). The OCE reviewed hundreds of pages of documents, including invoices and contracts. The OCE found that from January 2023 to present, Pacem Defense/ALS, has been actively contracting with the federal government, securing close to \$1,000,000 in federal contracts for munitions and weapons, distributed to prisons across the country.⁸⁰ Specifically, since January 9, 2024, 94 contracts have been awarded to entities owned by Rep. Mills.⁸¹

77. Further, in its review of records from BOP, the OCE found that Pacem Solutions contracted with the federal government as recently as May 2024, with a September 2024 delivery date, for \$11,632.89.

⁷⁶ Search Results, Federal Contract records, for Pacem Defense, LLC & Pacem Solutions International, LLC, USAspending.gov, (last visited August 27, 2024).

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*; see, e.g., Contract No. 15B30924P00000074, Department of Justice (issued May 9, 2024), (Exhibit 4 at 24-2323_0042 - 0045)

⁸⁰ *Id.*

⁸¹ *Id.*

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17a. CONTRACTOR/ OFFEROR PACEM SOLUTION INTERNATIONAL LLC Doing Business As: PACEM TRAINING & RANGE COMPLEX 2941 FAIRVIEW PARK DRIVE SUITE 350 FALLS CHURCH, VA 22042 TELEPHONE NUMBER		CODE	FACILITY CODE UEI: HJEXSNXY3KQ5 DUNS: 079394187	18a. PAYMENT WILL BE MADE BY Federal Bureau of Prisons FCI Fort Dix Business Office [REDACTED]@bop.gov		CODE 15BFTD
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER			18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM			
19. ITEM NUMBER	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT	
→	<p>Delivery Date: 09/30/2024</p> <p>CONTRACTOR TO PROVIDE LESS THAN LETHAL AMMUNITION FOR THE CORRECTIONAL SERVICES DEPARTMENT LOCATED AT FCI, FORT DIX.</p> <p>QUOTE # 06015209 SHIPPING LABEL TO STATE "FOR SECURITY EYES ONLY"</p> <p>Firm Fixed Price</p> <p>See Continuation Sheet(s) <i>(Use Reverse and/or Attach Additional Sheets as Necessary)</i></p>					
25. ACCOUNTING AND APPROPRIATION DATA BOP-2024-1060AD-P0206-E2-E15-26001-2600-2024					26. TOTAL AWARD AMOUNT (For Government Use Only) \$11,632.89	

78. Similarly, the OCE received documents from NPS. In its review of NPS contracts, the OCE found that as recently as April 2024 Pacem Defense and ALS have contracted with NPS for impact bags, bangs, and aerial rockets.⁸²

iv. Conflicting Corporate Structure between Pacem Solutions, Pacem Defense and ALS, Inc.

79. The OCE found that there was little distinction between ALS, Inc., Pacem Defense and Pacem Solutions as three separate entities.

80. The publicly available contracting records for ALS, Inc., Pacem Defense and Pacem Solutions appear to create a significant amount of confusion. Based on the information reviewed, the OCE found that there are several inconsistencies in how these companies are represented.

81. First, public federal contracting records indicate that in contracts from July 2019 through June 2024, Pacem Solutions is listed as the parent company of ALS, Inc.⁸³ In federal contracts with BOP reviewed by the OCE -- ALS, Inc., is listed as doing business as Pacem Defense.⁸⁴

⁸² Department of Interior, National Park Service, Order for Supplies or Services, April 17, 2024, Order No. 140P1424P0052 (“NPS Invoice”), (Exhibit 5 at 24-2323_0047 - 0081).

⁸³ Amtec Less Lethal Systems, Inc., Entity Registration Form, Sam.Gov, (last visited, August 27, 2024).

⁸⁴ See, e.g., Contract No. 15B30924P00000074, Department of Justice (issued May 9, 2024), (Exhibit 4 at 24-2323_0042 - 0045).

