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2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
116-473

IN THE MATTER OF ALLEGATIONS
RELATING TO REPRESENTATIVE
RASHIDA TLAIB

R E P O R T

OF THE

COMMITTEE ON ETHICS



AUGUST 7, 2020.—Referred to the House Calendar and ordered to be
printed

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LETTER OF TRANSMITTAL

AUGUST 5, 2020.

Hon. CHERYL L. JOHNSON,
Clerk, House of Representatives
Washington, DC.

DEAR MS. JOHNSON: Pursuant to clauses 3(a)(2) and 3(b) of Rule XI of the Rules of the House of Representatives, we herewith transmit the attached report, "In the Matter of Allegations Relating to Representative Rashida Tlaib."

Sincerely,

THEODORE E. DEUTCH,
Chairman.

KENNY MARCHANT,
Ranking Member.

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IN THE MATTER OF ALLEGATIONS RELATING TO REPRESENTATIVE RASHIDA TLAIB

AUGUST 7, 2020.—Referred to the House Calendar and ordered to be printed

Mr. DEUTCH, from the Committee on Ethics,
submitted the following

R E P O R T

In accordance with House Rule XI, clauses 3(a)(2) and 3(b), the Committee on Ethics (Committee) hereby submits the following Report to the House of Representatives:

I. INTRODUCTION

On August 16, 2019, the Office of Congressional Ethics (OCE) forwarded to the Committee a Report and Findings (OCE's Referral) regarding Representative Rashida Tlaib. OCE reviewed allegations that, Representative Tlaib's campaign committee, Rashida Tlaib for Congress (the Campaign), reported campaign disbursements that may not be legitimate and verifiable campaign expenditures attributable to a bona fide campaign or political purposes.¹ Specifically, OCE considered whether salary payments that Representative Tlaib received after the 2018 general election, totaling \$17,500, were prohibited under campaign finance laws and regulations governing the personal use of campaign funds. OCE recommended that the Committee further review the matter.

The Committee, after further reviewing the allegations, has determined that the evidence is sufficient to support a determination that a portion of the salary payments that Representative Tlaib received after the 2018 general election was inconsistent with the requirements outlined by the Federal Election Campaign Act of 1971 (FECA) and its implementing regulations.² The Committee also recognizes, however, that Representative Tlaib's violation of the applicable restrictions was one of bad timing and not ill intent. Rep-

¹ Report and Findings of the Office of Congressional Ethics (Review No. 19-4114) (Appendix A) (hereinafter OCE's Referral).

² 52 U.S.C. § 30101, et. seq; *see also* 11 C.F.R. § 113.1(g).

representative Tlaib engaged in good faith efforts to comply with the relevant FECA requirements. The Committee did not find that she sought to unjustly enrich herself by receiving the campaign funds at issue. Indeed, during her campaign, Representative Tlaib received a conservative amount of campaign funds, well below the legal threshold for the maximum amount of salary she was eligible to receive; these payments allowed her to forego her salary from her full-time employment so that she could fully participate in campaign activities. However, because she received some of those funds, totaling \$10,800, for time periods in which she was no longer a congressional candidate, those funds were inconsistent with FECA's personal use restrictions.

Accordingly, the Committee directs Representative Tlaib to reimburse her Campaign \$10,800 within a year of the date of this Report.

Based on its review, the Committee unanimously voted to issue this Report and take no further action in this matter.

II. PROCEDURAL BACKGROUND

On April 15, 2019, OCE undertook a preliminary review of this matter. On May 13, 2019, OCE initiated a second-phase review of this matter. The Committee received OCE's Referral on August 16, 2019. Representative Tlaib submitted a written response to OCE's Referral through her attorney on August 29, 2019.³ On September 30, 2019, the Chairman and Ranking Member of the Committee issued a statement announcing that they had jointly decided to extend the Committee's consideration of OCE's Referral regarding Representative Tlaib for an additional 45-day period.⁴ On November 14, 2019, pursuant to House and Committee rules, the Committee publicly released OCE's Referral, along with a copy of Representative Tlaib's written response.⁵

The Committee reviewed all the materials provided to it by OCE. The Committee also requested and received additional information from Representative Tlaib. In total, the Committee reviewed more than 600 pages of materials. The Committee also interviewed five witnesses, including Representative Tlaib, who fully cooperated with the Committee's investigation.

On July 23, 2020, the Committee unanimously voted to adopt this Report and take no further action with respect to Representative Tlaib.

III. HOUSE RULES, LAWS, REGULATIONS, AND OTHER STANDARDS OF CONDUCT

Federal laws and regulations regulate the use of a congressional candidate's campaign funds.⁶

FECA, and its implementing regulations, states that contributions or donations "received by an individual as support for activities of the individual as a holder of Federal office" may not be "converted by any person to personal use."⁷ The term "personal use" is defined as using campaign funds "to fulfill a commitment, obliga-

³ See Appendix B.

⁴ House Rule XI, cl. 3(b)(8)(A); Committee Rule 17A(c)(1).

⁵ House Rule XI, cl. 3(b)(8)(A)(i); Committee Rule 17A(c)(2).

⁶ *House Ethics Manual* (2008) at 152 (hereinafter *Ethics Manual*).

⁷ 52 U.S.C. § 30114(a), (b)(1).

tion, or expense of any person that would exist irrespective of the candidate's campaign or duties as a Federal officeholder."⁸ In the regulations, an example of a "personal use" includes a candidate's receipt of salary payments unless certain conditions are met.⁹ These conditions require that the salary payments:

- only be paid from the candidate's principal campaign committee;
- not exceed the minimum salary for the Federal office sought and any salary or wages the candidate receives from another source will count towards the limit of the minimum annual salary for the Federal office sought;
- not exceed what the candidate received as earned income in the year prior to becoming a candidate;
- be computed on a pro-rata basis;
- not be paid to an incumbent Federal officeholder;
- not be paid before the filing deadline for access to the primary election ballot for Federal candidates, as determined by State law, and, if the candidate wins the primary election, the salary must be paid through the date of the general election. Alternatively, if the candidate loses the primary election, withdrawals from the race, or otherwise ceases to be a candidate, salary payments cannot be made beyond that date; and
- the candidate must provide income tax records from the relevant years and other evidence of earned income upon request of the FEC.¹⁰

In addition to restrictions on the *use* of campaign funds, FECA requires that candidates report certain information to the FEC describing the use of the funds.¹¹ These reporting requirements include, for example, reporting whether the campaign committee has any outstanding debts or obligations.¹² A debt or obligation can include "a loan, written contract, written promise, or written agreement to make an expenditure" as well as "rent, salary or other regularly reoccurring administrative expense."¹³ With regard to reporting a candidate's salary, the FEC has emphasized that because the salary "will be fully disclosed to the public, those who contribute to the campaign and who support the candidate will be able to voice their approval, or disapproval of this use of campaign funds."¹⁴

The personal use of campaign funds may also implicate the Code of Official Conduct. Specifically, House Rule XXIII, clauses 1 and 2 state that "[a] Member . . . of the House shall behave at all times in a manner that shall reflect creditably on the House[,] and "shall adhere to the spirit and the letter of the Rules of the House."

Finally, the House Code of Official Conduct subjects Members to additional restrictions relating to the personal use of campaign

⁸ 11 C.F.R. § 113.1(g) (defining the term "personal use"); 52 U.S.C. § 30114(b)(2).

⁹ 11 C.F.R. § 113.1(g)(1)(i)(I).

¹⁰ *Id.* § 113.1(g)(1)(i)(I) (describing the seven requirements for a candidate's receipt of salary payments from a campaign committee).

¹¹ See 52 U.S.C. § 30104(a)(2) (explaining the reporting requirements for a House candidate's principal campaign committee); see also 11 C.F.R. § 104.1 (defining the scope of the reporting requirements).

¹² See *id.* § 30104(b)(8) (requiring the disclosure of "the amount and nature of outstanding debts and obligations owed by or to such political committee"); see also 11 C.F.R. § 104.11(a), (b) (explaining the reporting requirements for debts and obligations).

¹³ 11 C.F.R. § 104.11(b).

¹⁴ Disclaimers, Fraudulent Solicitation, Civil Penalties, and Personal Use of Campaign Funds; 67 Fed. Reg. 76962, 76972-73 (Dec. 13, 2002) (to be codified at 11 C.F.R. pt. 113).

funds.¹⁵ The *Ethics Manual* explains that “campaign funds are to be used for bona fide campaign or political activity only . . . not to . . . enhance a Member’s lifestyle, or to pay a Member’s personal obligations.”¹⁶ The *Ethics Manual* acknowledges, however, that “Members have wide discretion in determining what constitutes a bona fide campaign or political purpose to which campaign funds and resources may be devoted.”¹⁷ Nonetheless, the *Ethics Manual* cautions that “Members have no discretion whatsoever to convert campaign funds to personal use.”¹⁸ Moreover, the *Ethics Manual* advises that a “Member’s use of campaign funds for federal office is permissible only if it complies with the provisions of both the House Rules and FECA.”¹⁹

IV. BACKGROUND

On February 5, 2018, Representative Tlaib registered her principal campaign committee, Rashida Tlaib for Congress (the Campaign), with the Federal Election Commission (FEC).²⁰ On February 6, 2018, Representative Tlaib announced her candidacy for Michigan’s 13th congressional district election.²¹ At the time she announced her candidacy, Representative Tlaib worked as the Community Partnerships Director at the Maurice and Jane Sugar Law Center for Economic & Social Justice (Sugar Law Center).²² In 2017, a year prior to her congressional campaign, Representative Tlaib’s total income was \$129,357—she earned \$42,500 from her full-time employment with the Sugar Law Center, she received a \$85,307 stipend from a fellowship, and she also received \$1,500 from consulting arrangements with two organizations.²³

A. REPRESENTATIVE TLAIB’S DECISION TO RECEIVE A SALARY FROM THE CAMPAIGN

Shortly after announcing her candidacy, Representative Tlaib began performing campaign work full-time in March 2018, thereby significantly reducing her hours and income from her employment with the Sugar Law Center.²⁴ Ultimately, given the intensity of her campaign schedule, starting in May 2018, Representative Tlaib only worked for the Sugar Law Center on an as-needed basis; approximately seven hours per week.²⁵ Additionally, in comparison to the prior year, in 2018, Representative Tlaib did not receive a stipend from her fellowship, and only received a small amount of income for her consulting work.²⁶ As a result, shortly after reducing her hours with the Sugar Law Center, Representative Tlaib “real-

¹⁵ House Rule XXIII, cl. 6(a)–(c).

¹⁶ *Ethics Manual* at 173 (emphasis in original).

¹⁷ *Id.*

¹⁸ *Id.* (emphasis in original).

¹⁹ *Id.* at 152 (emphasis in original).

²⁰ Rashida Tlaib for Congress, Statement of Organization (Feb 5, 2018).

²¹ Todd Spangler, *Former Michigan state Rep. Rashida Tlaib to seek Conyers’ seat in Congress*, Detroit Free Press, (Feb. 6, 2018), <https://www.freep.com/story/news/local/michigan/2018/02/06/rashida-tlaib-running-congress-conyers-seat/310378002/>.

²² 18(a) Interview of Representative Rashida Tlaib.

²³ See Exhibit 1; see also 18(a) Interview of Representative Rashida Tlaib.

²⁴ 18(a) Interview of Representative Rashida Tlaib.

²⁵ *Id.*; see also Exhibit 1 (reporting that Representative Tlaib began a “limited leave of absence” from her position with the Sugar Law Center in May 2018, which reduced her compensation to 7.2 hours per week).

²⁶ 18(a) Interview of Representative Rashida Tlaib; see also Exhibit 1.

ized [that she] was going to have some issues paying [her] bills.”²⁷ Thus, on April 4, 2018, she informed her campaign managers, Campaign Staffer A and Campaign Staffer B, that she was experiencing personal financial difficulties and asked about receiving a one-time, \$5,000 loan from the Campaign.²⁸ Representative Tlaib testified that she only sought \$5,000 at that time because she “wanted to be conservative” and because she “didn’t know if [the Campaign] had the money” to pay her.²⁹

In response to Representative Tlaib’s request for funds from the Campaign, her campaign managers told her that they wanted to seek legal guidance to determine what was permissible under the law before taking action.³⁰ A few weeks after her initial email, on April 27, 2018, Representative Tlaib reached out to her campaign staff and indicated that she was “not going to make it through the campaign without a stipend” and requested “\$2,000 per two weeks but not exceeding \$12,000” from the Campaign.³¹ Representative Tlaib testified that she requested this amount because she was “thinking of how much . . . [she] need[ed] to be able to pay for childcare . . . [her] bills, [her] mortgage and [her] rent.”³² She also testified that she increased her request from a one-time payment of \$5,000 because she was “more in debt by that time” and because she thought the new amount would get her through the primary election.³³

On April 27, 2018, the same day that Representative Tlaib proposed the \$2,000 bimonthly stipend, Campaign Staffer B received legal guidance confirming that the use of campaign funds to pay a candidate a salary is permissible subject to certain conditions.³⁴ Even if legally permissible, however, both Campaign Staffer B and Campaign Staffer A had concerns about the political risks associated with Representative Tlaib’s receipt of a campaign salary.³⁵ Campaign Staffer A testified that there were concerns that she would be exposed to political attacks because receiving a salary from a campaign is still viewed as “a somewhat uncommon thing.”³⁶ Notably, the legal guidance regarding the campaign salary was not immediately conveyed to Representative Tlaib by campaign staff.³⁷ As a result, on May 7, 2018, she informed her campaign staff that if she could not receive funding from the Campaign, she would need to return to the Sugar Law Center to work part-time.³⁸

In response to the urgency of Representative Tlaib’s request, Campaign Staffer A advised her that “[t]he campaign can pay [her] no more than [what she] made in income [in 2017] on a monthly

²⁷ 18(a) Interview of Representative Rashida Tlaib.

²⁸ See OCE’s Referral, Exhibit 2.

²⁹ 18(a) Interview of Representative Rashida Tlaib.

³⁰ See OCE’s Referral, Exhibit 2; see also 18(a) Interview of Campaign Staffer A.

³¹ OCE’s Referral, Exhibit 3.

³² See 18(a) Interview of Representative Rashida Tlaib.

³³ See *id.*

³⁴ See Exhibit 2; see also 18(a) Interview of Campaign Staffer A (stating that the campaign committee did not issue Representative Tlaib any salary payments before hearing back from their attorney).

