

## BEFORE THE FEDERAL ELECTION COMMISSION

**NRSC**  
425 2<sup>nd</sup> St NE  
Washington, DC 20002

v.

MUR No. **8185**

**Keith Gross**  
[REDACTED]

Panama City Beach, FL 32408

**Keith Gross for Florida**  
1060 Powers Place  
Alpharetta, GA 30009

**Jason D. Boles**  
1060 Powers Place  
Alpharetta, GA 30009

**Pure Blue Inc.**  
2116 S Babcock St.  
Melbourne, FL 32901

**1954 Capital Partners LLC**  
2116 S Babcock St.  
Melbourne, FL 32901

**COMPLAINT**

For over 115 years, corporations have been prohibited from making contributions to federal candidates.<sup>1</sup> Throughout history, corporations and candidates alike have violated this longstanding law,<sup>2</sup> which led to the passing of the Federal Election Campaign Act ("FECA") and the establishment of the Federal Election Commission ("FEC" or "the Commission") to ensure that corporations could not make contributions to federal candidates.

Despite this well-known prohibition, Keith Gross, Keith Gross for Florida, and two businesses have engaged in a flagrant scheme to pump corporate resources into the struggling primary campaign of Gross. This complaint is filed pursuant to 52 U.S.C. §§ 30118(a) and 30109(a)(1) and is based on information providing reason to believe that Respondents have violated and are engaging in the continuing violation of the corporate contribution prohibitions established by FECA, 52 U.S.C. § 30101, *et. seq.* and Commission regulations.

The standard for an FEC investigation is, "[i]f the Commission, upon receiving a complaint... has reason to believe that a person has committed, or is about to commit, a violation of [FECA]... [t]he Commission shall make an investigation of such alleged violation..." 52 U.S.C. § 30109(a)(2); see also 11 C.F.R. § 111.4(a). That standard is easily met in this matter and the Commission should take proper action.

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<sup>1</sup> The Tillman Act of 1907.

<sup>2</sup> Ciara Torres-Spelliscy, *The Supreme Court Nixes Corporate Contributions for the 2020 Campaign*, THE BRENNAN CENTER (June 5, 2019)

## FACTS

Keith Gross is a Republican candidate for U.S. Senate for the state of Florida, running a lackluster, quixotic challenge against incumbent U.S. Senator Rick Scott.<sup>3</sup> Gross' principal campaign committee is Keith Gross for Florida.<sup>4</sup> Respondent Pure Blue Inc. appears to be a corporation that specializes in software or vehicle licensing located in Melbourne, Florida and/or Missoula, Montana.<sup>5</sup> Respondent 1954 Capital Partners LLC is a "boutique family office that provides growth capital to small and medium-sized businesses – across multiple sectors" that is located at the same address as Pure Blue Inc. in Melbourne, Florida.<sup>6</sup> According to his Financial Disclosure filed with the U.S. Senate, Keith Gross is an Officer and Owner of both Pure Blue Inc. and 1954 Capital Partners LLC.<sup>7</sup>

According to the Gross campaign's most recently filed Quarterly Report, the Gross campaign owes a debt of \$13,500 to Pure Blue Inc. for a "BUS LEASE – 3 MONTHS."<sup>8</sup> In addition, the Gross campaign also owes \$12,600 to 1954 Capital Partners LLC for "AIRCRAFT RENTAL."<sup>9</sup> In sum, Gross' campaign owes tens of thousands of dollars to corporation(s) owned and managed by Gross.

## CAUSE OF ACTION

### COUNT 1

#### Prohibited Contributions by Corporation(s)

Under FECA, a contribution is defined as any "gift, subscription, loan, advance, or deposit of money, or anything of value made by any person for the purpose of influencing any election for Federal office."<sup>10</sup> The phrase "anything of value" includes all in-kind contributions.<sup>11</sup> The term "person" includes corporations.<sup>12</sup> Federal law prohibits corporations, such as Pure Blue Inc. and likely 1954 Capital Partners LLC, from making contributions to Federal candidates.<sup>13</sup> If a corporation makes its resources available to one candidate for free, it must do so for all candidates.<sup>14</sup> Similarly, extensions of credit by a corporation are treated as prohibited corporate contributions if they are not provided 'in the ordinary course of business.'

***"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"***

<sup>3</sup> FEC Form 2, Keith Gross, available at: <https://docquery.fec.gov/cgi-bin/forms/S4FL00553/1697022/>.

<sup>4</sup> FEC Form 1, Keith Gross for Florida, available at: <https://docquery.fec.gov/cgi-bin/forms/C00837567/1726992/>.