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17a. CONTRACTOR/ OFFEROR	CODE	FACILITY CODE
AMTEC LESS LETHAL SYSTEMS, INC. Doing Business As: PACEM DEFENSE 4700 PROVIDENCE ROAD PERRY, FL 32347-1140		UEI: Q7LRS6JMFGC8 DUNS: 078292469
TELEPHONE NUMBER		

82. Appearing to further conflate the entities, in Rep. Mills’s annual financial disclosure reports, Pacem Defense and Pacem Solutions are listed as separate entities, with no mention of ALS, Inc. This suggests that ALS, Inc. may have been fully merged into one or both Pacem entities.
83. Additionally, the public-facing material for ALS, Inc., links back to Pacem Defense, with ALS, Inc.’s website listing Pacem Defense’s mailing address, phone number and email address in the “contact us” section.

DEFENSE **ALS**
A PACEM DEFENSE COMPANY

HOME PRODUCTS TRAINING NEWS INFO

Contact Us

Name * First Last

Email *

Phone # *

Agency *

Message *

MAILING ADDRESS

Pacem Defense
4700 Providence Road
Perry, FL 32347

CUSTOMER SERVICE

Phone: 850-223-4066
Fax: 850-223-1911
Email: sales@pacem-defense.com

84. A review of federal contracting records from BOP and NPS also show that Pacem Defense employees are listed as the point of contact for contracts with ALS, Inc.

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17a. CONTRACTOR/ OFFEROR		CODE	FACILITY CODE
AMTEC LESS LETHAL SYSTEMS, INC. Doing Business As: AMTEC LESS-LETHAL SYSTEMS INC 4700 PROVIDENCE RD PERRY, FL 32347-1140			UEI: Q7LRS6JMFGC8 DUNS: 078292469
TELEPHONE NUMBER			
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER			
19. ITEM NUMBER	20. SCHEDULE OF SUPPLIES/SERVICES		
	Delivery Date: 08/30/2024 RP-219-23 E2 ALS LESS LETHAL MUNITIONS QUOTE: 06013958 [Redacted]@pacem-defense.com SECURITY HAZARD TO BE DELIVERED TO THE INSTITUTION SECURITY OFFICER ONLY Firm Fixed Price		

85. A review of the LinkedIn profiles for these companies shows that ALS, Inc. has only four employees, two of whom hold positions at Pacem Defense, an entity with 36 employees listed.⁸⁵
86. Further blurring the lines between these entities, executives at Pacem Defense also hold the same positions at Pacem Solutions⁸⁶, suggesting that these entities may be operating as a single company, despite the separate representations in public records and the manner in which Rep. Mills represents them in his financial disclosure reports.
87. Without cooperation from the companies involved or Rep. Mills, the OCE had difficulty determining the true nature of the relationships between these entities and identifying the parent company, subsidiary, or business unit structure. The lack of clarity in the public record also makes it difficult to discern the actual corporate structure and how these companies are interconnected. If it is as it appears, that these companies are operating as one business unit, then non-incorporated entities wholly owned by Rep. Mills have been actively contracting with the federal government, exacerbating the potential violation.
88. Nevertheless, the OCE found direct evidence that Pacem Solutions, a limited liability company in which Rep. Mills holds at least a 49% interest, is actively entering and benefiting from contracts with the federal government during Rep. Mills's congressional service.

⁸⁵ ALS, Inc., LinkedIn, 2024, <https://www.linkedin.com/company/amtec-less-lethal-systems-inc/> (last visited August 27, 2024); Pacem Defense, LinkedIn, 2024, <https://www.linkedin.com/company/pacem-defense/> (last visited August 27, 2024).

⁸⁶ Pacem Solutions International, Who We Are, <https://www.pacem-solutions.com/elt> (last visited August 27, 2024); Pacem Defense, Who We Are, <https://www.pacem-defense.com/elt> (last visited August 27, 2024).

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89. Based on the foregoing, the Board finds that there is substantial reason to believe that Rep. Mills may have entered into, held, or enjoyed contracts with federal agencies while he was a Member of Congress in violation of House rules, standards of conduct, and federal law.