³⁵ See OCE’s Referral, Exhibit 4 (Email from Campaign Staffer B to Campaign Staffer A suggesting that Representative Tlaib’s receipt of a campaign salary “ha[d] the potential to be a bad story.”).

³⁶ 18(a) Interview of Campaign Staffer A.

³⁷ 18(a) Interview of Representative Rashida Tlaib (stating that her campaign staffers “took a while to respond to [her] . . . every time [she] brought . . . up” the salary issue).

³⁸ See Exhibit 3.

basis. [W]e just accept that it may become a political issue.”³⁹ He also advised her that she would have to make the decision to accept salary payments from the Campaign and that she could receive approximately \$7,900 per month.⁴⁰ Campaign Staffer A testified that at the time he advised Representative Tlaib that she could receive \$7,900 per month in salary, it was based on his own calculations “by taking her income from the previous year and dividing it by 12”; he acknowledged, however, that it was “an erroneous calculation.”⁴¹ Indeed, based on the May 2018 Financial Disclosure Statement that Representative Tlaib filed a few months after declaring her candidacy, her 2017 monthly income was approximately \$9,300 per month.⁴² Subsequently, after receiving updated financial information, Representative Tlaib filed an Amended Financial Disclosure Statement in December 2018, which clarified that she had actually received approximately \$10,700 per month in 2017.⁴³

Representative Tlaib testified that she does not know how Campaign Staffer A made the \$7,900 per month salary determination.⁴⁴ Ultimately, however, she chose to receive \$4,000 per month because she “was trying to be as conservative as possible” and because she wanted to stay within the Campaign’s budget.⁴⁵ Therefore, on May 7, 2018, Campaign Staffer C, the campaign treasurer at the time, issued Representative Tlaib her first salary payment for \$2,000.⁴⁶ Thereafter, Representative Tlaib received bimonthly \$2,000 payments throughout the primary season during the same pay periods as the other campaign staffers.⁴⁷ Representative Tlaib did not enter into a contract or written agreement with the Campaign regarding the terms of her receipt of the salary payments.⁴⁸

In July 2018, a few months after Representative Tlaib began receiving the salary payments, the press began to report on the payments.⁴⁹ Campaign Staffer A testified that the Campaign viewed the press reporting on the payments as “distressing” and “disappoint[ing].”⁵⁰ In response to the reporting, the Campaign emphasized that Representative Tlaib’s payments were far less than what she was entitled to receive under applicable FEC rules.⁵¹ The

³⁹ See OCE’s Referral, Exhibit 1.

⁴⁰ *Id.* See also 18(a) Interview of Campaign Staffer A.

⁴¹ 18(a) Interview of Campaign Staffer A.

⁴² See Exhibit 4.

⁴³ See Exhibit 1.

⁴⁴ 18(a) Interview of Representative Rashida Tlaib.

⁴⁵ *Id.*

⁴⁶ 18(a) Interview of Campaign Staffer C.

⁴⁷ See 18(a) Interview of Campaign Staffer E.

⁴⁸ 18(a) Interview of Campaign Staffer A; 18(a) Interview of Representative Rashida Tlaib.

⁴⁹ See Exhibit 5 (Email from Rashida Tlaib to Campaign Staffer F, Campaign Staffer A, and Campaign Staffer B, telling them a reporter “called to ask why [she] [was] paying [her]self.”). The campaign committee initially disclosed the salary payments a few weeks before the August 7 primary election. See, e.g., Rashida Tlaib for Congress, July 2018 Quarterly Report of Receipts and Disbursements, at 298-99 (July 15, 2018) (reporting Representative Tlaib’s salary payments issued on May 7, May 16, June 1, and June 16, 2018). A press report about the payments was published just three days after the July 2018 Quarterly Report. See Melissa Nann Burke and Beth LeBlanc, *U.S. House hopeful Tlaib pays self salary from campaign funds*, The Detroit News (July 18, 2018), <https://www.detroitnews.com/story/news/politics/2018/07/18/tlaib-pays-self-salary-congress-campaign/797307002/> (hereinafter *Detroit News Article*).

⁵⁰ 18(a) Interview of Campaign Staffer A.

⁵¹ See, e.g., 18(a) Interview of Campaign Staffer A; see also *Detroit News Article* (quoting the Campaign’s spokesman as stating that Representative Tlaib “is actually entitled to ‘far more’ under FEC guidelines than the \$4,000 a month she has elected to pay herself during the campaign”).

Campaign was also able to “fundraise[] off” of the attention it received because of the payments.⁵²

B. REPRESENTATIVE TLAIB’S POST-PRIMARY SALARY PAYMENTS

On August 23, 2018, a few weeks after she won her August 7th primary election, Representative Tlaib asked Campaign Staffer A and her campaign finance director, Campaign Staffer D, to confirm whether she could continue to receive the salary payments.⁵³ The staffers confirmed that the Campaign could afford to continue the payments, but also advised her that she may receive political attacks and negative press reporting if she did so—similar to the reaction she had received when the Campaign reported the payments before the primary.⁵⁴ Campaign Staffer D also advised Representative Tlaib about the political risks associated with returning to work at the Sugar Law Center part-time while still being paid by the Campaign.⁵⁵ Ultimately, Representative Tlaib decided not to return to work after the primary election as she had previously planned because of her unrelenting campaign schedule.⁵⁶

Around the same time that Representative Tlaib reached out to Campaign Staffer A and Campaign Staffer D to confirm the continuation of her salary payments, she asked Campaign Staffer C to create a budget for the campaign staff’s salaries for the general election.⁵⁷ Campaign Staffer C’s budget included a proposal to increase Representative Tlaib’s salary payments from \$4,000 to \$6,000 per month.⁵⁸ Campaign Staffer C told the Committee she does not recall whether Representative Tlaib specifically requested a salary increase at that time; she also said she does not remember why she suggested \$6,000 as the proposal or Representative Tlaib’s reaction to the proposal.⁵⁹ According to Campaign Staffer C, she only recalls that she was aware that Representative Tlaib “was having trouble making her ends meet [and] covering all of her expenses with the \$2,000 bi[monthly] amount, [so she] bumped [the amount] up.”⁶⁰ Representative Tlaib confirmed that she received Campaign Staffer C’s budget, but was not familiar with the \$6,000 per month proposal.⁶¹ Additionally, although they were included in Campaign Staffer C’s communications regarding the budget proposal, Campaign Staffer A and Campaign Staffer D testified that they did not have any knowledge of the proposal.⁶²

Increasing the amount of Representative Tlaib’s salary payments was an ongoing discussion among senior campaign staff during the campaign. For example, Campaign Staffer E, who served as the Campaign treasurer from early May 2018 to approximately March 2019,⁶³ and Campaign Staffer D testified that they recall Rep-

⁵² 18(a) Interview of Campaign Staffer D.

⁵³ See OCE’s Referral, Exhibit 7.

⁵⁴ See *id.*; see also 18(a) Interview of Campaign Staffer A.

⁵⁵ See OCE’s Referral, Exhibit 7.

⁵⁶ 18(a) Interview of Representative Rashida Tlaib.

⁵⁷ *Id.*

⁵⁸ 18(a) Interview of Campaign Staffer C.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ 18(a) Interview of Representative Rashida Tlaib.

⁶² 18(a) Interview of Campaign Staffer A; 18(a) Interview of Campaign Staffer D.

⁶³ See 18(a) Interview of Campaign Staffer E (confirming that May 2, 2018 corresponds with the time that he became treasurer for the Campaign); see *id.* (confirming that the Campaign offered the treasurer position to Sonya McGrady in March 2019, but that he worked in a transi-

representative Tlaib requesting to be paid more during the 2018 election cycle.⁶⁴ Representative Tlaib told the Committee that she does not recall requesting an increase in salary payments; she only remembers discussing the continuation of the payments after the primary election because of the amount of campaign work she performed.⁶⁵ Ultimately, Representative Tlaib's salary remained at \$4,000 per month through the general election.⁶⁶

When asked why Representative Tlaib did not receive a salary increase despite her requests, Campaign Staffer D indicated that it would have been Representative Tlaib's decision not to increase her salary.⁶⁷ He also testified that the decision could have been motivated by several factors such as ensuring that the Campaign had sufficient resources for the election and the "potential for political attacks" from her opponents.⁶⁸ According to Campaign Staffer D, there were also discussions among senior campaign staff about "delaying [Representative Tlaib's salary] payment[s] until after [a FEC] deadline" because she had received criticism in the press, and from her opponents, after the payments had been reported in the Campaign's July 2018 FEC filings.⁶⁹ As a result, campaign resources and political considerations may have impacted the decision about whether and when to increase Representative Tlaib's salary payments.

C. REPRESENTATIVE TLAIB'S POST-GENERAL ELECTION CAMPAIGN PAYMENTS

Representative Tlaib won her general election on November 6, 2018.⁷⁰ Within days of her election, Campaign Staffer E issued her a \$2,000 payment on November 16, 2018 (the same date on which he issued paychecks to other campaign staff for the November 1, 2018 to November 15, 2018 pay period).⁷¹ Campaign Staffer E testified that it was his understanding, based on communications with Campaign Staffer A, that Representative Tlaib would only be paid a salary through election day.⁷² However, because he did not issue any salary payments on election day, Representative Tlaib's No-

tional capacity for a few months after that time). Campaign Staffer E has returned to his role as the Campaign's treasurer as of April 2020. *See* Rashida Tlaib for Congress, Statement of Organization, at 1 (Apr. 22, 2020) (listing Campaign Staffer E as treasurer).

⁶⁴ *See* 18(a) Interview of Campaign Staffer E (stating that Representative Tlaib mentioned several times "half-jokingly" that she wanted to be paid more by the campaign committee); 18(a) Interview of Campaign Staffer D (indicating that Representative Tlaib may have asked for an increase in her salary before or after the primary election because she had "some financial hardships"); *see also* 18(a) Interview of Campaign Staffer A (stating that increasing Representative Tlaib's salary payments was "something that frequently [the campaign committee] wanted to do for her").

⁶⁵ 18(a) Interview of Representative Rashida Tlaib.

⁶⁶ *See* OCE's Referral, Exhibit 10. Representative Tlaib received two \$3,000 payments in August 2018 to account for three-week pay periods. *See* 18(a) Interview of Campaign Staffer E.

⁶⁷ 18(a) Interview of Campaign Staffer D; *see also* 18(a) Interview of Campaign Staffer E (stating that in response to Representative Tlaib's request for a salary increase, she spoke to Campaign Staffer A and Campaign Staffer B, but they indicated that the payments should remain the same).

⁶⁸ 18(a) Interview of Campaign Staffer D.

⁶⁹ *Id.*; *see also* 18(a) Interview of Campaign Staffer A (stating that "we did, in fact, receive the political attacks we were worried about in the primary" because of the salary payments and that he advised Representative Tlaib she would likely receive political attacks again if she continued receiving a salary after the primary, but noting that the payments did not have to be publicly disclosed until the campaign committee filed its October 2018 Quarterly Report).

⁷⁰ *See* Todd Spangler and Kat Stafford, *Rashida Tlaib becomes John Conyers' full-term replacement in Congress*, Detroit Free Press (Nov. 6, 2018), <https://www.freep.com/story/news/politics/elections/2018/11/06/michigan-13-th-district-results-tlaib-jones/1737484002/>.

⁷¹ *See* OCE's Referral, Exhibit 10.

⁷² 18(a) Interview of Campaign Staffer E.

to be made for the previous payments.”⁷⁹ Consistent with these projections, Representative Tlaib’s December 1, 2018, payment would total \$15,500.⁸⁰ Campaign Staffer E testified that the information in the spreadsheet “most likely” came from Campaign Staffer D.⁸¹ However, Campaign Staffer D indicated that his involvement with the spreadsheet was limited to ensuring that the amounts he was owed by the Campaign were accurate.⁸²

When questioned by Committee staff to explain how he determined the amounts that corresponded to Representative Tlaib, Campaign Staffer E testified that he “probably start[ed] the calculation with [the \$15,500 amount and] . . . [t]hen . . . allocated that amount into the budget lines.”⁸³ Campaign Staffer E indicated, however, that he does not know the origin of the \$15,500 amount.⁸⁴ He also stated that even though the calculation listed under the “Notes” column in the spreadsheet—“\$2,000/mo for 3.75 mo.”—adds up to the \$7,500 amount under the “Adjustment” column, he does not know the origin of the \$7,500 amount either.⁸⁵ Other senior campaign staffers—who had experience with the Campaign’s finances and budget during the campaign—also denied knowledge of the origins of the projections listed for Representative Tlaib in the spreadsheet.⁸⁶

Representative Tlaib testified that she has never seen the spreadsheet before and is unfamiliar with most of the information contained in the spreadsheet.⁸⁷ She also testified, however, that she believes that the \$2,000 payment proposed through the end of November 30 was a continuation of the salary payments that she had been receiving.⁸⁸ Additionally, she indicated that even though she does not recall having any discussions about the \$7,500 amount, she believes that the “Adjustment” column is related to her “working full time at a campaign and [the Campaign] pay[ing] [her an] additional amount.”⁸⁹ Furthermore, she believes that the “3.75/mo.” time period referenced in the “Notes” column was related to the period after the “primary until November . . . [b]ecause [she] kept . . . working up until the . . . [general] election.”⁹⁰

On December 1, 2018, Campaign Staffer E issued the \$15,500 payment to Representative Tlaib.⁹¹ The consensus among senior campaign staff interviewed by the Committee, and the congresswoman herself, is that at the time this payment was made, Representative Tlaib’s post-election payments represented compensa-

⁷⁹ See *id.*

⁸⁰ See *id.*

⁸¹ 18(a) Interview of Campaign Staffer E; see, e.g., *id.* (testifying that Campaign Staffer D had input regarding “how to calculate the back payment amount, but not the specifics,” so it was “possible” that he provided the calculation for the adjustment amount—\$7,500).

⁸² 18(a) Interview of Campaign Staffer D.

⁸³ 18(a) Interview of Campaign Staffer E; see *id.* (stating that the \$6,000 for the month of December was “probably th[e] amount [that] was left unspent so [he] probably aligned that and balanced it out”).

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ See 18(a) Interview of Campaign Staffer D; see also 18(a) Interview of Campaign Staffer C.

