

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,		)	
U.S. Attorney’s Office for the District of Columbia		)	
555 Fourth Street, NW		)	
Washington, DC 20530,		)	
		)	
Plaintiff,		)	Civil Action No. 13-0853
		)	
v.		)	
		)	
BIASSI BUSINESS SERVICES, INC.		)	
942 Woodfield Road		)	
West Hempstead, NY 11552		)	
		)	
Defendant.		)	
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**UNITED STATES’ LOBBYING DISCLOSURE ACT COMPLAINT  
FOR CIVIL PENALTIES OR FINES**

1. The United States brings this action against the Defendant, an entity doing business as Biassi Business Services, Inc. (“BBSI”), under the Lobbying Disclosure Act (“LDA”), 2 U.S.C. § 1601, *et seq.*, seeking a civil penalty or fine.

2. The Government alleges that BBSI knowingly failed to comply with the periodic reporting requirements of the LDA and to remedy delinquent filings after being notified by the Secretary of the U.S. Senate (the “Senate”) and the Clerk of the U.S. House of Representatives (the “House”).

3. As such, and because BBSI has failed to remedy its unlawful actions despite a plethora of notices from the House, Senate, and the U.S. Attorney’s Office, the United States brings this action.

**JURISDICTION, VENUE, AND PARTIES**

4. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1345, as this action is brought by the United States; 28 U.S.C. § 2461(a), as the United States seeks to recover a civil penalty or fine prescribed for the violation of an Act of Congress; and 28 U.S.C. § 1331, as this case arises under the laws of the United States.

5. This Court has personal jurisdiction over Defendant and venue is proper in this District under 2 U.S.C. § 1605(a)(8), which contemplates the LDA will be enforced by the U.S. Attorney's Office for the District of Columbia, and 28 U.S.C. § 1391(b)(2), as a substantial part of the events and omissions giving rise to the claims in this action occurred within the District of Columbia.

6. Plaintiff, the United States of America, through the U.S. Attorney's Office for the District of Columbia brings this action pursuant to its statutorily contemplated authority to enforce the registration and reporting requirements of the LDA.

7. Defendant Biassi Business Services, Inc. is a business whose principal place of business and last known address is 942 Woodfield Road, West Hempstead, NY 11552.

8. Although BBSI's name purports to identify it as an incorporated entity, the United States has been unable to identify any state of incorporation for BBSI despite a reasonable search of state corporation records. As such, it is the Government's information and belief that BBSI is an unincorporated business entity owned and operated by its principals, which the United States understands include Mensah A. Biassi and Patricia Ann Biassi.

### **STATUTORY FRAMEWORK**

9. The LDA requires individual lobbyists and lobbying firms or organizations employing in-house lobbyists (*i.e.*, “registrants”) to provide periodic reports of lobbying activity to the House and Senate. *See* 2 U.S.C. § 1604(a)-(d).

10. The LDA was amended effective January 1, 2008, by the Honest Leadership and Open Government Act of 2007 (“HLOGA”) to require more frequent reports of lobbying activity and the filing of semiannual reports detailing contribution activities.

11. As of January 1, 2008, registrants are required to file quarterly reports of lobbying activity for each of their clients on LD-2 forms with the Secretary of the Senate and Clerk of the House. 2 U.S.C. § 1604(a)-(c). These LD-2 reports are due “no later than 20 days after the end of the quarterly period beginning on the first day of January, April, July, and October of each year in which a registrant is registered . . . , or on the first business day after such 20th day if the 20th day is not a business day[.]” 2 U.S.C. § 1604(a).

12. Further, as of January 1, 2008, individual lobbyists and registrants are required to file semi-annual reports of contribution activities on LD-203 forms with the Secretary of the Senate and Clerk of the House. 2 U.S.C. § 1604(d). These LD-203 reports are due “not later than 30 days after the end of the semiannual period beginning on the first day of January and July of each year, or on the first business day after such 30th day if the 30th day is not a business day[.]” 2 U.S.C. § 1604(d)(1).

13. The LDA also requires registrants to file termination reports should they cease to represent a client and amended registration statements to add or subtract a registrant’s active lobbyists. 2 U.S.C. § 1603(d); *see also* 2 U.S.C. § 1604(d).

**BBSI'S FAILURE TO FILE REQUIRED LD-2 AND LD-203 REPORTS**

**I. BBSI Files Lobbying Registration Statements with the House and Senate.**

14. On or about September 1, 2001, BBSI filed a lobbying registration statement with the House and Senate registering itself as a lobbying firm and identifying The Africa Committee, Inc. as its sole client.