V. THE OCE DID NOT FIND SUBSTANTIAL REASON TO BELIEVE THAT REP. MILLS’S CAMPAIGN COMMITTEE, MAY HAVE ACCEPTED IN-KIND CONTRIBUTIONS IN THE FORM OF CREDIT NOT EXTENDED IN THE ORDINARY COURSE OF BUSINESS

A. Applicable Law, Rules, and Standards of Conduct

90. Federal Statutes

52 U.S.C. § 30104(b)(5)(A) states that each report under this section shall disclose, “the name and address of each—person to whom an expenditure in an aggregate amount or value in excess of \$200 within the calendar year is made by the reporting committee to meet a candidate or committee operating expense, together with the date, amount, and purpose of such operating expenditure . . .”

91. Federal Regulations

11 C.F.R. § 100.52(a) states: “A gift, subscription, loan (except for a loan made in accordance with 11 CFR 100.72 and 100.73), advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office is a contribution.”

11 C.F.R. § 100.52(d)(1) states: “For purposes of this section, the term anything of value includes all in-kind contributions. Unless specifically exempted under 11 CFR part 100, subpart C, the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services is a contribution. Examples of such goods or services include, but are not limited to: Securities, facilities, equipment, supplies, personnel, advertising services, membership lists, and mailing lists. If goods or services are provided at less than the usual and normal charge, the amount of the in-kind contribution is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the political committee.”⁸⁷

11 C.F.R. § 116.3(a)-(c) states:

*“(a) **Unincorporated vendor.** A commercial vendor that is not a corporation may extend credit to a candidate, a political committee or another person on behalf of a candidate or political committee. An extension of credit will not be considered a contribution to the candidate or political committee provided that the credit is extended in the ordinary course*

⁸⁷ See FEC Advisory Op. 2006-02 (Sept. 18, 2006) (finding that preparation of an *amicus* brief for a candidate without charge would constitute a contribution unless the campaign committee paid “the usual and normal charge for such services in a timely manner.”).

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of the commercial vendor's business and the terms are substantially similar to extensions of credit to nonpolitical debtors that are of similar risk and size of obligation.

*(b) **Incorporated vendor.** A corporation in its capacity as a commercial vendor may extend credit to a candidate, a political committee or another person on behalf of a candidate or political committee provided that the credit is extended in the ordinary course of the corporation's business and the terms are substantially similar to extensions of credit to nonpolitical debtors that are of similar risk and size of obligation.*

*(c) **Ordinary course of business.** In determining whether credit was extended in the ordinary course of business, the Commission will consider—*

(1) Whether the commercial vendor followed its established procedures and its past practice in approving the extension of credit;

(2) Whether the commercial vendor received prompt payment in full if it previously extended credit to the same candidate or political committee; and

(3) Whether the extension of credit conformed to the usual and normal practice in the commercial vendor's trade or industry.”⁸⁸

92. House Rules

House Rule 25, clause 5 (a)(1)(A)(i) states that “A Member, Delegate, Resident Commissioner, officer, or employee of the House may not knowingly accept a gift except as provided in this clause.”

House Rule 25, clause 5 (a)(2)(A) states that “[i]n this clause the term ‘gift’ means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value.”

House Rule 25, clause (a)(3) states that “The restrictions in subparagraph (1) do not apply to the following:

⁸⁸ See FEC Advisory Op. 1994-10 (June 9, 1994). In this opinion, the FEC considered a bank's proposal to waive certain fees related to loans for political committees. The FEC noted that in prior opinions it had “concluded that the receipt of complimentary items or the purchase of goods or services at a discount does not result in a contribution if the discounted or complimentary goods were available to others on equal terms or as part of a pre-existing business relationship.” *Id.* at 2. Further, the FEC explained that in these past opinions “it was determined that a corporation was treating its political clients no differently than its other patrons and was acting within the context of a business relationship. However, where a political committee was accorded preferential treatment different from other customers, or the treatment was outside of a business relationship, the Commission has found that a prohibited corporate contribution resulted.” *Id.* at 3 note 4. The Committee referenced 11 C.F.R. § 116.3 and explained that “[a]mong the factors to indicate if a vendor followed its ordinary course of business, are whether the vendor followed its established procedures and past practices and whether these past practices conformed to the usual and normal practice in the commercial vendor's trade or industry.” *Id.*