⁸⁷ 18(a) Interview of Representative Rashida Tlaib.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ See OCE’s Referral, Exhibit 10.

tion for work she performed prior to the election.⁹² Specifically, all witnesses interviewed by the Committee contend that she received less than her legal threshold amount with the understanding that she could receive some kind of “back pay” or “deferred compensation” at a later date.⁹³ Representative Tlaib confirmed that she “remember[s] specifically saying [that she] want[ed] to get back pay” and that she wanted to receive additional compensation because she had been unable to return to work after the August primary.⁹⁴ Thus, the \$15,500 payment “was the adjustment for the work [she] did throughout the campaign.”⁹⁵

Although there is consensus among the witnesses regarding the reasoning for the post-general election payments, there is a notable lack of consensus regarding *when* Representative Tlaib and the Campaign made the decision to defer the payments. For example, some former senior campaign staff testified that they did not know when the decision was made, but indicated that it was likely made around the time of the general election.⁹⁶ In contrast, other former senior campaign staff, such as Campaign Staffer D and Representative Tlaib, indicated that the post-general election payments were an ongoing discussion that started around the time of the primary election.⁹⁷ Indeed, according to Campaign Staffer D, one of the reasons that Representative Tlaib decided to defer additional compensation after the primary was because she had a write-in challenger in the general election campaign and needed to dedicate the Campaign’s resources to that effort.⁹⁸ Thus, it is unclear when Representative Tlaib entered into an agreement to receive “back pay” or “deferred compensation” from the Campaign.

D. RESPONSE TO THE POST-ELECTION PAYMENTS

The Campaign filed FEC reports disclosing Representative Tlaib’s post-general election payments in early December 2018 and late January 2019.⁹⁹ Beginning in March 2019, various news reports raised allegations that the timing of the payments may be in-

⁹² See 18(a) Interview of Campaign Staffer E; 18(a) Interview of Campaign Staffer A; 18(a) Interview of Campaign Staffer C; Interview of Campaign Staffer D; 18(a) Interview of Representative Rashida Tlaib.

⁹³ See, e.g., 18(a) Interview of Campaign Staffer A (stating that the campaign committee was “paying [Representative Tlaib] less than what she was entitled to” during the campaign so “the payments in November and December were intended to catch up some of what she had been owed to the extent [the campaign committee] had funds available to pay it”); 18(a) Interview of Campaign Staffer D (explaining that Representative Tlaib was “entitled to pay herself significantly more over the course of the campaign,” but “rather than paying herself the full amount that she could and should [have received], she was only receiving . . . smaller checks to try to limit how much was coming out of the campaign so that she could use those resources for other things”).

⁹⁴ 18(a) Interview of Representative Rashida Tlaib.

⁹⁵ *Id.*

⁹⁶ See, e.g., 18(a) Interview of Campaign Staffer A (stating that he does not know when the campaign committee made the decision to pay Representative Tlaib for work she performed prior to the election, but that he believes the decision was made after the election); 18(a) Interview of Campaign Staffer E (indicating that he learned about the nature of the December 1 payment from Campaign Staffer A in November).

⁹⁷ See, e.g., 18(a) Interview of Campaign Staffer D (indicating that there were ongoing discussions about deferring Representative Tlaib’s salary payments and that these discussions took place around the primary election); 18(a) Interview of Representative Rashida Tlaib (testifying that she remembers having discussions regarding “back pay” after the primary election and before the general election).

⁹⁸ 18(a) Interview of Campaign Staffer D.

⁹⁹ See Rashida Tlaib for Congress, 2018 30-Day Post-General Report of Receipts and Disbursements, at 90 (Dec. 5, 2018); Rashida Tlaib for Congress, 2018 Year-End Report of Receipts and Disbursements, at 32 (Jan. 21, 2019).

consistent with FEC requirements.¹⁰⁰ Shortly thereafter, Campaign Staffer E created a chart “in response to how Congresswoman Tlaib’s payments were distributed”; the chart provides a “break-down of [the] payments [issued] to Representative Tlaib” during the campaign.¹⁰¹ The chart has been reproduced below.¹⁰²

Pay Period Starts	Pay Period Ends	Paid On	Amount Paid	Salary Deferred
		5/7/2018	\$2,000.00	\$-
4/24/2019	4/30/2019	5/16/2018	\$2,000.00	\$1,000.00
5/1/2019	5/15/2018	6/1/2018	\$2,000.00	\$1,000.00
5/16/2018	5/31/2018	6/16/2018	\$2,000.00	\$1,000.00
6/1/2018	6/15/2018	7/1/2018	\$2,000.00	\$1,000.00
6/16/2018	6/30/2018	7/16/2018	\$2,000.00	\$1,000.00
7/1/2018	7/15/2018	8/1/2018	\$2,000.00	\$1,000.00
7/16/2018	8/7/2018	8/11/2018	\$3,000.00	\$1,500.00
8/8/2018	8/31/2018	8/29/2018	\$3,000.00	\$1,500.00
9/1/2018	9/15/2018	9/16/2018	\$2,000.00	\$1,300.00
9/16/2018	9/30/2018	10/1/2018	\$2,000.00	\$1,300.00
10/1/2018	10/15/2018	10/16/2018	\$2,000.00	\$1,300.00
10/16/2018	10/31/2018	11/1/2018	\$2,000.00	\$1,300.00
11/1/2018	11/6/2018	11/16/2018	\$2,000.00	\$1,300.00
		12/1/2018	\$15,500.00	
			\$45,500.00	\$15,500.00

Some of the information Campaign Staffer E included in this chart is inconsistent with contemporaneous campaign records.¹⁰³ The most notable difference, however, is the inclusion of the various “salary deferred” amounts; no other campaign documents reference this information.¹⁰⁴ Campaign Staffer E explained that the phrase “salary deferred” means “[b]ack pay or [the] amount that [Representative Tlaib] was supposed to get that she didn’t get paid.”¹⁰⁵ He also indicated that the “salary deferred” amounts “tall[y] up to [\$15,500] for the payment for December 1st.”¹⁰⁶ When questioned by Committee staff about the source of the “salary deferred” amounts, Campaign Staffer E testified that he did not “recall the specifics” but that the amounts were probably given to him by either Campaign Staffer A or Campaign Staffer D.¹⁰⁷ Both former campaign staffers, however, denied knowledge about

¹⁰⁰ See, e.g., Joe Schoffstall, *Rashida Tlaib Paid Herself \$45,550 From Campaign Funds: Made \$17,550 in payments following election*, Washington Free Beacon (Mar. 1, 2019), <https://freebeacon.com/politics/rashida-tlaib-paid-herself-45500-from-campaign-funds/> (emphasizing the timing of the two payments and quoting from FEC regulations explaining the permissible time period to receive a salary from a campaign committee); Lukas Mikelionis, *Rashida Tlaib’s campaign paid her \$17,500 in salary after Election Day, in possible violation of FEC rules: report*, Fox News (Mar. 2, 2019), <https://www.foxnews.com/politics/rashida-tlaib-faces-questions-after-data-shows-campaign-paid-her-17500-salary-in-two-weeks-after-election-day> (questioning whether Representative Tlaib’s “campaign broke the rules after making salary payments to [her] after Election Day [in 2018]”).

¹⁰¹ 18(a) Interview of Campaign Staffer E; see *id.* (stating that he believes that the chart was created in 2019); 18(a) Interview of Campaign Staffer A (stating that Campaign Staffer E created the chart at the direction of the Campaign’s attorney).

¹⁰² Exhibit 6. The original chart included three dates with the year 2019; Campaign Staffer E acknowledged that this was an error and that the years for these dates should be 2018. See 18(a) Interview of Campaign Staffer E.

¹⁰³ For example, a spreadsheet that Campaign Staffer E updated during the campaign listed “4/16–4/30” for Representative Tlaib’s May 16 payment in comparison to the “4/24–4/30” pay period included in the chart above. See OCE’s Referral, Exhibit 9. The same spreadsheet listed “11/1–11/15” for Representative Tlaib’s November 16 payment in comparison to the “11/1–11/6” pay period included in the chart above. See OCE’s Referral, Exhibit 9. Campaign Staffer E could not adequately explain these discrepancies. See 18(a) Interview of Campaign Staffer E.

¹⁰⁴ 18(a) Interview of Campaign Staffer E.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

the source of the amounts, as did Campaign Staffer C.¹⁰⁸ Representative Tlaib also denied knowledge about the source of the amounts, but testified that she recalls discussing a back pay proposal involving “an additional maybe thousand or so every paycheck.”¹⁰⁹

Campaign Staffer E acknowledged that the “salary deferred” payments could have been considered a debt owed by the Campaign during the election cycle, and thus may have been required to be reported as such in FEC filings, but that he did not do so because he “wasn’t aware of the back payment” during the campaign.¹¹⁰ Campaign Staffer D and Campaign Staffer C were not aware of any discussions among the Campaign’s staff about reporting the deferred payments as debt.¹¹¹ Campaign Staffer D stated, however, that he understood during the campaign that Representative Tlaib’s deferred payments were “funding that she was owed and entitled to, that . . . [the Campaign] would be paying her to the extent money could be raised after the general to . . . cover that.”¹¹²

V. FINDINGS AND CONCLUSIONS

As a candidate, Representative Tlaib had an obligation to act in accordance with the strict technical requirements of federal campaign laws and regulations, including the restrictions on personal use of campaign funds; as a Member-elect, Representative Tlaib was also on notice of her responsibility to act in a manner consistent with the more general ethical standards of the House.¹¹³

A. PERSONAL USE OF CAMPAIGN FUNDS

The FEC’s personal use regulations restrict the time period in which a candidate can receive a salary from his or her principal campaign committee.¹¹⁴ The regulations state that “[i]f the candidate wins the primary election, his or her principal campaign committee may pay him or her a salary from campaign funds

¹⁰⁸ See 18(a) Interview of Campaign Staffer A (stating that the “salary deferred” column “was how [Campaign Staffer E] was calculating the adjustment that had been made” for Representative Tlaib, but also confirming that he did not “have input” for the information in the column); 18(a) Interview of Campaign Staffer D (stating that he does not know where the salary deferred amounts came from and did not have any input into the amounts); 18(a) Interview of Campaign Staffer C.

¹⁰⁹ 18(a) Interview of Representative Rashida Tlaib.

¹¹⁰ 18(a) Interview of Campaign Staffer E.

¹¹¹ 18(a) Interview of Campaign Staffer D; 18(a) Interview of Campaign Staffer C.

¹¹² 18(a) Interview of Campaign Staffer D; see 11 C.F.R. § 110.1(b)(3)(iii)(B) (stating that a candidate and his or her campaign committee may accept contributions made after the date of the election if the contributions do not exceed amounts sufficient to retire any remaining debt); 18(a) Interview of Campaign Staffer D (confirming that “[a]fter the general election, the committee can raise money to pay off a debt”).

¹¹³ The Committee has jurisdiction to investigate the conduct of Members, officers, and employees of the House of Representatives. The Committee has long found that its jurisdiction also includes the conduct of a Member in connection with his or her successful election because the conduct may impact the integrity of the House. See House Comm. on Standards of Official Conduct, *In the Matter of Representative Jay Kim*, H. Rept. 105–797, 105th Cong. 2d Sess. (1998); House Comm. on Standards of Official Conduct, *In the Matter of Representative Earl F. Hilliard*, H. Rept. 107–130, 107th Cong. 1st Sess. (2001); Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Representative Michael Grimm (Nov. 26, 2012); Comm. on Ethics, *In the Matter of Allegations Relating to Representative Ruben Kihuen*, H. Rept. 115–1041, 115th Cong. 2d Sess. (2018). The allegations against Representative Tlaib involve conduct that occurred in connection with her successful election to the House, during the time she was a Member-elect of Congress.

¹¹⁴ See 11 C.F.R. § 113.1(g)(1)(i)(D).

through the date of the general election.”¹¹⁵ The regulations reiterate, however, that “[i]f the candidate . . . ceases to be a candidate, no salary payments may be paid beyond the date he or she is no longer a candidate.”¹¹⁶

The FEC has provided some analysis of the candidate salary regulations in its enforcement cases, known as Matters Under Review (MURs), which are handled by the Office of General Counsel.¹¹⁷ For example, in *Mowrer for Iowa, et al.* (MUR 7068), a candidate received two salary payments from his campaign committee after the date of his general election on November 4, 2014—a payment on November 15 covering the period from November 1 to November 15 and a payment on December 5 covering the period from November 16 to November 30.¹¹⁸ The Respondents in the matter disputed that the payments violated the personal use restrictions by asserting that “the regulations are not clear as to whether the pay periods must fall within the regulations’ window or whether the window is used merely for calculating the permissible salary amount.”¹¹⁹ The Acting General Counsel, however, noted that “[t]he controlling factor . . . is that some of the salary payments covered the period after [the candidate] ceased to be a candidate, and were thus impermissible.”¹²⁰ As a result, the FEC ultimately concluded that the Respondents violated the personal use restriction to the extent that they used campaign funds to make salary payments to the candidate during the period in which he was no longer a candidate—*i.e.*, the period from November 5 to November 30.¹²¹ Thus, the time period covered by the payment in question is crucial to the analysis of whether a candidate’s salary is permissible.

The FEC’s MURs have not specifically stated whether “deferred compensation” or “back pay” arrangements are permissible under the personal use regulation. In *Kalyn Free for Congress, et al.* (MUR 5787), however, the FEC indirectly addressed this issue.¹²² In that matter, the campaign committee issued two salary payments totaling \$50,000 to the candidate two months after she lost her primary election and reported the payments as a debt to the candidate.¹²³ In response, the FEC’s Reports Analysis Division (RAD) sent a Request for Additional Information to the campaign committee, noting that salary payments made after the primary election constituted personal use of campaign funds and directing the campaign committee to seek a full reimbursement from the candidate and notify the FEC of the reimbursement.¹²⁴ Thereafter, the committee filed a statement explaining that the candidate would refund the committee the salary paid to her in excess of the

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Enforcing federal campaign finance law*, FEC, <https://www.fec.gov/legal-resources/enforcement/> (“Enforcement cases are primarily handled by the Office of General Counsel and are known as Matters Under Review (MURs).”).

¹¹⁸ See MUR 7068, First Gen. Counsel’s Rpt. at 2, 6.

¹¹⁹ *Id.* at 5.

¹²⁰ *Id.* at 6 (emphasis added).

¹²¹ MUR 7068, Conciliation Agreement at 3–5; see *id.* at 3–4 (determining the portion of the salary that did not violate the personal use restriction by calculating the amount “covering November 1 through November 4, 2014, the day of the general election, when Mowrer was a candidate”).