15. BBSI's September 2001 registration statement identified Mensah A. Biassi and Patricia Ann Biassi as the points of contact for BBSI and the lobbyists employed by BBSI.

16. Mensah A. Biassi as CEO of BBSI signed the September 2001 registration statement.

17. On February 28, 2009, BBSI filed an amended registration statement. This amended registration statement continued to identify BBSI as a lobbying firm and its sole client as The Africa Committee, Inc.

18. BBSI's February 2009 amended registration statement continued to list Mensah A. Biassi and Patricia Ann Biassi as lobbyists and identified three additional persons employed by BBSI as lobbyists, namely (i) Kouevi Adamah, (ii) Koffi Feliz Houngbeke, and (iii) Bright Ekue Adamah-Biassi.

19. Mensah A. Biassi as Associate Director of BBSI signed BBSI's February 2009 amended registration statement.

**II. In Mid-2009, BBSI Begins Its Habitual Practice of Knowingly Failing to Timely File LD-2 Reports and Failing to Correct Delinquent Reports After Notice.**

20. Shortly after BBSI's amended registration, BBSI began to be delinquent in filing its required LD-2 reports.

21. BBSI failed to file timely its Senate and House LD-2 reports for the first quarter of 2009, which were due on Monday, April 20, 2009.

22. Consequently, on or about May 12, 2009, the Secretary of the Senate wrote BBSI providing notice of its violation and demanding that BBSI remedy its delinquency within 60 days.

23. Presumably in response to the Senate's notice, BBSI filed its first quarter 2009 LD-2 reports with the House and Senate on May 12, 2009.

24. If BBSI was otherwise unaware of the post-HLOGA LD-2 filing requirements of the LDA, this exchange in May 2009 plainly made BBSI aware of them.

25. Further, BBSI has received numerous similar delinquency notices from the House and Senate since May 2009, which made BBSI well aware of its LD-2 filing obligations.

**A. BBSI Knowingly Failed to File Twenty-Eight Quarterly LD-2 Reports on a Timely Basis.**

26. Despite BBSI's knowledge of the LDA LD-2 filing requirements, after May 2009 BBSI committed numerous separate violations of them.

27. Specifically, despite its plain knowledge of the post-HLOGA LD-2 filing requirements, BBSI failed to file timely LD-2 reports for the following fourteen (14) quarters, totaling twenty-eight (28) delinquent reports:

- a. BBSI's LD-2 reports for the second quarter of 2009 were due to the House and Senate on Monday, July 20, 2009, but BBSI did not file them until February 5, 2010;
- b. BBSI's LD-2 reports for the third quarter of 2009 were due to the House and Senate on Tuesday, September 20, 2009, but BBSI did not file them until February 5, 2010;
- c. BBSI's LD-2 reports for the fourth quarter of 2009 were due to the House and Senate on Wednesday, January 20, 2010, but BBSI did not file them until February 5, 2010;
- d. BBSI's LD-2 reports for the second quarter of 2010 were due to the House and Senate on Tuesday, July 20, 2010, but BBSI has not filed them to date;

- e. BBSI's LD-2 reports for the third quarter of 2010 were due to the House and Senate on Wednesday, October 20, 2010, but BBSI did not file them until April 22, 2011;
- f. BBSI's LD-2 reports for the fourth quarter of 2010 were due to the House and Senate on Thursday, January 20, 2011, but BBSI did not file them until April 22, 2011;
- g. BBSI's LD-2 reports for the first quarter of 2011 were due to the House and Senate on Wednesday, April 20, 2011, but BBSI did not file them until April 27, 2011;
- h. BBSI's LD-2 reports for the second quarter of 2011 were due to the House and Senate on Wednesday, July 20, 2011, but BBSI did not file them until November 3, 2011;
- i. BBSI's LD-2 reports for the third quarter of 2011 were due to the House and Senate on Thursday, October 20, 2010, but BBSI did not file them until November 3, 2011;
- j. BBSI's LD-2 reports for the fourth quarter of 2011 were due to the House and Senate on Friday, January 20, 2012, but BBSI did not its House report until January 27, 2012, and has yet as of this date to file its Senate report for this quarter;
- k. BBSI's LD-2 reports for the first quarter of 2012 were due to the House and Senate on Friday, April 20, 2012, but BBSI has not filed them to date;
- l. BBSI's LD-2 reports for the second quarter of 2012 were due to the House and Senate on Friday, July 20, 2012, but BBSI has not filed them to date;
- m. BBSI's LD-2 reports for the third quarter of 2012 were due to the House and Senate on Monday, October 22, 2012, but BBSI has not filed them to date; and
- n. BBSI's LD-2 reports for the fourth quarter of 2012 were due to the House and Senate on Tuesday, January 22, 2013, but BBSI has not filed them to date.