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*(B) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) that is lawfully made under that Act, a lawful contribution for election to a State or local government office, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.*⁸⁹

93. House Ethics Manual

*In defining “what is a gift?” the House Ethics Manual states: “A gift is something with monetary value for which you do not have to pay. Gifts include gratuities, favors, discounts, entertainment, hospitality, loans, forbearances, services, training, travel expenses, in-kind contributions, advanced payments, and reimbursements after the fact. The Committee only considers the fair market value of the gift you receive, not whether the person or organization offering it to you paid full price.”*⁹⁰

*The House Ethics Manual further explains in the gift section, “[y]ou may accept lawful campaign contributions, whether to federal campaign committees or leadership PACS or to state or local campaign committees.”*⁹¹

*In the same gift section of the House Ethics Manual, the Committee provides an example of an “impermissible” contribution: “You are running for re-election to the House. One very enthusiastic campaign supporter gives our campaign a check for three times the individual contribution limit. You may not accept the excess contribution. Contact the FEC for assistance with reporting and to determine whether contributions may be attributed to other election cycles.”*⁹²

*Regarding loans as gifts, the House Ethics Manual explains: “You may also accept a loan from an entity that is not a financial institution as long as the loan has commercially reasonable terms, including requirements for repayment and a reasonable market-based interest rate.”*⁹³

*According to the House Ethics Manual, “a Member or employee must take reasonable steps to ensure that any outside organization over which he or she exercises control – including the individual’s own authorized campaign committee or, for example, a ‘leadership PAC’ – operates in compliance with applicable law.”*⁹⁴

⁸⁹ House Rule 25, clause (a)(3). For the 2021 to 2022 election cycle, the individual contribution limit to a campaign committee per election was \$2,900. See FEC, Archived Contribution Limits for 2021-2022 Federal Elections, <https://www.fec.gov/help-candidates-and-committees/candidate-taking-receipts/archived-contribution-limits/> (last visited May 9, 2024). For the 2023 to 2024 election cycle, the individual contribution limit to a campaign committee per election was \$3,300. See FEC, Contribution Limits for 2023-2024 Federal Elections, <https://www.fec.gov/help-candidates-and-committees/candidate-taking-receipts/contribution-limits/> (last visited May 9, 2024).

⁹⁰ HOUSE ETHICS MANUAL at 25.

⁹¹ *Id.* at 83.

⁹² *Id.* at 84.

⁹³ *Id.* at 81-82.

⁹⁴ *Id.* at 132.

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In a recent report, the Committee found that a Member's acceptance of rent-free office space used by the Member's campaign constituted a gift. The Committee rejected a characterization of the rent-free benefit as an in-kind contribution because the property owners did not know it was used by the campaign and therefore did not intend for their gift to have a campaign purpose.⁹⁵

B. The OCE Did Not Find Substantial Reason to Believe That Rep. Mills's Campaign Committee, May Have Accepted In-Kind Contributions in the Form of Credit Not Extended in the Ordinary Course of Business

94. In its April 15, 2024 quarterly filing, Rep. Mills's campaign committee held \$348,742.02 in debt,⁹⁶ the most of all incumbent committees at that time.⁹⁷ The campaign committee had not reported any payments against the debt in Schedule D of its FEC filings for three of the ten entities it owed money to.⁹⁸ Roughly eighty-five percent of the debt was owed to two entities, Right Aim Media and Rapid Loop Consulting.⁹⁹ The campaign committee also owed debt to X Strategies LLC, a public relations consulting firm,¹⁰⁰ KGT Global, a tax firm,¹⁰¹ and Something Else Strategies, a campaign consulting firm.¹⁰²
95. An analysis of the debt owed by political committees to the listed vendors showed that, with some exceptions, debts to the identified vendors were generally paid off by other campaign committees in full within a year after the debt was incurred.
96. While it's not unusual for campaign committees to incur debt, the amount of the debt and the lack of any payments towards the debt represented a significant outlier when compared with all other incumbent House candidate committees. This raised questions about whether the campaign committee's extension of credit from these entities met the ordinary course of business requirements under FEC rules for extending credit,¹⁰³ and whether Rep. Mills, by continuing to maintain unpaid balances with these entities, received a gift in the form of an in-kind contribution.