¹²² See generally MUR 5787, First Gen. Counsel’s Rpt.; MUR 5787, Conciliation Agreement.

¹²³ MUR 5787, First Gen. Counsel’s Rpt. at 2–3.

¹²⁴ *Id.* at 3.

maximum amount permitted for the time period prior to the primary election.¹²⁵ RAD then requested evidence demonstrating that the committee had an obligation to pay the candidate a salary *before* the primary election date.¹²⁶ In response, the campaign committee's former campaign manager asserted that it was always the committee's intention to pay the candidate a salary based on an oral agreement between himself and the candidate that took place months before the primary election.¹²⁷ The former campaign manager also stated that the candidate "agreed to defer payment of her salary until the end of the campaign to ensure that all campaign bills and staff were paid."¹²⁸ Ultimately, RAD referred the matter to the Office of General Counsel for additional review.¹²⁹

In the First General Counsel's Report for MUR 5787, the General Counsel determined that the campaign manager's statements were insufficient to resolve the issue, suggesting instead that an affidavit from the campaign manager and the candidate that "attest[ed] to the oral agreement" about the deferred compensation would have been more persuasive.¹³⁰ Thus, the Office of the General Counsel recommended that the FEC find reason to believe that a personal use violation had occurred.¹³¹ The Office also "recommend[ed] an investigation to obtain evidence regarding the [c]ommittee's purported agreement to pay a . . . salary" to the candidate.¹³² The FEC found reason to believe the personal use violation occurred and authorized an investigation, as recommended. The FEC explained its actions in the accompanying Factual and Legal Analysis that mirrored the First General Counsel's Report, including a discussion of the campaign committee's assertion that there was an oral agreement to pay salary to the candidate.¹³³

Approximately two years later, the matter was resolved through a Conciliation Agreement. In the Conciliation Agreement, the FEC noted the campaign committee's assertion that there was an oral agreement to pay salary,¹³⁴ and without further discussion of the impact of that oral agreement, found a personal use violation only with respect to the "overpayment of salary" to the candidate, which the candidate had already reimbursed.¹³⁵ The Conciliation Agreement directed the candidate to return certain reimbursements that the campaign committee did not adequately document but notably

¹²⁵ *Id.* at 3–4.

¹²⁶ *Id.* at 4.

¹²⁷ *Id.*

¹²⁸ *Id.* at 4–5.

¹²⁹ *Id.* at 4; *see generally* MUR 5787, Reports Analysis Referral to Office of General Counsel (July 19, 2005).

¹³⁰ MUR 5787, First Gen. Counsel's Rpt. at 7–8.

¹³¹ *Id.* at 2, 8.

¹³² *Id.* at 2.

¹³³ MUR 5787, Notification with Factual and Legal Analysis (Aug. 9, 2006). The Respondents informed the FEC that they would "submit the requested information and [were] interested in discussing pre-probable cause conciliation." MUR 5787, Response from Kalyn Free for Congress (Aug. 22, 2006). Subsequent filings in the matter do not disclose the nature of the information that the Respondents submitted to the FEC. Instead, on July 3, 2008, the FEC issued a Third General Counsel's Report. *See generally* MUR 5787, Gen. Counsel's Rpt. #3. Notably, this Report cites to a Second General Counsel's Report. *Id.* at 2. However, because the Third General Counsel's Report has been heavily redacted, and the Second General Counsel's Report is not publicly available, it is unclear if the FEC provided any additional analysis about the deferred compensation payment issue based on new information submitted by the Respondents.

¹³⁴ *See* MUR 5787, Conciliation Agreement at 4, 7.

¹³⁵ MUR 5787, Conciliation Agreement at 7; *see also* MUR 5787, Gen. Counsel's Rpt. #3, at 1 (stating that the FEC previously found reason to believe that the candidate violated the personal use restriction in connection with her receipt of the salary overpayment, but not mentioning the post-election timing of the salary overpayment).

did not direct a refund of the salary payments that were under the maximum threshold.¹³⁶ Although, the FEC’s adoption of the Factual and Legal Analysis indicates that the existence of an oral agreement to make the payments to the candidate before the primary election date was part of the FEC’s investigation, it is not clear from publicly available records whether the FEC obtained additional information regarding that agreement during the investigation, nor is it clear how the existence of the oral agreement impacted the FEC’s ultimate resolution of the matter. The absence of a direction to refund the entirety of the salary payments, however, indicates that the FEC may find a deferred compensation or back pay agreement created before a candidate ceases to be a candidate to be consistent with the personal use regulations’ timing restrictions.

Based on the foregoing, the Committee has determined that Representative Tlaib’s receipt of a portion of the post-general election payments violated FECA’s personal use restrictions because: (1) it represented a salary payment that covered a time period after she ceased being a candidate; and (2) it represented a deferred compensation payment that covered a time period after she ceased being a candidate.

1. November 16, 2018 Payment

Similar to MUR 7068, a portion of Representative Tlaib’s November 16 salary payment covered a period after she ceased being a candidate. Campaign Staffer E testified that this payment represented the amount owed to her “only up to the point of the election day,” and suggested it was only equal to her normal bimonthly payment because she received a larger rate for election day that brought her salary to the exact same sum.¹³⁷ However, his testimony is inconsistent with contemporaneous campaign records that demonstrate that the payment covered the full two-week period before and after the election—November 1 to November 15.¹³⁸ Notably, however, in the chart that Campaign Staffer E created after the general election, and after press reports raised allegations about the payments, he included a shorter pay period for the November 16 payment—November 1 to November 6.¹³⁹ This ad hoc modification is not enough to rebut other, more reliable evidence in the record about the nature of this payment, including the memo line of the check itself, which indicates the payment was for the entirety of the November 1 to November 15 pay period. Thus, consistent with the analysis from MUR 7068, Representative Tlaib is entitled to retain \$800 from the November 16 payment that covers the time period when she was still a candidate—November 1 through November 6.¹⁴⁰ The remaining \$1,200 covered the time pe-

¹³⁶ MUR 5787, Conciliation Agreement at 7.

¹³⁷ 18(a) Interview of Campaign Staffer E. *See also* Appendix B at 6 (stating that the November 16 payment covered the period through election day).

¹³⁸ *See* OCE’s Referral, Exhibit 9; OCE’s Referral, Exhibit 10.

¹³⁹ *See* Exhibit 6.

¹⁴⁰ To determine the amount that Representative Tlaib was entitled to retain, the Committee used the same calculation the FEC used in the conciliation agreement for MUR 7068, i.e., the amount of the payment (\$2,000) divided by the number of days the payment covered (15) equals the amount that Representative Tlaib received per day for this payment (\$133.33). *See* MUR 7068, Conciliation Agreement at 3–4. Therefore, if Representative Tlaib was entitled to receive a salary for a 6-day period, she can retain \$800 from the November 16 payment ($\$133.33 \times 6$).

riod when she was no longer a candidate—November 7 through November 15—therefore it must be returned to the Campaign.¹⁴¹

2. December 1, 2018 Payment

Representative Tlaib and her former senior campaign staff have characterized the December 1, 2018, payment of \$15,500 as “deferred compensation” or “back pay” and have maintained that it represents compensation for work she performed during the campaign, but chose to defer until after the election to ensure that the Campaign had enough resources.¹⁴² As noted above, the FEC has indicated that salary payments received after an election may be permissible if they represent compensation for a period during the election cycle; however, as demonstrated in the FEC’s analysis of a similar arrangement, the timing of the decision should be considered—specifically, whether there was an agreement to make the salary payments while Representative Tlaib was still a candidate.¹⁴³ The FEC has explicitly rejected the argument that salary payments made to a candidate after a general election are permissible so long as the total amount of salary paid falls under the maximum eligible amount.¹⁴⁴ To find otherwise would also be contrary to the spirit of the regulations; in permitting candidates to receive a salary, the FEC noted that its decision was informed by the fact that the salaries would be “fully disclosed to the public,” and therefore, “those who contribute to the campaign and who support the candidate will be able to voice their approval, or disapproval, of this use of campaign funds.”¹⁴⁵ If candidates were able to delay payment of salary until after an election, without having entered into an agreement to do so and thereby creating a reportable obligation, then the assurance of transparency underlying the FEC’s rulemaking would be undermined.

There has been conflicting testimony regarding the timing of the decision for Representative Tlaib’s deferred compensation. Some former senior staffers, such as Campaign Staffer E and Campaign Staffer A, testified that they learned about the decision around the general election; possibly after the election.¹⁴⁶ Others, such as Campaign Staffer D and Representative Tlaib, indicated that they recall discussions about the additional compensation around the time of the primary election.¹⁴⁷ Representative Tlaib testified that

¹⁴¹ See *id.* (\$2,000 – \$800 = \$1,200).

¹⁴² See, e.g., 18(a) Interview of Campaign Staffer A (stating that the Campaign was “paying [Representative Tlaib] less than what she was entitled to” during the campaign so “the payments in November and December were intended to catch up some of what [Representative Tlaib] had been owed to the extent [the Campaign] had funds available to pay it”); 18(a) Interview of Campaign Staffer D (explaining that Representative Tlaib was “entitled to pay herself significantly more over the course of the campaign,” but “rather than paying herself the full amount that she could and should [have received], she was only receiving . . . smaller checks to try to limit how much was coming out of the campaign so that she could use those resources for other things”); 18(a) Interview of Campaign Staffer C.

¹⁴³ See MUR 5787, First Gen. Counsel’s Rpt. at 7–8.

¹⁴⁴ See MUR 7068, First Gen. Counsel’s Rpt. at 6–7.

¹⁴⁵ Disclaimers, Fraudulent Solicitation, Civil Penalties, and Personal Use of Campaign Funds, 67 Fed. Reg. 76962, 76972 73 (Dec. 13, 2002) (to be codified at 11 C.F.R. 113).

¹⁴⁶ See, e.g., 18(a) Interview of Campaign Staffer A (stating that he does not know when the Campaign made the decision to pay Representative Tlaib for work she performed prior to the election, but that he believes the decision was made after the election); 18(a) Interview of Campaign Staffer E (indicating that he learned about the nature of the December 1 payment from Campaign Staffer A in November).

¹⁴⁷ 18(a) Interview of Campaign Staffer D (indicating that there were ongoing discussions about deferring Representative Tlaib’s salary payments and that these discussions took place around the primary election); 18(a) Interview of Representative Rashida Tlaib (testifying that

Continued

she started asking about “back pay” after the primary election because she was unable to return to work as she had previously planned.¹⁴⁸ Her interest in receiving additional compensation at that time is consistent with Campaign Staffer C’s post-primary budget proposal to increase her monthly salary.¹⁴⁹ Representative Tlaib also confirmed that she had concerns about the Campaign’s ability to continue to pay her salary after the primary election, which supports Campaign Staffer D’s testimony that she requested that any additional compensation be deferred until after the election to ensure that the Campaign had sufficient resources.¹⁵⁰ The Committee credits Representative Tlaib’s testimony that she made an informal agreement with the Campaign to receive “back pay” while she was still a candidate after the primary election.¹⁵¹ Nonetheless, she is not entitled to retain the full \$15,500 payment.

Former senior campaign staffers testified that they could not recall the basis or the origin of the \$15,500 payment.¹⁵² According to Campaign Staffer E’s November 2018 spreadsheet, the payment represented three different amounts that have three different purposes—a \$2,000 salary payment for the “amount owed through” November 30, 2018, a \$6,000 “advance” as the “[a]mount owed for the month of December” 2018, and a \$7,500 “[a]djustment to be made for the previous payments” to Representative Tlaib.¹⁵³ As a result, based on the spreadsheet, \$8,000 of the December 1 payment represented salary payments to Representative Tlaib during a time period in which she was no longer a candidate. With regard to the \$7,500 “adjustment” amount, the notes in the spreadsheet indicate that this amount is based on the calculation of \$2,000 per month for 3.75 months.¹⁵⁴ Several former senior campaign staff and Representative Tlaib also testified that they do not know the basis for the adjustment amount, or the calculation, but it appears to represent “back pay” or “deferred compensation” for Representative Tlaib starting after the August primary election through the November general election.¹⁵⁵ This calculation also seems consistent with Representative Tlaib’s testimony indicating that she

she remembers having discussions regarding “back pay” after the primary election and before the general election).

¹⁴⁸ 18(a) Interview of Representative Rashida Tlaib.

¹⁴⁹ 18(a) Interview of Campaign Staffer C (stating that she proposed increasing Representative Tlaib’s post-primary salary because she was having trouble making ends meet).

¹⁵⁰ 18(a) Interview of Campaign Staffer D.

¹⁵¹ *Cf.* MUR 5787, First Gen. Counsel’s Rpt. at 7–8.

¹⁵² *See, e.g.,* 18(a) Interview of Campaign Staffer E; 18(a) Interview of Campaign Staffer C.

¹⁵³ *See* OCE’s Referral, Exhibit 12.

¹⁵⁴ *See id.*

¹⁵⁵ *See* 18(a) Interview of Campaign Staffer D (stating that he does not know where the \$7,500 adjustment amount came from; he does know where the “\$2,000 per month for 3.75 months” calculation came from; and that he did not discuss the basis for the calculation with Campaign Staffer E); 18(a) Interview of Campaign Staffer C (testifying that the \$7,500 amount does not have any particular meaning to her and does not sound familiar; that she does not know where the \$7,500 amount came from; and that she does not know where the “\$2,000 per month for 3.75 months” calculation came from); 18(a) Interview of Representative Rashida Tlaib (stating that she has never seen the spreadsheet before, does not know when it was created, and does not know who provided input for the spreadsheet); *see id.* (indicating that she did not have discussions with anyone about the \$7,500 amount, but she believes that the 3.75 month period represents “the additional money for the work [she] did throughout the months” and that the time period is “[a]fter [the] primary . . . up until the November election”); *cf.* 18(a) Interview of Campaign Staffer E (testifying that the calculation of \$2,000 per month for 3.75 months “adds up to that 7,500 adjustment” and speculating that the 3.75 month period represents the time between the primary election and the general election, but then stating that he does not know where the adjustment amount came from); *see id.* (stating that it is “possible” that Campaign Staffer D provided the equation for the adjustment amount—\$2,000 per month for 3.75—but that he does not recall the details).

recalls having discussions that the back pay amount would be “an additional . . . thousand or so every paycheck” as well as Campaign Staffer C’s post-primary budget proposal increasing Representative Tlaib’s monthly salary by \$2,000.¹⁵⁶

Notably, however, the November 2018 spreadsheet reflects a different plan than the one Campaign Staffer E created in Spring 2019, in which the entirety of the \$15,500 December 1 payment has been spread out as additional \$1,000, \$1,300, or \$1,500 “Salary Deferred” payments in the pay periods before and after the primary election.¹⁵⁷ The Committee credits the November 2018 chart over the later chart for three reasons.¹⁵⁸ First, the Spring 2019 document was created after the December 1 payment was made, and after press reports raised allegations about the nature of the post-general election payments. Second, some of the information in the chart is inconsistent with contemporaneous campaign records and appears to be ad hoc modifications to address criticisms regarding the payments; this includes, for example, the shortened pay period for the November 16 payment.¹⁵⁹ Third, despite creating the chart, Campaign Staffer E could not adequately explain the basis or the source for the “Salary Deferred” amounts.¹⁶⁰ In contrast, Campaign Staffer E’s November 2018 spreadsheet appears to be a contemporaneous accounting of the Campaign’s remaining funds after the general election and proposed salary and bonus payments for its staffers.