**B. Additionally, Thirteen Occasions Failed to Remedy Its Delinquent LD-2 Filings Within 60 Days of Receiving Notice from the House or Senate.**

28. Not only did BBSI fail to file the above noted LD-2 reports on a timely basis, but for a number of these LD-2 reports, BBSI also failed to file them within 60 days of receiving delinquency notices from the House and Senate.

29. Specifically, BBSI failed to file LD-2 reports within 60 days of receiving delinquency notices from the House and Senate on the following thirteen (13) occasions:

- a. On August 21, 2009, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the second quarter of 2009 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, October 20, 2009). BBSI did not file this report until February 5, 2010;
- b. On November 10, 2009, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the third quarter of 2009 and demanded that BBSI file it within 60 days (*i.e.*, by Monday, January 11, 2010). BBSI did not file this report until February 5, 2010;
- c. On December 4, 2009, the House wrote BBSI regarding its then-delinquent House LD-2 report for the third quarter of 2009 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, February 2, 2010). BBSI did not file this report until February 5, 2010;
- d. On September 7, 2010, the House wrote BBSI's regarding its then-delinquent House LD-2 report for the second quarter of 2010 and demanded that BBSI file it within 60 days (*i.e.*, by Monday, November 8, 2010). BBSI has yet to file this report;
- e. On October 22, 2010, the Senate wrote BBSI's regarding its then-delinquent Senate LD-2 report for the second quarter of 2010 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, December 21, 2010). BBSI has yet to file this report;
- f. On December 8, 2010, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the third quarter of 2010 and demanded that BBSI file it within 60 days (*i.e.*, by Monday, February 7, 2011). BBSI did not file this report until April 22, 2011;
- g. On December 10, 2010, the House wrote BBSI regarding its then-delinquent House LD-2 report for the third quarter of 2010 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, February 8, 2011). BBSI did not file this report until April 22, 2011;
- h. On June 22, 2012, the House wrote BBSI regarding its then-delinquent House LD-2 report for the first quarter of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, August 21, 2012). BBSI has yet to file this report;
- i. On July 6, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the fourth quarter of 2011 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, September 4, 2012). BBSI has yet to file this report;

- j. On July 17, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the first quarter of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Monday, September 17, 2012). BBSI has yet to file this report;
- k. On August 20, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the second quarter of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Friday, October 19, 2012). BBSI has yet to file this report;
- l. On September 14, 2012, the House wrote BBSI regarding its then-delinquent House LD-2 report for the second quarter of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Tuesday, November 13, 2012). BBSI has yet to file this report; and
- m. On December 12, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-2 report for the third quarter of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Monday, February 11, 2013). BBSI has yet to file this report.

**III. BBSI's LDA Violations Spread to Include Failures to File LD-203 Reports for Itself, as a Registrant, and Its Employed Lobbyists.**

30. BBSI's LDA filing delinquencies were not limited to LD-2 reports. Instead, BBSI also habitually ignored its obligation to file LD-203 contribution reports on its own behalf and on behalf of its employed lobbyists.

31. Specifically, despite receiving numerous notices from the House and Senate regarding BBSI's failures to file LD-203 reports, BBSI failed to file timely LD-203 reports for the following eight (8) semiannual periods, totaling ninety-six (96) delinquent reports:

- a. BBSI's own LD-203 reports for the first half of 2009 were due to the House and Senate on Thursday, July 30, 2009, but BBSI did not file these reports until February 12, 2010;
- b. BBSI's LD-203 reports for the first half of 2009 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Thursday, July 30, 2009, but BBSI did not file these reports until February 6, 2010;
- c. BBSI's LD-203 reports for the first half of 2009 for its remaining four employed lobbyists were due to the House and Senate on Thursday, July 30, 2009, but BBSI has not filed these reports to date;
- d. BBSI's own LD-203 reports for the second half of 2009 were due to the House and Senate on Monday, February 1, 2010, but BBSI did not file these reports until February 12, 2010;