⁹⁵ *In the Matter of Allegations Relating to Representative Bobby L. Rush*, H. Rep. 115-618, 115th Cong., 2d Sess. (2018) at 11-14.

⁹⁶ Cory Mills for Congress, FEC April 2024 Quarterly Report of Receipts and Disbursements, filed April 15, 2024 at 172 – 179.

⁹⁷ See generally FEC Database of Campaign Debt, https://www.fec.gov/data/debts/?form_line_number=F3-10 (last visited May 10, 2024).

⁹⁸ Cory Mills for Congress, Schedule D of regularly filed Quarterly Reports of Receipts and Disbursements, filed October 15, 2022 to April 15, 2024.

⁹⁹ Cory Mills for Congress, FEC April 2024 Quarterly Report of Receipts and Disbursements, filed April 15, 2024 at 172 – 179.

¹⁰⁰ X Strategies, Services, <https://xstrategies.com/political-consulting/political-services/> (last visited August 27, 2024).

¹⁰¹ KGT Global, About Us, <https://www.kgtapplications.com/Home/Company> (last visited August 27, 2024).

¹⁰² Something Else Strategies, What We Do, <https://somethingelse.com/what-we-do/> (last visited August 27, 2024).

¹⁰³ 11 C.F.R. § 116.3(a)-(c).

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97. As of the committee’s April 15, 2024, campaign filing, the outstanding debt was as follows:¹⁰⁴

Vendor	Total Debt Incurred	Total Debt Paid	Outstanding Debt (USD)	Debt Incurred Filing(s)	Nature(s) of debt
RIGHT AIM MEDIA	\$226,773.44	\$0	\$226,773.44	October Quarterly 2022; Post-General 2022	Advertising
RAPID LOOP CONSULTING, LLC	\$95,968.58	\$20,000.00	\$75,968.58	October Quarterly 2022; Post-General 2022	Strategic Campaign Consulting
X STRATEGIES LLC	\$39,000.00	\$12,500.00	\$26,500.00	October Quarterly 2022; Post-General 2022	Advertising
KGT GLOBAL	\$17,500.00	\$0	\$17,500.00	October Quarterly 2022; Post-General 2022	Fundraising Consulting
SOMETHING ELSE STRATEGIES	\$2,000.00	\$0	\$2,000.00	Post-General 2022	Strategic Campaign Consulting

98. The OCE sought information from all the abovementioned vendors. None of the vendors cooperated with this review by producing any of the requested information. This included multiple vendors who were represented by the same counsel as Rep. Mills.
99. While none of the vendors cooperated with this review, in a July 11, 2024 letter from counsel, Rapid Loop Consulting asserted that the campaign committee fully paid off its debt. Likewise, Right Aim Media stated that the campaign committee was actively making payments to satisfy its financial obligation.¹⁰⁵

¹⁰⁴ Cory Mills for Congress, FEC April 2024 Quarterly Report of Receipts and Disbursements, filed April 15, 2024 at 172 – 179.

¹⁰⁵ Letter from Charlie Spies, Dickinson Wright PLLC, Counsel to Rep. Right Aim Media and Rapid Loop Consulting, to Omar Ashmawy (“Response to OCE’s RFI”) (July 11, 2024). The OCE received representations from counsel and gave those statements appropriate evidentiary weight.