Based on the November 2018 spreadsheet, and other campaign records, the Committee has determined that Representative Tlaib is entitled to retain \$5,900 from the December 1 payment, but must reimburse the Campaign \$9,600 because this amount of the payment violates the personal use restriction.

3. Total Payment Owed by Representative Tlaib to her Campaign

The chart below demonstrates the breakdown of Representative Tlaib’s pay periods, base salary, and corresponding back pay amounts after her 2018 primary election, as found by the Committee’s review.

Pay Period Starts	Pay Period Ends	Base Pay	Back Pay/Deferred Salary
8/8/18	8/31/18	\$3,000	\$1,500
9/1/18	9/15/18	\$2,000	\$1,000
9/16/18	9/30/18	\$2,000	\$1,000
10/1/18	10/15/18	\$2,000	\$1,000
10/16/18	10/31/18	\$2,000	\$1,000
11/1/18	11/15/18	\$2,000 (must repay \$1,200) ¹⁶¹	\$1,000 (must repay \$600) ¹⁶²
11/16/18	11/30/18	\$2,000 (must repay in full) ¹⁶³	\$1,000 (must repay in full) ¹⁶⁴
12/1/18	12/31/18	\$6,000 (must repay in full) ¹⁶⁵	

¹⁵⁶ 18(a) Interview of Representative Rashida Tlaib; *see also* 18(a) Interview of Campaign Staffer C.

¹⁵⁷ *See* OCE’s Referral, Exhibit 12; *cf.* Exhibit 5.

¹⁵⁸ The Committee also notes that OCE “discount[ed] the veracity” of Exhibit 5 based on similar reasons. *See* OCE’s Referral at 14 n. 43.

¹⁵⁹ *Cf.* OCE’s Referral, Exhibit 9, 10.

¹⁶⁰ *See* 18(a) Interview of Campaign Staffer E.

While the Committee acknowledges that the post-general election payments were far below the amount that Representative Tlaib was legally permitted to receive during the course of her campaign, because a portion of the payments was inconsistent with FECA's personal use requirements, and she received it while she was a Member-Elect of Congress, the Committee concludes that Representative Tlaib's acceptance of \$10,800 (\$1,200 from the November 16 payment + \$9,600 from the December 1 payment) in salary and deferred compensation after the 2018 general election was contrary to the restrictions on personal use of campaign funds.

B. REPORTING REQUIREMENTS FOR DEBTS AND OBLIGATIONS

FEC regulations state that “[i]f a political committee does not pay an employee for services rendered to the . . . committee in accordance with an employment contract or a formal or informal agreement to do so, the unpaid amount . . . may be treated as a debt owed by the political committee to the employee.”¹⁶⁶ If an employee's unpaid salary is treated as a debt, “the political committee shall continue to report the debt in accordance with [applicable debt reporting requirements] . . . or until the political committee pays the debt.”¹⁶⁷

The consensus among former senior campaign staff who were interviewed by the Committee is that there had not been any discussions about reporting the deferred payments as a debt owed by the Campaign to Representative Tlaib.¹⁶⁸ Campaign Staffer E, however, acknowledged that the payments could have been defined as a debt, and “in hindsight . . . it would have been [a] good practice” to record it as a debt in the Campaign's FEC filings.¹⁶⁹ Campaign Staffer D also acknowledged that during the campaign, he understood that the payments were considered “funding that [Representative Tlaib] was owed and entitled to, that . . . [the Campaign] would be paying her to the extent money could be raised after the general [election].”¹⁷⁰ Thus, there was some awareness by senior campaign staffers, during and after the election, that the deferred compensation agreement could be considered a debt owed by the Campaign to Representative Tlaib.

As discussed above, the FEC has not specifically addressed whether a “back pay” or “deferred compensation” arrangement is permissible under the personal use regulation. However, in the First General Counsel's Report for MUR 5787, the General Counsel determined that there was reason to believe that the post-election

¹⁶¹ As noted in the discussion regarding the November 16 payment, Representative Tlaib must repay the prorated amount for November 7, 2018 to November 15, 2018, which is \$1,200.

¹⁶² Representative Tlaib must repay a prorated amount for this “back pay/deferred salary” payment because a portion of the payment covers a time period in which she was no longer a candidate. The prorated amount is \$533.33 (\$1,000 payment + 15 days = \$66.67 per day) (\$66.67 × 9 days = \$600). Representative Tlaib is entitled to retain \$400.

¹⁶³ Representative Tlaib must repay the full amount of this salary payment because it covers a time period in which she was no longer a candidate.

¹⁶⁴ Representative Tlaib must repay the full amount of this back pay/deferred salary payment because it covers a time period in which she was no longer a candidate.

¹⁶⁵ Representative Tlaib must repay the full amount of this salary payment because it covers a time period in which she was no longer a candidate.

¹⁶⁶ 11 C.F.R. § 116.6(a).

¹⁶⁷ *Id.* § 116.6(c).

¹⁶⁸ See 18(a) Interview of Campaign Staffer D; 18(a) Interview of Campaign Staffer C; 18(a) Interview of Campaign Staffer E.

¹⁶⁹ 18(a) Interview of Campaign Staffer E.

¹⁷⁰ 18(a) Interview of Campaign Staffer D.

payments violated certain reporting requirements because the campaign committee failed to contemporaneously report salary-related debt based on the purported oral agreement between the campaign manager and the candidate.¹⁷¹ The Conciliation Agreement in that matter, however, did not address the salary debt reporting issue.¹⁷² Therefore, it is unclear whether such an arrangement must be contemporaneously reported as a “debt” or “obligation” in a campaign committee’s FEC filings.¹⁷³

Despite the lack of a definitive requirement to report a “back pay” or “deferred compensation” arrangement to the FEC, the Committee agrees with Representative Tlaib’s treasurer that reporting such an arrangement during Representative Tlaib’s campaign would have been a “good practice.”¹⁷⁴ One of the main purposes of the FEC’s reporting requirements is to facilitate transparency in campaign spending. As discussed previously, when explaining its decision to approve the candidate salary exception to the personal use restrictions, the FEC stated that “it is satisfied that, because all candidate . . . salaries will be fully disclosed to the public, those who contribute to the campaign and who support the candidate will be able to voice their approval, or disapproval of this use of campaign funds.”¹⁷⁵ Thus, disclosure of any agreement for a candidate to receive “back pay” or “deferred compensation” at the end of an election should also be fully disclosed during a campaign for the same reason. There is some evidence in the record indicating that the senior campaign staff’s heightened awareness about the political risks associated with Representative Tlaib’s salary payments may have influenced the decision to defer additional compensation, and thereby, the disclosure of the additional compensation until after the general election.¹⁷⁶ Such political risks, however, are inherent in the process and categorizing salary as “back pay” cannot be used as an end run around the transparency required by campaign finance laws and regulations. The Committee urges Representative Tlaib to take care to ensure that her Campaign’s activities are consistent with that goal of transparency.

¹⁷¹ MUR 5787, First Gen. Counsel’s Rpt. at 8.

¹⁷² MUR 5787, Conciliation Agreement at 7.

¹⁷³ Cf. FEC Advisory Opinion (AO) Quayle 2000 (AO 2004–27). This FEC Advisory Opinion involved a treasurer’s “proposed use of campaign funds to reimburse two former employees for unpaid salary dating back” several years. *Id.* at 1. During the campaign, the employees agreed to volunteer their services to help the campaign committee preserve funds for the election. *Id.* at 2. Several years after the election, the treasurer sought to pay these employees for their services with remaining campaign funds. *Id.* The FEC concluded that the campaign committee was prohibited from using campaign funds to pay the two employees because, among other reasons, it failed to timely report the unpaid salaries as an outstanding debt or obligation. *Id.* at 3. As a result, because the payments did not apply to one of the other permitted uses of contributions, the payments were impermissible. *Id.* at 4.

¹⁷⁴ See 18(a) Interview of Campaign Staffer E (indicating that it would have been a “good practice” to report the deferred payments as debts during the campaign).

¹⁷⁵ Disclaimers, Fraudulent Solicitation, Civil Penalties, and Personal Use of Campaign Funds; 67 Fed. Reg. 76962, 76972–73 (Dec. 13, 2002) (to be codified at 11 C.F.R. pt. 113).

¹⁷⁶ See, e.g., 18(a) Interview of Campaign Staffer D (indicating that Representative Tlaib may have decided not to increase her salary during the campaign because of past criticism from her political opponents); *id.* (indicating that senior campaign staff had discussions about delaying Representative Tlaib’s salary payments after the primary election to avoid political fallout); see also 18(a) Interview of Campaign Staffer A (testifying that he advised Representative Tlaib that she would likely receive political attacks again if she continued receiving a salary after the primary, but noting that the payments did not have to be publicly disclosed until the Campaign filed its October 2018 Quarterly Report with the FEC).

VI. CONCLUSION

A congressional candidacy can be an incredibly expensive endeavor that only a few individuals have been able to successfully execute. The FEC has attempted to ease some of the financial burdens associated with this endeavor for those candidates who may not have the resources to forego a salary to participate in a campaign, by allowing them to receive a salary from campaign funds. Representative Tlaib's 2018 candidacy fit within this category—she did not have the resources to relinquish her salary from her full-time employment without also receiving financial assistance from her Campaign. The Committee recognizes Representative Tlaib's good faith efforts to comply with FECA's candidate salary requirements, which included seeking legal guidance before receiving campaign funds. Representative Tlaib also chose to receive a monthly salary that was significantly lower than her legal threshold amount. Nonetheless, her receipt of payments after the general election—though conservative in comparison to her legal threshold amount—was inconsistent with certain FECA requirements.

Although the regulations on candidate salary payments are complex, they reflect a recognition that such payments create a heightened risk of unjust personal enrichment. The Committee recommends that all candidates who believe they will use campaign funds to pay themselves a salary seek early, and ongoing, guidance from the FEC regarding the salary requirements. Additionally, to avoid questions about the legitimacy of certain payments, such as back pay or deferred compensation payments after a primary or general election, the Committee recommends that candidates contemporaneously memorialize such arrangements to clearly reflect the intent and terms of the agreement, and, consistent with the purpose behind the FEC's reporting requirements, publicly disclose the agreement in the appropriate FEC reports.

While the Committee recognizes that the campaign environment can at times lend itself to hurried decision-making, as a Member-Elect of Congress, Representative Tlaib had a greater duty to ensure that any funding she received from her Campaign after her general election was fully compliant with statutory requirements and fully transparent with the public. Based on its review, the Committee determined that Representative Tlaib did not comply with the letter of the relevant laws and regulations governing her receipt of salary payments from her Campaign. The Committee did not find evidence, however, that Representative Tlaib intended to unjustly enrich herself, and recognizes that she made efforts to ensure her compliance with the applicable requirements. In light of this, the Committee determined that no sanction was merited, provided Representative Tlaib returns the funds that she improperly received to her Campaign in full within a year of the date of this Report, with the understanding that she can make smaller payments over the course of the year.

The Committee unanimously voted to adopt this Report and take no further action. Upon publication of this Report and the Committee's receipt of a notification from Representative Tlaib of her satisfactory completion of the above steps, the Committee will consider this matter closed.

VII. STATEMENT UNDER HOUSE RULE XIII, CLAUSE 3(c)

The Committee made no special oversight findings in this Report. No budget statement is submitted. No funding is authorized by any measure in this Report.

APPENDIX A

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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. 19-4114

The Board of the Office of Congressional Ethics (hereafter “the Board”), by a vote of no less than four members, on August 9, 2019, 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 Rashida Tlaib

NATURE OF THE ALLEGED VIOLATION: Rep. Tlaib’s campaign committee, Rashida Tlaib for Congress, reported campaign disbursements that may not be legitimate and verifiable campaign expenditures attributable to bona fide campaign or political purposes. If Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use, or if Rep. Tlaib’s campaign committee expended funds that were not attributable to bona fide campaign or political purposes, then Rep. Tlaib may have violated House rules, standards of conduct, and federal law.

RECOMMENDATION: The Board recommends that the Committee further review the above allegation concerning Rep. Tlaib because there is substantial reason to believe that Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use or Rep. Tlaib’s campaign committee expended funds that were not attributable to bona fide campaign or political purposes.

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.

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

FINDINGS OF FACT AND CITATIONS TO LAW

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 OFFICE OF CONGRESSIONAL ETHICS
 UNITED STATES HOUSE OF REPRESENTATIVES
FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 19-4114

On August 9, 2019, 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*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION**A. Summary of Allegations**

1. Rep. Tlaib’s campaign committee, Rashida Tlaib for Congress, reported campaign disbursements that may not be legitimate and verifiable campaign expenditures attributable to bona fide campaign or political purposes. If Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use, or if Rep. Tlaib’s campaign committee expended funds that were not attributable to bona fide campaign or political purposes, then Rep. Tlaib may have violated House rules, standards of conduct, and federal law.
2. The Board recommends that the Committee further review the above allegation concerning Rep. Tlaib because there is substantial reason to believe that Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use or Rep. Tlaib’s campaign committee expended funds that were not attributable to bona fide campaign or political purposes.