- e. BBSI's LD-203 reports for the second half of 2009 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Monday, February 1, 2010, but BBSI did not file these reports until February 6, 2010;
- f. BBSI's LD-203 reports for the second half of 2009 for its remaining four employed lobbyists were due to the House and Senate on Monday, February 1, 2010, but BBSI has not filed these reports to date;
- g. BBSI's own LD-203 reports for the first half of 2010 were due to the House and Senate on Friday, July 30, 2010, but BBSI did not file these reports until August 6, 2010;
- h. BBSI's LD-203 reports for the first half of 2010 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Friday, July 30, 2010, but BBSI did not file these reports until August 6, 2010;
- i. BBSI's LD-203 reports for the first half of 2010 for its remaining four employed lobbyists were due to the House and Senate on Friday, July 30, 2010, but BBSI has not filed these reports to date;
- j. BBSI's own LD-203 reports for the second half of 2010 were due to the House and Senate on Monday, January 31, 2011, but BBSI did not file these reports until April 22, 2011;
- k. BBSI's LD-203 reports for the second half of 2010 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Monday, January 31, 2011, but BBSI did not file these reports until April 27, 2011;
- l. BBSI's LD-203 reports for the second half of 2010 for its remaining four employed lobbyists were due to the House and Senate on Monday, January 31, 2011, but BBSI has not filed these reports to date;
- m. BBSI's own LD-203 reports for the first half of 2011 were due to the House and Senate on Monday, August 1, 2011, but BBSI did not file these reports until November 3, 2011;
- n. BBSI's LD-203 reports for the first half of 2011 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Monday, August 1, 2011, but BBSI did not file these reports until November 3, 2011;
- o. BBSI's LD-203 reports for the first half of 2011 for its remaining four employed lobbyists were due to the House and Senate on Monday, August 1, 2011, but BBSI has not filed these reports to date;
- p. BBSI's own LD-203 reports for the second half of 2011 were due to the House and Senate on Monday, January 30, 2012, but BBSI has not filed these reports to date;

- q. BBSI's LD-203 reports for the second half of 2011 for Mensah A. Biassi, one of its employed lobbyists, were due to the House and Senate on Monday, January 30, 2012, but BBSI did not file these reports until February 22, 2012;
- r. BBSI's LD-203 reports for the second half of 2011 for its remaining four employed lobbyists were due to the House and Senate on Monday, January 30, 2012, but BBSI has not filed these reports to date;
- s. BBSI's own LD-203 reports for the first half of 2012 were due to the House and Senate on Monday, July 30, 2012, but BBSI has not filed these reports to date;
- t. BBSI's LD-203 reports for the first half of 2012 for its five employed lobbyists were due to the House and Senate on Monday, July 30, 2012, but BBSI has not filed these reports to date;
- u. BBSI's own LD-203 reports for the second half of 2012 were due to the House and Senate on Wednesday, January 30, 2013, but BBSI has not filed these reports to date;
- v. BBSI's LD-203 reports for the second half of 2012 for its five employed lobbyists were due to the House and Senate on Wednesday, January 30, 2013, but BBSI has not filed these reports to date.

32. Not only did BBSI fail to file the above noted LD-203 reports on a timely basis, but for a number of these LD-203 reports, BBSI also failed to file them within 60 days of receiving delinquency notices from the House and Senate.

33. Specifically, BBSI failed to file LD-203 reports within 60 days of receiving delinquency notices from the House and Senate on the following occasions, totaling twenty-eight (28) reports BBSI failed to file within 60 days of notice:

- a. On September 1, 2009, the Senate wrote BBSI regarding its own then-delinquent Senate LD-203 report for the first half of 2009 and demanded that BBSI file it within 60 days (*i.e.*, by Friday, October 30, 2009). BBSI did not file this report until February 12, 2010;
- b. On September 28, 2009, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the first half of 2009 for its five employed lobbyists and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Friday, November 27, 2009). BBSI did not file its LD-203 report for Mensah A. Biassi until February 6, 2010, and has yet to file the remaining four reports;
- c. On May 26, 2010, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the second half of 2009 for four of its five employed lobbyists

and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Monday, July 26, 2010). BBSI has yet to file these four reports;