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100. Rep. Mills campaign committee filed its July Quarterly 2024 report on July 15, 2024, and its Pre-Primary 2024 report on August 8, 2024.¹⁰⁶

101. As of the committee’s August 8, 2024 campaign filing, the outstanding debt was as follows:¹⁰⁷

Vendor	Total Debt Incurred	Total Debt Paid	Outstanding Debt (USD)	Debt Incurred Filing(s)	Nature(s) of debt
RIGHT AIM MEDIA	\$238,559.92	\$64,072.78	\$174,487.14	Q3 2022; Post-Election 2022; Q2 2024	Advertising
RAPID LOOP CONSULTING, LLC	\$95,968.58	\$95,968.58	\$0	Q3 2022; Post-Election 2022	Strategic Campaign Consulting
X STRATEGIES LLC	\$39,000.00	\$12,500.00	\$26,500.00	Q3 2022; Post-Election 2022	Advertising
KGT GLOBAL	\$17,500.00	\$0	\$17,500.00	Q3 2022; Post-Election 2022	Fundraising Consulting
SOMETHING ELSE STRATEGIES	\$2,000.00	\$0	\$2,000.00	Post-Election 2022	Strategic Campaign Consulting

102. The OCE found that the campaign committee has satisfied most of the debt owed to the vendors in question.

103. The Board notes that the apparent coordinated non-cooperation prevented the OCE from reviewing further information about whether the prolonged debt resulted from an agreement to extend credit outside the ordinary course of business that may have resulted in excessive in-kind contributions.

¹⁰⁶ Cory Mills for Congress, FEC July 2024 Quarterly Report of Receipts and Disbursements, filed July 15, 2024; Cory Mills for Congress, FEC Pre-Primary 2024 Report of Receipts and Disbursements, filed August 8, 2024.

¹⁰⁷ Cory Mills for Congress, FEC July 2024 Quarterly Report of Receipts and Disbursements, filed July 15, 2024 at 201-208.

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104. Nevertheless, based on a review of the most recent campaign committee FEC filings, the campaign committee has made partial payments to Right Aim Media, X Strategies, LLC and has paid the total debt owed to Rapid Loop Consulting, LLC.
105. Based on the foregoing, the Board finds that there is not substantial reason to believe that Rep. Mills's campaign committee may have accepted in-kind contributions in the form of credit not extended in the ordinary course of business.
106. Based on the foregoing, the Board finds that there is not substantial reason to believe that Rep. Mills accepted an impermissible gift by receiving credit not extended in the ordinary course of business.

VI. CONCLUSION

107. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have omitted or misrepresented required information in his financial disclosure statements.
108. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills's campaign committee may have accepted excessive contributions in the form of personal loans and contributions that may not have derived from Rep. Mills's personal funds.
109. The Board recommends that the Committee further review the above allegation concerning Rep. Mills because there is substantial reason to believe that Rep. Mills may have entered into, held, or enjoyed contracts with federal agencies while serving in Congress.
110. The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills's campaign committee, Cory Mills for Congress, may have accepted excessive in-kind contributions in the form of credit not extended in the ordinary course of business.
111. The Board recommends that the Committee dismiss the above allegation concerning Rep. Mills because there is not substantial reason to believe that Rep. Mills accepted an impermissible gift in violation of House rules and standards of conduct.

VII. INFORMATION THE OCE WAS UNABLE TO OBTAIN AND RECOMMENDATION FOR THE ISSUANCE OF SUBPOENAS

112. The following witnesses, by declining to provide requested information to the OCE, did not cooperate with the OCE review:
 - (1) Rep. Mills;
 - (2) David Satterfield;
 - (3) Steve Martin;
 - (4) Capital Bank;
 - (5) Evolve Bank & Trust;
 - (6) Chain Bridge Bank;
 - (7) Rapid Loop Consulting;

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- (8) Right Aim Media;
- (9) X Strategies, LLC;
- (10) Something Else Strategies;
- (11) KGT Global;
- (12) Amy Dunn;
- (13) Andrew Knaggs;
- (14) Harun Tanda; and
- (15) Brian Crouch.

113. The Board recommends that the Committee on Ethics issue subpoenas to:

- (1) Rep. Mills;
- (2) David Satterfield;
- (3) Steve Martin;
- (4) Capital Bank;
- (5) Evolve Bank & Trust;
- (6) Chain Bridge Bank;
- (7) Rapid Loop Consulting;
- (8) Right Aim Media;
- (9) X Strategies, LLC;
- (10) Something Else Strategies;
- (11) KGT Global;
- (12) Amy Dunn;
- (13) Andrew Knaggs;
- (14) Harun Tanda; and
- (15) Brian Crouch.