B. Jurisdiction Statement

3. The allegations that were the subject of this review concern Rep. Rashida Tlaib, a Member of the United States House of Representatives from the 13th District of Michigan. 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.”¹ The House adopted this Resolution on March 11, 2008. Because the conduct under review occurred after March 11, 2008, review by the Board is in accordance with the Resolution.
4. The Resolution, consistent with House Rule XI, clause 3, permits the investigation into an “alleged violation by a Member, officer, or employee of the House of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities.”² Because the conduct at issue relates to a successful campaign for election to the United States House

¹ H. Res. 895 of the 110th Congress § 1(c) (2008) (as amended) (hereafter “the Resolution”).

² The Resolution § 1(c)(1)(A); § 4 (2008).

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Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended of Representatives, review by the Board is in accordance with the Resolution and House precedent.³

C. Procedural History

5. The OCE received a written request for preliminary review in this matter signed by at least two members of the Board on April 12, 2019. The preliminary review commenced on April 13, 2019.⁴
6. On April 15, 2019, the OCE notified Rep. Tlaib of the initiation of the preliminary review, provided her with a statement of the nature of the review, notified her of her right to be represented by counsel in this matter, and notified her that invoking her right to counsel would not be held negatively against her.⁵
7. At least three members of the Board voted to initiate a second-phase review in this matter on May 10, 2019. The second-phase review commenced on May 13, 2019.⁶ The second-phase review was scheduled to end on June 26, 2019.
8. On May 13, 2019, the OCE notified Rep. Tlaib of the initiation of the second-phase review in this matter, and again notified her of her right to be represented by counsel in this matter, and that invoking that right would not be held negatively against her.⁷
9. The Board voted to extend the second-phase review by an additional period of fourteen days on June 7, 2019. The additional period ended on July 10, 2019.
10. The Board voted to refer the matter to the Committee on Ethics for further review and adopted these findings on August 9, 2019.
11. The report and its findings in this matter were transmitted to the Committee on Ethics on August 16, 2019.

D. Summary of Investigative Activity

12. The OCE requested documentary and/or testimonial information from the following sources:
 - (1) Rep. Rashida Tlaib,⁸

³ See e.g., *In the Matter of Allegations Relating to Representative Ruben Kihuen*, H.R. REP. NO. 115-1041, at 5, n. 24 (2d Sess. 2018) (“[T]he Committee has repeatedly noted it has jurisdiction over ‘misconduct relating to a successful campaign for election to the House’”).

⁴ 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.

⁵ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Tlaib, April 15, 2019.

⁶ 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.

⁷ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Tlaib, May 13, 2019.

⁸ The Request for Information directed to Rep. Tlaib sought information from her personally and from her congressional campaign committee, Rashida Tlaib for Congress.

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- (2) Soh Suzuki, Treasurer, Rashida Tlaib for Congress;
- (3) Andy Goddeeris, Campaign Manager, Rashida Tlaib for Congress;
- (4) Amanda Kaye, Campaign Staffer, Rashida Tlaib for Congress, and
- (5) The Jane and Maurice Sugar Law Center.

13. The following individuals refused to cooperate with the OCE's review:

- (1) Rep. Tlaib;
- (2) Soh Suzuki;
- (3) Andy Goddeeris; and
- (4) Amanda Kaye.

II. REP. TLAIB MAY HAVE CONVERTED CAMPAIGN FUNDS TO PERSONAL USE

A. Applicable Law, Rules, and Standards of Conduct

14. Federal Statutes

Pursuant to 52 U.S.C. § 30114(b)(1) "[a] contribution or donation [to a candidate or member of Congress] shall not be converted by any person to personal use."

15. Federal Regulations

Pursuant to 11 C.F.R. § 113.1(g)(1)(I), "[p]ersonal use means any use of funds in a campaign account of a present or former candidate to fulfill a commitment, obligation or expense of any person that would exist irrespective of the candidate's campaign or duties as a Federal officeholder. . . .

Personal use includes but is not limited to the use of funds in a campaign account for any item listed in paragraphs (g)(1)(i)(A) through (J) of this section . . .

(I) Salary payments by a candidate's principal campaign to a candidate in excess of the lesser of: the minimum salary paid to a Federal officeholder holding the Federal office that the candidate seeks; or the earned income that the candidate received during the year prior to becoming a candidate. Any earned income that a candidate receives from salaries or wages from any other source shall count against the foregoing limit of the minimum salary paid to a Federal officeholder holding the Federal office that the candidate seeks. The candidate must provide income tax records from the relevant years and other evidence of earned income upon the request of the Commission. Salary shall not be paid to a candidate before the filing deadline for access to the primary election ballot for the Federal office that the candidate seeks, as determined by State law . . . If the candidate wins the primary election, his or her principal campaign committee may pay him or her a salary from campaign funds through the date of the general election, up to and including the date of any general election runoff. If the candidate loses the primary, withdraws from the race, or otherwise ceases to be a candidate, no salary payments may be paid beyond the date he or she is no longer a candidate. . . . During the time

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period in which a principal campaign committee may pay a salary to a candidate under this paragraph, such payment must be computed on a pro-rata basis.^{9, 10}

16. House Rules

House Rule 23, clause 6 states: "A Member, Delegate, or Resident Commissioner— (a) shall keep the campaign funds of such individual separate from the personal funds of such individual; (b) may not convert campaign funds to personal use in excess of an amount representing reimbursement for legitimate and verifiable campaign expenditures; and (c) except as provided in clause 1(b) of rule XXIV, may not expend funds from a campaign account of such individual that are not attributable to bona fide campaign or political purposes."

17. House Ethics Manual

*The House Ethics Manual states, "Members have wide discretion in determining what constitutes a bona fide campaign or political purpose to which campaign funds and resources may be devoted, but Members have **no** discretion whatsoever to convert campaign funds to personal use. Furthermore, House rules require that Members be able to verify that campaign funds have not been used for personal purposes."*¹¹

*The House Ethics Manual states, "[a] Member's use of campaign funds for federal office is permissible only if it complies with the provisions of **both** the House Rules **and** [the Federal Election Campaign Act]."*¹²

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

⁹ The Federal Election Commission ("FEC") explained that "payment of a salary to a candidate is not a prohibited personal use as defined under Commission regulations since, but for the candidacy, the candidate would be paid a salary in exchange for services rendered to an employer." *See* Using Contributions to Pay Salaries to Candidates, 67 Fed. Reg. 76961, 76971-73 (Dec. 13, 2002). In reaching this conclusion, the FEC explained: "[B]ecause many candidates must forego salary in order to conduct the business of the campaign, a candidate who is dependent on an income is put at a severe disadvantage compared to an incumbent who is free to campaign at all times without any reduction in compensation or to an affluent challenger, who can afford to campaign without receiving any compensation." *Id.* at 76971. Put differently, "candidates without significant resources might not be able to forgo salary payments in order to run for Federal office." *Id.*

¹⁰ When determining whether a salary payment *made after* the general election is permissible, the FEC considers when the right to compensation accrued to a candidate, as opposed to the date on which the salary payment is made. *See* FEC First General Counsel's Report, MUR 7068, Mowrer for Iowa (Dec. 5, 2016); FEC Conciliation Agreement, MUR 7068, Mowrer for Iowa (August 31, 2018). A candidate may be paid a salary payment after the general election date, so long as the payment is solely for work performed up through the date of the general election, and not for work done after that date. *Id.* The "controlling factor" in these circumstances is whether salary payments covered a period after an individual "ceases to be a candidate," which is expressly prohibited. *See id.*, *see also* 11 C.F.R. § 113.1(g)(1)(I) ("If the candidate loses the primary, withdraws from the race, or otherwise ceases to be a candidate, no salary payments may be paid beyond the date he or she is no longer a candidate.").

¹¹ House Ethics Manual (2008) at 173 (emphasis in original).

¹² *Id.* at 152 (emphasis in original).

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*individual's own authorized campaign committee . . . operates in compliance with applicable law.*¹³

B. Rep. Tlaib May Have Converted Campaign Funds to Personal Use Through the Receipt of Salary Payments During an Impermissible Time Period

18. FEC regulations permit candidates to receive salary from their campaign committees when certain specific conditions are met.¹⁴ Pursuant to 11 C.F.R. § 113.1(g)(1)(I), salary payments to a candidate are permissible if they are:

- Paid by the candidate's principal campaign committee;
- The lesser of (a) the minimum salary paid to a Member of Congress, or (b) the earned income that the candidate received during the year prior to becoming a candidate;
- Paid no sooner than the filing deadline for access to the primary election ballot for the office that the candidate seeks (as determined by state law);
- Paid for work performed up through the date of the general election (if the candidate loses the primary, withdraws from the race, or otherwise ceases to be a candidate, no salary payments may be paid beyond the date he or she is no longer a candidate); and
- Computed on a pro-rata basis.¹⁵

The payment of salary to a candidate that does not meet these specific conditions is considered *per se* personal use.¹⁶

19. According to the FEC, "payment of a salary to a candidate is not a prohibited personal use" when the above-conditions are met "since, but for the candidacy, the candidate would be paid a salary in exchange for services rendered to an employer."¹⁷ In coming to this conclusion, the FEC observed that candidates that are not independently wealthy or do not have the benefit of an incumbent's salary "might not be able to forgo salary payments in order to run for Federal office."¹⁸

20. Rep. Tlaib appears to have been the type of candidate contemplated by the FEC when it implemented rules permitting candidates to receive a salary. Documents provided to the

¹³ *Id.* at 123.

¹⁴ See 11 C.F.R. § 113.1(g)(1)(I); see also *supra* Section II.A.

¹⁵ *Id.*

¹⁶ *Id.*; see also FEC First General Counsel's Report, MUR 7068, Mowrer for Iowa (Dec. 5, 2016); FEC Conciliation Agreement, MUR 7068, Mowrer for Iowa (August 31, 2018).

¹⁷ Using Contributions to Pay Salaries to Candidates, 67 Fed. Reg. 76961, 76971 (Dec. 13, 2002).

¹⁸ *Id.* Specifically, the FEC observed that "because many candidates must forego salary in order to conduct the business of the campaign, a candidate who is dependent on an income is put at a severe disadvantage compared to an incumbent who is free to campaign at all times without any reduction in compensation or to an affluent challenger, who can afford to campaign without receiving any compensation." *Id.* In other words, unlike wealthy candidates or current officeholders, "persons of average means [may] need a salary in order to pay [their] expenses while running for office." *Id.* at 76972.

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OCE by Rep. Tlaib suggest that Rep. Tlaib did not have the financial means to campaign full-time without being compensated by her campaign committee. Documents, however, also suggest that Rep. Tlaib failed to comply with the specific requirements set forth in 11 C.F.R. § 113.1(g)(1)(I).

i. The Campaign's Decision to Pay Rep. Tlaib a Salary

21. On February 5, 2018, Rep. Tlaib registered her principal campaign committee, Rashida Tlaib for Congress, with the FEC.¹⁹ The following day, Rep. Tlaib announced her candidacy for the United States House of Representatives.²⁰
22. When she announced her candidacy, Rep. Tlaib was employed as the Community Partnerships & Development Director at the Maurice and Jane Sugar Law Center for Economic and Social Justice ("Sugar Law Center").²¹ At some point after her announcement, to devote more time to her campaign, Rep. Tlaib substantially reduced her work hours at – and accordingly her pay from – the Sugar Law Center.²²
23. In an April 4, 2018 email, Rep. Tlaib first advised her campaign manager, Andy Goddeeris, and her campaign consultant, Steve Tobocman, that she was "struggling financially."²³ She went on to state: "I was thinking the campaign could loan me money, but [campaign staffer] Ryan [Lomonco] said the committee could actually pay me. I was thinking a one time payment of 5K."²⁴
24. In response to her email, Goddeeris explained that he wanted to consult with Michigan-based election law attorney Mark Brewer about the decision to pay her, but then acknowledged "we need you at full strength, and you're not at full strength if you're having to worry about your finances. If it's legally permissible I want to do what's necessary so that this campaign doesn't dig you a hole you're struggling to get out of."²⁵ Tobocman echoed Goddeeris's comments, noting that he was "100% committed" to Rep. Tlaib getting the money she "need[ed] to stay focused" on her campaign.²⁶
25. On April 27, 2018, Rep Tlaib emailed a larger group of campaign staff about her personal financial concerns.²⁷ In this communication, she explained that she was "not going to make it through the campaign without a stipend," and requested "\$2,000 per two weeks but not exceeding \$12,000."²⁸

¹⁹ Rashida Tlaib for Congress, FEC Form 1, Statement of Organization, filed Feb 5, 2018.

²⁰ Press Release, Rashida Tlaib for Congress, Rashida Tlaib Announces Run for Michigan's 13th Congressional District (Feb. 6, 2018).

²¹ *Id.*; see also Maurice and Jane Sugar Law Center, *Our People*, <https://www.sugarlaw.org/our-people> (July 15, 2019).

²² See e.g., Email string "Going back to work part time" (Exhibit 1 at 19-4114_0002-0003).

²³ Email string "personal" (Exhibit 2 at 19-4114_0005-0006).

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ Email string "Stipend during the campaign" (A) (Exhibit 3 at 19-4114_0008).

²⁸ *Id.*

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26. Emails between campaign staff members during this timeframe indicate that staff was considering whether, and to what extent, the campaign could permissibly pay Rep. Tlaib a salary for her work performed on behalf of her campaign.²⁹ The campaign independently researched the issue and consulted attorney Mark Brewer on the matter.³⁰ The campaign concluded that Rep. Tlaib could legally be paid for her services to the campaign.³¹
27. The decision to pay Rep. Tlaib a salary from the campaign remained a source of concern for Rep. Tlaib, and thus for her campaign staff, throughout her campaign.³² Ultimately, the campaign paid Rep. Tlaib \$45,500.00 between May 7, 2018 and December 1, 2018.³³ The chart below identifies the date, FEC disbursement description, and the amount of each payment made to Rep. Tlaib by her campaign committee:

Date	FEC Disbursement Description	Amount
5/7/2018	SALARY	\$2,000.00
5/16/2018	SALARY	\$2,000.00
6/1/2018	SALARY	\$2,000.00
6/16/2018	SALARY	\$2,000.00
7/1/2018	SALARY	\$2,000.00
7/16/2018	SALARY	\$2,000.00
8/1/2018	SALARY	\$2,000.00
8/11/2018	SALARY	\$3,000.00
8/29/2018	SALARY	\$3,000.00
9/16/2018	SALARY	\$2,000.00

²⁹ Email string "Stipend during the campaign" (B) (Exhibit 4 at 19-4114_0010-0011); Email string "Fwd: Candidate receipt of salary payment from a congressional campaign" (Exhibit 5 at 19-4114_0013-0014) (providing attorney Mark Brewer's analysis); Email string "Fwd: Candidate salary" (Exhibit 6 at 19-4114_0016-0017)

³⁰ *Id.*

³¹ *Id.*

³² As of May 7, 2018, Rep. Tlaib considered returning to the Sugar Law Center on a more full-time basis in order to address her personal financial concerns. Email string "Going back to work part time" (Exhibit 1 at 19-4114_0002-0003). Her campaign staff debated the merits of her doing that as opposed to accepting salary payments from the campaign committee. *Id.* Similarly, in August 2018, Rep. Tlaib again raised concerns about her personal financial situation and sought continued compensation from the campaign. August 23, 2018 text messages (Exhibit 7 at 19-4114_0019-0023); Email string "Fwd: Salaries Budget – post primary" (Exhibit 8 at 19-4114_0026-0027).