<sup>5</sup> <https://www.bizapedia.com/fl/pure-blue-software-llc.html>. But see, Candidate Report, Keith Gross, United States Senate Financial Disclosure, searchable at: <https://efdsearch.senate.gov/search/home/> (describing Pure Blue Inc. as specializing in 'Vehicle Licensing' and located in Missoula, Montana).

<sup>6</sup> "About Us," and "Contact," 1954 Capital Partners LLC website, available at: <https://1954capital.com/>.

<sup>7</sup> Candidate Report, Keith Gross, United States Senate Financial Disclosure, searchable at: <https://efdsearch.senate.gov/search/home/>.

<sup>8</sup> Keith Gross for Florida, October Quarterly Report, Schedule D, available at: <https://docquery.fec.gov/cgi-bin/forms/C00837567/1731431/sd/10>.

<sup>9</sup> *Id.*

<sup>10</sup> 52 U.S.C. § 30101(8); 11 C.F.R. § 100.52.

<sup>11</sup> *Id.* at § 100.52(d)(1).

<sup>12</sup> 52 U.S.C. § 30101(11).

<sup>13</sup> 52 U.S.C. § 30118(a).

<sup>14</sup> 11 C.F.R. § 114.13.



and the terms are substantially similar to extensions of credit to nonpolitical debtors that are of similar risk and size of obligation.”<sup>15</sup>

Given that Keith Gross owns Pure Blue Inc. and that Pure Blue Inc. is not a commercial facility rental company, it appears that the campaign has been provided free rent for at least three months and has not been reimbursed the company within a commercially reasonable timeframe. By allowing his own campaign to lease Pure Blue Inc.’s business space for three months for free, Pure Blue Inc. has made an impermissible corporate in-kind contribution. Despite being a vendor that specializes in “software” or “vehicle licensing,” Pure Blue Inc. has leveraged its corporate resources to benefit its owner’s campaign for U.S. Senate. In other words, since Pure Blue Inc. is a “software” or “vehicle licensing” company, there is no plausible argument that suggests this lease was provided to the campaign ‘in the ordinary course of business.’ Indeed, if Keith Gross was not an owner of Pure Blue Inc., we find it implausible that the campaign would be given the office space and been extended credit to not reimburse within a commercially reasonable time frame. Thus, Pure Blue Inc. has made a prohibited corporate contribution, and Keith Gross for Florida has accepted a prohibited corporate contribution.

Similarly, the campaign’s use of 1954 Capital Partners’ private aircraft for free is an impermissible corporate contribution. Under FEC travel regulations, if an individual or business provides a non-commercial aircraft to a U.S. Senate candidate, the candidate’s campaign must reimburse that individual or business “no later than seven (7) calendar days after the flight began” to avoid “the receipt of an in-kind contribution.”<sup>16</sup> Because the debt to 1954 Capital Partners LLC on Schedule D has a stated purpose of “AIRCRAFT RENTAL,” it is clear that the campaign did not reimburse within the appropriate seven day timeframe.<sup>17</sup>

### PRAYER FOR RELIEF

1. Wherefore, the Commission should find expedited reason to believe that Respondents are engaging in an ongoing knowing and willful violation of 52 U.S.C. § 301011, *et. seq.*, and move expeditiously to force Respondents to comply with the law.
2. Further, the Commission should determine and impose appropriate sanctions for any and all violations, should enjoin respondent(s) from any and all violations in the future, and should impose such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Dated: [DATE]

November 2, 2023

STATE OF FLORIDA, COUNTY OF Alachua  
Sworn to (or affirmed) and subscribed before me by means of

☒ physical presence or ☐ online notarization, this 2nd day of Nov., 2023 by Blake Murphy  
Valerie L. Howard  
Signature of Notary Public - State of Florida

Personally Known        or Produced Identification         
Type of Identification Produced: Driver's License

Respectfully submitted,

Blake Murphy

Blake Murphy  
NRSC  
425 2<sup>nd</sup> St NE,  
Washington, DC 20002



VALERIE L. HOWARD  
Notary Public  
State of Florida  
Comm# HH087756  
Expires 5/28/2025

<sup>15</sup> 11 C.F.R. § 116.3(b).

<sup>16</sup> 11 C.F.R. § 100.93(c).

<sup>17</sup> Keith Gross for Florida, October Quarterly Report, Schedule D, available at: <https://docquery.fec.gov/cgi-bin/forms/C00837567/1731431/sd/10>.