- d. On April 12, 2011, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the first half of 2010 for four of its five employed lobbyists and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Monday, June 13, 2011). BBSI has yet to file these four reports;
- e. On September 23, 2011, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the second half of 2010 for four of its five employed lobbyists and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Tuesday, November 22, 2011). BBSI has yet to file these four reports;
- f. On April 23, 2012, the House wrote BBSI regarding its own then-delinquent House LD-203 report for the second half of 2011 and demanded that BBSI file it within 60 days (*i.e.*, by Friday, June 22, 2012). BBSI has yet to file this report;
- g. On April 23, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the first half of 2011 for four of its five employed lobbyists and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Friday, June 22, 2012). BBSI has yet to file these four reports;
- h. On October 17, 2012, the Senate wrote BBSI regarding its then-delinquent Senate LD-203 reports for the second half of 2011 for four of its five employed lobbyists and demanded that BBSI file these missing reports within 60 days (*i.e.*, by Monday, December 17, 2012). BBSI has yet to file these four reports; and
- i. On November 26, 2012, the House wrote BBSI regarding its own then-delinquent House LD-203 report for the first half of 2012 and demanded that BBSI file it within 60 days (*i.e.*, by Friday, January 25, 2013). BBSI has yet to file this report.

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34. Additionally, BBSI has ignored or failed to respond to numerous letters sent by the U.S. Attorney's Office for the District of Columbia to BBSI regarding its LDA violations.

**COUNT I -- LDA -- KNOWINGLY FAILING TO COMPLY**  
**2 U.S.C. § 1606(a)(2)**

35. The United States incorporates by reference the allegations set for in Paragraphs 1 to 34 above as if fully set forth herein.

36. As described above, BBSI is a registrant under the LDA and since 2008 has been required by the provisions of the LDA to file quarterly LD-2 reports of its lobbying activity and semiannual LD-203 reports of its contributions and those of its lobbyists.

37. BBSI knew of its filing obligations under the LDA by, *inter alia*, filing timely LDA reports on occasion and receiving a plethora of correspondence regarding the requirements from the House, Senate, and U.S. Attorney's Office.

38. Despite its knowledge of its filing obligations, BBSI knowingly failed to comply with the LDA provisions requiring timely quarterly LD-2 reports on twenty-eight (28) separate occasions and knowingly failed to comply with the LDA provisions requiring timely semiannual LD-203 reports on ninety-six (96) separate occasions.

39. Accordingly, pursuant to Section 1606(a)(2) of Title 2 of the United States Code, BBSI is subject to a civil penalty or fine of not more than \$200,000 for each of its one hundred and twenty-four (124) knowing violations of the LDA reporting requirements.

**COUNT II -- LDA -- KNOWINGLY FAILING TO REMEDY**  
**2 U.S.C. § 1606(a)(2)**

40. The United States incorporates by reference the allegations set for in Paragraphs 1 to 39 above as if fully set forth herein.

41. As described above, BBSI is a registrant under the LDA and since 2008 has been required by the provisions of the LDA to file quarterly LD-2 reports of its lobbying activity and semiannual LD-203 reports of its contributions and those of its lobbyists.

42. On numerous occasions, BBSI became delinquent with its LD-2 and LD-203 filing requirements and the Secretary of the Senate and Clerk of the House notified BBSI of its delinquencies.

43. Despite these notifications, and BBSI's knowledge of its reporting obligations under the LDA, on thirteen (13) occasions BBSI failed to file delinquent LD-2 reports within 60 days of notice and on twenty-eight (28) occasions BBSI failed to file delinquent LD-203 reports within 60 days of notice.

44. Accordingly, pursuant to Section 1606(a)(1) of Title 2 of the United States Code, BBSI is subject to a civil penalty or fine of not more than \$200,000 for each of its forty-one (41) knowing failures to remedy a defective filing within 60 days after notice.

\* \* \*

**PRAYER FOR RELIEF**

WHEREFORE, the United States requests that this Court enter judgment in its favor and award it the following relief:

- A. Civil penalties or fines pursuant to the Lobbying Disclosure Act for each knowing failure to comply and each knowing failure to remedy a defective filing within 60 days of notice not to exceed \$200,000 per violation;
- B. Interest, costs, and other recoverable expenses permitted by law; and
- C. Such other relief as may be just and appropriate.

Dated: June 7, 2013  
Washington, DC

Respectfully submitted,

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United States Attorney

DANIEL F. VAN HORN, D.C. Bar #924092  
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By: \_\_\_\_\_ /s/

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