³³ Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (July Quarterly Report), filed July 15, 2018 at 298-299; Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (Pre-Primary), filed July 26, 2018 at 113; Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (October Quarterly Report), Amendment, filed Nov. 26, 2018 at 291-92; Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (Pre-General), filed Oct. 25, 2018 at 87-88; Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (Post-General), filed Dec. 5, 2018 at 90; Rashida Tlaib for Congress, FEC Report of Receipts and Disbursements (Year-End Report), filed Jan. 22, 2019 at 32.

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10/1/2018	SALARY	\$2,000.00
10/16/2018	SALARY	\$2,000.00
11/1/2018	SALARY	\$2,000.00
11/16/2018	SALARY	\$2,000.00
12/1/2018	SALARY	\$15,500.00
Total:		\$45,500.00

 ii. Permissibility of the Salary Payments Made to Rep. Tlaib

28. As discussed above, FEC regulations identify a specific set of circumstances in which payment of salary to a congressional candidate would not run afoul of personal use prohibitions, and thus be permissible.³⁴ Rep. Tlaib, through her counsel, argues she complied with these conditions; however, several documents provided to the OCE by Rep. Tlaib suggest otherwise. Specifically, documents provided to the OCE indicate Rep. Tlaib was paid for work she performed after November 6, 2018 – the date of the general election.
29. The OCE requested an opportunity to interview Rep. Tlaib in order to address her potentially problematic salary payments. Rep. Tlaib declined to interview with the OCE. Likewise, campaign staff members with knowledge of her receipt of salary payments also declined to interview with the OCE.
- Documents suggesting Rep. Tlaib was paid for work performed after November 6, 2018*
30. Rep. Tlaib provided the OCE with a spreadsheet identifying salary payments made to various campaign staff members and herself (“Campaign Salary Spreadsheet”).³⁵ The Campaign Salary Spreadsheet – included below in relevant part – suggests Rep. Tlaib received two salary payments that were likely for work performed after November 6, 2018.³⁶ The spreadsheet indicates that Rep. Tlaib was paid \$2,000.00 on November 16, 2018 for work performed between November 1, 2018 and November 15, 2018, and was thereafter paid \$15,500.00 on December 1, 2018 for work performed (or to be performed) between November 16, 2018 and December 31, 2018:

³⁴ See *supra* Section II.A.

³⁵ Campaign Salary Spreadsheet (Exhibit 9 at 19-4114_0029-0035).

³⁶ *Id.* (Exhibit 9 at 19-4114_0034-0035).

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Date	Vendor	Notes	Check No.	Amount		
Salaries						
2/16/2018	Andrew	January pay (th	504	\$5,125.00		
3/1/2018	Ryan	Feb 12-28	510	\$2,550.00		
3/1/2018	Andrew	Feb 1-15	509	\$5,125.00		
3/5/2018	New Solutions Gro	Feb 1-28	515	\$5,000.00		
3/16/2018	Andrew	Feb 16-28	7006	\$5,125.00		?
4/1/2018	Andrew	Mar 1 - 15	7027	\$5,125.00		
4/1/2018	Ryan	Mar 1 - 15	7030	\$2,312.50		
4/1/2018	New Solutions Gro	Mar 1 - 15	7028	\$2,500.00		
4/1/2018	Jon Butler	Mar 5 - 15	7029	\$628.57		
4/5/2018	Jacqueline Stevent	Signature gathe	7017	\$375.00		
4/11/2018	Jacqueline Stevent	Signature gathe	7019	\$125.00		
4/12/2018	Jacqueline Stevent	Signature gathe	7021	\$568.00		
4/16/2018	Jon Butler	3/16 to 3/31	7044	\$800.00		
4/16/2018	Lisa Tencer	3/26 to 3/31	7049	\$400.00		
4/16/2018	Amira Deebah	3/28 to 4/15	7050	\$2,625.00		
4/16/2018	BrieAnn Bell	3/26 to 3/31	7051	\$416.25		
4/16/2018	Ryan Anderson	3/16 to 3/31	7054	\$2,393.75		
4/16/2018	Lama Ajrouche	3/26 to 3/31	7045	\$400.00		

* * *

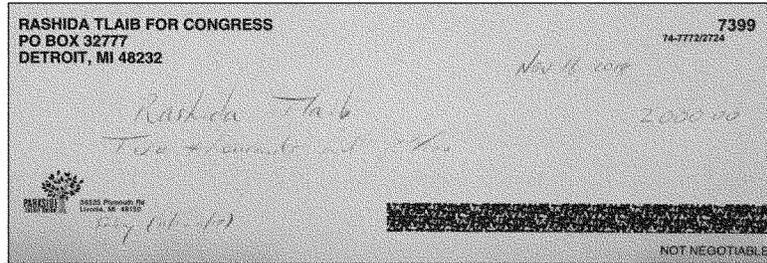
11/1/2018	Rashida Tlaib	10/16 - 10/31	7379	\$2,000.00		\$
11/1/2018	Andy Goddeeris	10/16 - 10/31	7380	\$2,562.50		\$
11/1/2018	Amira Deebah	10/16 - 10/31	7381	\$875.00		\$
11/1/2018	Oscar Arbulu	10/16 - 10/31	7382	\$750.00		\$
11/1/2018	Amanda Kaye	10/16 - 10/31	7383	\$1,000.00		\$
11/1/2018	Soh Suzuki	10/16 - 10/31	7384	\$1,000.00	\$8,187.50	\$
11/16/2018	Rashida Tlaib	11/1 - 11/15	7399	\$2,000.00		\$
11/16/2018	Andy Goddeeris	11/1 - 11/15	7400	\$2,562.50		\$
11/16/2018	Amira Deebah	11/1 - 11/15	7401	\$875.00		\$

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11/16/2018	Oscar Arbulu	11/1 - 11/15	7402	\$750.00		\$
11/16/2018	Amanda Kaye	11/1 - 11/15	7403	\$1,000.00		\$
11/16/2018	Soh Suzuki	11/1 - 11/15	7404	\$1,000.00	\$8,187.50	\$
12/1/2018	Ryan Anderson	10/1 - 12/31	7430	\$12,000.00		\$
12/1/2018	Rashida Tlaib	11/16 - 12/31	7424	\$15,500.00		\$
12/1/2018	Andy Goddeeris	11/16 - 12/31	7425	\$7,687.50		\$
12/1/2018	Amira Deebah	11/16 - 12/31	7426	\$2,625.00		\$
12/1/2018	Oscar Arbulu	11/16 - 12/31	7427	\$2,250.00		\$
12/1/2018	Amanda Kaye	11/16 - 12/31	7428	\$3,000.00		\$
12/1/2018	Soh Suzuki	11/16 - 12/31	7429	\$3,000.00	\$46,062.50	\$
12/1/2018	Amira Deebah	Bonus	7412	\$500.00		\$
12/1/2018	Oscar Arbulu	Bonus	7413	\$2,000.00		\$
12/1/2018	BrieAnn Bell	Bonus	7414,7448	\$500.00		\$
12/1/2018	Mahima Mahadeva	Bonus	7415	\$1,000.00		\$
12/1/2018	Lisa Tencer	Bonus	7416	\$1,000.00		\$
12/1/2018	Ali Altarajalia	Bonus	7417	\$1,000.00		\$
12/1/2018	Alondra Zamudio	Bonus	7418	\$1,000.00		\$
12/1/2018	Hassan Ahmad	Bonus	7419	\$1,000.00		\$
12/1/2018	Andrew Nurmi	Bonus	7420	\$1,000.00		\$
12/1/2018	Carla Underwood	Bonus	7421	\$1,000.00		\$
12/1/2018	Daniela Kabeth	Bonus	7422	\$1,000.00		\$
12/1/2018	Fatima Mohamad	Bonus	7423	\$1,000.00	\$12,000.00	\$

31. Checks produced to the OCE by Rep. Tlaib also suggest that Rep. Tlaib was paid for work performed after November 6, 2018.³⁷ Notably, the November 16, 2018 check includes the following notation in the bottom left-hand corner: "Salary (11/1 – 11/15)."³⁸ Additionally, the December 1, 2018 check includes a notation with the dates "11/16 – 12/31."³⁹

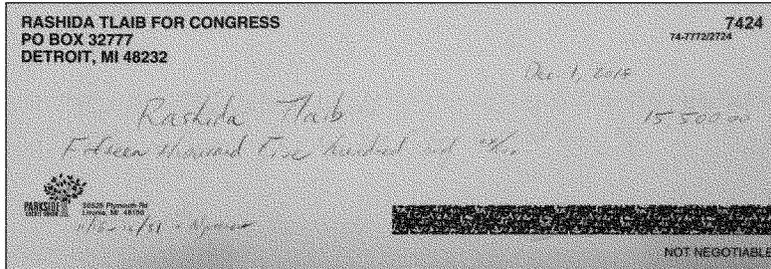


³⁷ Checks Payable to Rep. Tlaib from Rashida Tlaib for Congress (Exhibit 10 at 19-4114_0037-0051).

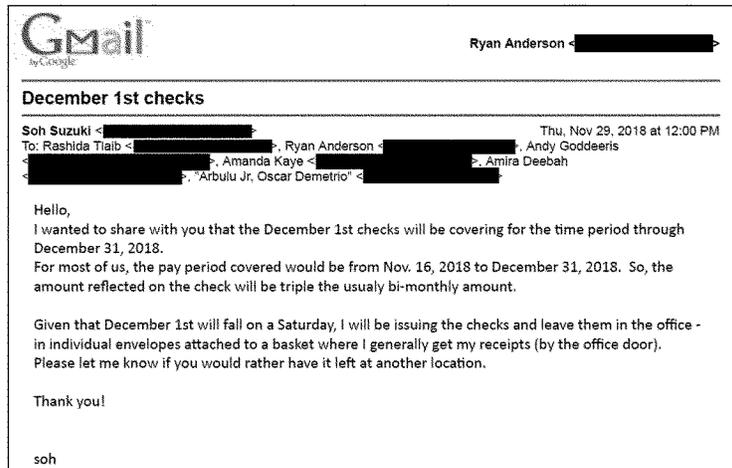
³⁸ *Id.* (Exhibit 10 at 19-4114_0050).

³⁹ *Id.* (Exhibit 10 at 19-4114_0051).

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32. The OCE notes that the Campaign Salary Spreadsheet and November 16, 2018 check suggest that part of the November 16, 2018 payment was likely for work performed between November 1, 2018 and November 6, 2018. Payment for work performed during these six days would be permissible; payment for work performed after that date is prohibited.⁴⁰
33. In addition to the Campaign Salary Spreadsheet and checks, Rep. Tlaib produced emails that indicate she was paid for work she performed after November 6, 2018. An email from her campaign treasurer states that Rep. Tlaib's December 1, 2018 check for \$15,500.00 was payment for the period of "Nov. 16, 2018 to December 31, 2018."⁴¹



⁴⁰ See *supra* Section II.A.

⁴¹ Email "December 1st checks" (Exhibit 11 at 19-4114_0053).

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34. Another email from her campaign treasurer included a spreadsheet that discussed the December 1, 2018 payments to campaign staff.⁴² The spreadsheet, included below, suggests that at least \$8,000.00 (of the \$15,500.00 payment) was paid to Rep. Tlaib for work performed after the general election, and \$7,500.00 was an unspecified “adjustment.”

Staff	Thru 11/30	Thru 12/31	Adjustment	Bonus	12/1 check	Notes
Rashida Tlaib	\$ 2,000.00	\$ 6,000.00	\$ 7,500.00	\$ -	\$ 15,500.00	Addition of \$2000/mo for 3.75 mo.
Ryan Anderson	\$ 8,000.00	\$ 4,000.00	\$ -	\$ -	\$ 12,000.00	October payment and beyond
Andrew Goddeeris	\$ 2,562.50	\$ 5,125.00	\$ -	\$ -	\$ 7,687.50	
Amira Deebah	\$ 875.00	\$ 1,750.00	\$ -	\$ 500.00	\$ 3,125.00	
Oscar Arbulu	\$ 750.00	\$ 1,500.00	\$ -	\$ 2,000.00	\$ 4,250.00	
Amanda Kaye	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -	\$ 3,000.00	
Soh Suzuki	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -	\$ 3,000.00	
BriaAnn Bell	\$ -	\$ -	\$ -	\$ 500.00	\$ 500.00	
Mahima Mahadevan	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Lisa Tencer	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Ali Altarajalla	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Alondra Zamudio	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Hassan Aboud	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Andrew Numsi	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Carla Underwood	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Daniela Kabeth	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Fatima Mohamad Abu-Oman	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Jonathan Butler	\$ -	\$ -	\$ -	\$ -	\$ -	
Alan Hernandez	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL					\$ 58,062.50	
Budget Balance					\$ 34,994.96	Current budget line balance - budgeted thru Dec. 31, 2018
Additional Exp					\$ 23,067.54	Amount over the budget
Column B (thru 11/30)	Amount owed through Nov. 30, 2018					
Column C (thru 12/31)	Amount owed for the month of December - advance					
Column D (Adjustments)	Any adjustments to be made for the previous payments					
Column E (Bonus)	Bonus					
Column F (12/1 check)	Amount to be paid on Dec. 1, 2018					

35. Because Rep. Tlaib refused to interview with the OCE, the OCE could not address these potentially problematic payments with her. Likewise, the OCE was unable to address these documents with members of her campaign staff given their refusals to interview with the OCE.^{43, 44}

⁴² Email and attachment “Staff pay for 12/1/2018” (Exhibit 12 at 19-4114_0055-0056).

⁴³ Rep. Tlaib produced a spreadsheet which identifies each payment made to her between May 7, 2018 and December 1, 2018 and provides an amount of “salary deferred” during the period. The deferrals total \$15,500.00, which is the amount she was paid on December 1, 2018. Presumably this spreadsheet was intended to show that Rep. Tlaib was deferring monies from each salary payment she received and opted to collect them at a later date; however, the OCE could not confirm this given Rep. Tlaib and her staff’s refusal to interview. The OCE is not including the document in this report at the request of Rep. Tlaib’s counsel. The OCE notes that the spreadsheet was prepared by Soh Suzuki at the request of counsel after Rep. Tlaib began receiving inquiries about the legality of her salary payments. Additionally, the OCE notes that the deferrals referenced in the document appear inconsistent with the manner in which the salary payments are discussed in documents and communications created during the time periods in which the salary payments were actually made to Rep. Tlaib. Accordingly, the OCE discounts the veracity of this document.

⁴⁴ The Board notes that Rep. Tlaib failed to disclose \$4,000.00 in salary payments from her campaign committee on her 2018 Candidate Financial Disclosure Reports, initially filed May 16, 2018, and then refiled as an amendment on December 7, 2018. See United States House of Representatives Financial Disclosure Statement for Rep. Rashida Tlaib (filed May 16, 2018) (omitting reference to a \$2,000.00 May 7, 2018 salary payment and a \$2,000.00 May 16, 2018 salary payment from Rashida Tlaib for Congress); United States House of Representatives Financial Disclosure Statement for Rep. Rashida Tlaib (filed Dec. 7, 2018) (same). Additionally, the Board notes that documents provided to the OCE by Rep. Tlaib suggest that she was paid by the campaign for work performed prior

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III. CONCLUSION

36. Based on the foregoing information, the Board finds that there is substantial reason to believe that Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use or Rep. Tlaib's campaign committee expended funds that were not attributable to bona fide campaign or political purposes.
37. Accordingly, the Board recommends that the Committee further review the above allegation that Rep. Tlaib converted campaign funds from Rashida Tlaib for Congress to personal use or Rep. Tlaib's campaign committee expended funds that were not attributable to bona fide campaign or political purposes.

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

38. The following witnesses, by declining to provide requested information to the OCE, did not cooperate with the OCE review:
- a. Rep. Tlaib;
 - b. Soh Suzuki;
 - c. Andy Goddeeris; and
 - d. Amanda Kaye.
39. The Board recommends that the Committee on Ethics issue subpoenas to:
- a. Rep. Tlaib;
 - b. Soh Suzuki;
 - c. Andy Goddeeris; and
 - d. Amanda Kaye.

to the filing deadline for access to the primary election ballot in Michigan – April 24, 2018. *See* Michigan Secretary of State, 2018 Filing Requirements for Federal and State Elective Office, https://www.michigan.gov/documents/sos/2018_Dates_600221_7.pdf (last visited July 16, 2019) (identifying April 24, 2018 as the filing deadline for access to the primary election ballot in Michigan). Specifically, Rep. Tlaib appears to have been paid \$2,000.00 on May 16, 2018 for work performed between April 16, 2018 and April 30, 2018; she also received \$2,000.00 on May 7, 2018 for work that appears to have been performed prior to April 16, 2018. *See e.g.*, Campaign Salary Spreadsheet (Exhibit 9 at 19-4114_0030); Checks Payable to Rep. Tlaib from Rashida Tlaib for Congress (Exhibit 10 at 19-4114_0037-0038); Email string "Field Paychecks" (Exhibit 13 at 19-4114_0058-0063); Email string "3 Questions" (Exhibit 14 at 19-4114_0065-0068). The FEC has not authoritatively addressed whether payments made to a candidate after the primary filing deadline, *but for work performed prior to that date*, are permissible. Accordingly, the OCE notes the existence of these payments, but declines to make a finding on whether there is substantial reason to believe they violate federal law and House rules.

EXHIBIT 1

4/18/2019

Gmail - Going back to work part time



Andrew Goddeeris [redacted]

Going back to work part time

Andy Goddeeris [redacted] Tue, Apr 9, 2019 at 9:18 AM
To: Mark Brewer [redacted]

[redacted]

----- Forwarded message -----
From: Andy Goddeeris [redacted]
Date: Mon, May 7, 2018 at 12:12 PM
Subject: Re: Going back to work part time
To: Steve Tobocman [redacted]
CC: Rashida Tlaib [redacted], Steve Tobocman [redacted], Mahima Mahadevan [redacted]

Look, there are two options. The choice should be made by you, **Rashida**, I feel **very uncomfortable** telling you what you can and can't do with regards to money.

Rashida can legally collect a salary of ~\$7900 a month from the campaign (she can collect no more than her income from the previous year from the campaign committee). It subjects her to some additional reporting requirements if the FEC asks, but it is clearly legal. The downside is that in mid-July, it will become public that Rashida has collected X number of dollars from the campaign, and there might be attacks that follow that accuse Rashida of using her campaign funds to enrich herself. There will be a very good response to this: I quit my job when nobody else did, and I don't have a cushy government job to fall back on if I don't win - I'm all in for this race and for the people of the district. Personally, I believe this to be a very good response. I also think that people are especially sensitive to how money is handled. With all the financial bullshit the other campaigns are pulling, though, I think you would be pretty insulated from attack.

The other option is for Rashida to go back to working part-time at Sugar Law. This means blocking off 9a-12p every day, which would significantly impact campaign activities (fewer doors knocked, less money raised). But, it would provide Rashida with a steady income and not implicate campaign funds.

On Mon, May 7, 2018 at 11:45 AM, Steve Tobocman [redacted] wrote:
I thought we had decided to pay you after Brewer provided the analysis.
On Mon, May 7, 2018 at 11:35 AM, Rashida Tlaib [redacted] wrote:
I need you all to make a final decision on this. This is my livelihood. Doesn't just impact me but my kids.
On Mon, May 7, 2018, 11:16 AM Andrew Goddeeris [redacted] wrote:
The campaign can pay you no more than you made in income last year, on a monthly basis, we just accept that it may become a political issue - but we have good response "I quit my job to do this, I have real skin in the game"
Sent from my iPhone
> On May 7, 2018, at 11:11 AM, Rashida Tlaib [redacted] wrote:
>
> Team,
>
> I am going to go back to work part time. This means I will be able to start campaign related activities after 12 noon.
>
> Sorry I was not able to rent out my home. The man that was interested decided to purchase a home instead.
>
> R

<https://mail.google.com/mail/u/0/?ik=a976cc2051&view=pt&search=all&permmsgid=msg-a%3A5238933049406380944&dsq=1&siml=msg-a%3A52...> 1/2

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RT 000022A
19-4114_0002

4/18/2019

Gmail - Going back to work part time

Steve Tobocman
Global Detroit
www.globaldetroit.com
[REDACTED]

Give to Global Detroit. Growing our economy. Mobilizing our immigrant potential. <http://www.globaldetroit.com/donate/>

Join me for the Welcoming Interactive + Welcoming Economies Convening in Louisville, KY June 18-20 | [Register Here](#)



Check out what's new with Global Detroit!
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--
Andy Goddeeris
Campaign Manager, Rashida For Congress
c. [REDACTED]
Donate and Volunteer
Twitter: @RashidaTlaib
Facebook: Rashida for Congress
--

Andy Goddeeris
Senior Policy Counsel
U.S. Rep. Rashida Tlaib (MI-13)
c. [REDACTED]

<https://mail.google.com/mail/u/0/?ik=a976cc2051&view=pt&search=all&permmsgid=msg-a%3A5238933049406360944&dsqt=1&siml=msg-a%3A52...> 2/2

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RT 00023A
19-4114_0003

EXHIBIT 2

4/19/2019

Gmail - personal



Steve Tobocman [redacted]

personal
3 messages

Rashida Tlaib [redacted] Wed, Apr 4, 2018 at 1:25 PM
To: Steve Tobocman [redacted], Andrew Goddeeris [redacted]

Steve and Andrew,

I am struggling financially right now. Fayez doesn't pay child support (my fault for not pushing him) and Shane is not helping as much as I had hoped. Sugar Law Center is going to compile all my vacation and sick days to give me another full pay check, but I am sinking.

I budgeted myself, but I think I underestimated having to handle rent and mortgage. The house finally got clearance to rent from the city. We had a ton of interest last month but I didn't want to risk the attacks by proceeding without clearance.

So I was thinking the campaign could loan me money, but Ryan said that the committee could actually pay me. I was thinking a one time payment of 5k. I can always borrow from the brothers, but wanted to ask you both first.

R

Rashida Tlaib
Candidate, Michigan's 13th Congressional District
Former Michigan State Representative
Attorney, Sugar Law Center
[redacted]
Donate at www.rashidaforcongress.com
or mail check payable to:
Rashida Tlaib for Congress
P.O. Box 32777
Detroit, MI 48232

More about Rashida: <http://redreamproject.org/videos/rashida-tlaib/>

Andy Goddeeris [redacted] Wed, Apr 4, 2018 at 1:29 PM
To: Rashida Tlaib [redacted]
Cc: Steve Tobocman [redacted]

I'd want to talk through with Brewer first, but we need you at full strength, and you're not at full strength if you're having to worry about your finances. If it's legally permissible I want to do what's necessary so that this campaign doesn't dig you a hole you're struggling to get out of.

[Quoted text hidden]

Andy Goddeeris
Campaign Manager, Rashida For Congress
c. [redacted]
Donate and Volunteer
Twitter: @RashidaTlaib
Facebook: Rashida for Congress

Steve Tobocman [redacted] Wed, Apr 4, 2018 at 3:17 PM
To: Andy Goddeeris [redacted]

<https://mail.google.com/mail/u/0?ik=afac3d5b4b&view=pt&search=all&permthid=thread-f%3A1596837308360683156&siml=msg-f%3A1596837308360683156&...> 1/2

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19-4114_0005

4/19/2019

Gmail - personal

Cc: Rashida Tlaib [REDACTED]

I think I have a better solution I would like to discuss. But I am 100% committed that you get the money you need to stay focused.

[Quoted text hidden]

—

Steve Tobocman
Global Detroit
www.globaldetroit.com

Give to Global Detroit. Growing our economy. Mobilizing our immigrant potential. <http://www.globaldetroit.com/donate/>



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EXHIBIT 3



Amanda Kaye [REDACTED]

Stipend during the campaign

2 messages

Rashida Tlaib [REDACTED] Fri, Apr 27, 2018 at 2:24 PM
To: Steve Tobocman [REDACTED], Andrew Goddeeris [REDACTED], Amanda Kaye [REDACTED], Mahima Mahadevan [REDACTED]

Hello all,

I am just not going to make it through the campaign without a stipend. With the loss of a second income to lean back on, I am requesting \$2,000 per two weeks but not exceeding \$12,000. The cost of living stipend is going towards much needed expenses due to campaigning that includes car maintenance, child care and other necessities.

Please let me know if I can proceed.

Thank you, Rashida

Andrew Goddeeris [REDACTED] Fri, Apr 27, 2018 at 2:27 PM
To: Rashida Tlaib [REDACTED]
Cc: Steve Tobocman [REDACTED], Amanda Kaye [REDACTED], Mahima Mahadevan [REDACTED]

Proceed.

Sent from my iPhone
[Quoted text hidden]

EXHIBIT 4

4/18/2019

Gmail - Stipend during the campaign



Andrew Goddeeris [redacted]

Stipend during the campaign

Steve Tobocman [redacted]
To: andy [redacted]

Fri, Apr 27, 2018 at 3:41 PM

This is what I sent her

Sent from my iPhone

Begin forwarded message:

From: Andrew Goddeeris [redacted]
Date: April 27, 2018 at 2:39:58 PM CDT
To: Steve Tobocman [redacted]
Subject: Re: Stipend during the campaign

Ok, yes, agreed that we wait for Brewer if that was his reaction. Have you communicated this to her?

Sent from my iPhone

On Apr 27, 2018, at 12:31 PM, Steve Tobocman [redacted] wrote:

1. I would LOVE to use the campaign funds to pay Rashida in whatever legal, ethical, and defensible ways we can.
2. I called Brewer and his reaction was [redacted]
3. Quick Google search suggests this has potential to be a bad story. <https://coloradopolitics.com/democratic-congressional-candidate-pays-salary-campaign-fund/>. Note this story suggests it is legal, but the story gets written nonetheless.
4. Anyone can make a personal loan less than \$13,000 to Rashida (and can even make a gift). Can we get a week to discuss how that might get done?
5. In any event, I think we need to wait for Brewer's okay.
6. Why did she copy the entire team on that?

steve

On Fri, Apr 27, 2018 at 2:27 PM, Andrew Goddeeris [redacted] wrote:
Proceed.

Sent from my iPhone

> On Apr 27, 2018, at 11:24 AM, Rashida Tlaib [redacted] wrote:

- >
- > Hello all,
- >
- > I am just not going to make it through the campaign without a stipend. With the loss of a second income to lean back on, I am requesting \$2,000 per two weeks but not exceeding \$12,000. The cost of living stipend is going towards much needed expenses due to campaigning that includes car maintenance, child care and other necessities.
- >
- > Please let me know if I can proceed.
- >
- > Thank you, Rashida

[https://mail.google.com/mail/u/0/?ik=a976cc2051&view=pt&search=all&permmsgid=msg-f%3A1568929571219589415&dsqt=1&siml=msg-f%3A1568929571219589415&dsqt=1](https://mail.google.com/mail/u/0/?ik=a976cc2051&view=pt&search=all&permmsgid=msg-f%3A1568929571219589415&dsqt=1&siml=msg-f%3A1568929571219589415&dsqt=1&siml=msg-f%3A1568929571219589415&dsqt=1) 1/2

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19-4114_0010

4/18/2019

Gmail - Stipend during the campaign

--
Steve Tobocman
Global Detroit
www.globaldetroit.com

Give to Global Detroit. Growing our economy. Mobilizing our immigrant potential. <http://www.globaldetroit.com/donate/>

Join me for the Welcoming Interactive + Welcoming Economies
Convening in Louisville, KY June 18-20 | [Register Here](#)

<GD logo large small.jpg>

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<https://mail.google.com/mail/u/0?ik=a976cc2051&view=pt&search=all&permmsgid=msg-f%3A1598929571219589415&dsqt=1&siml=msg-f%3A1598...> 2/2

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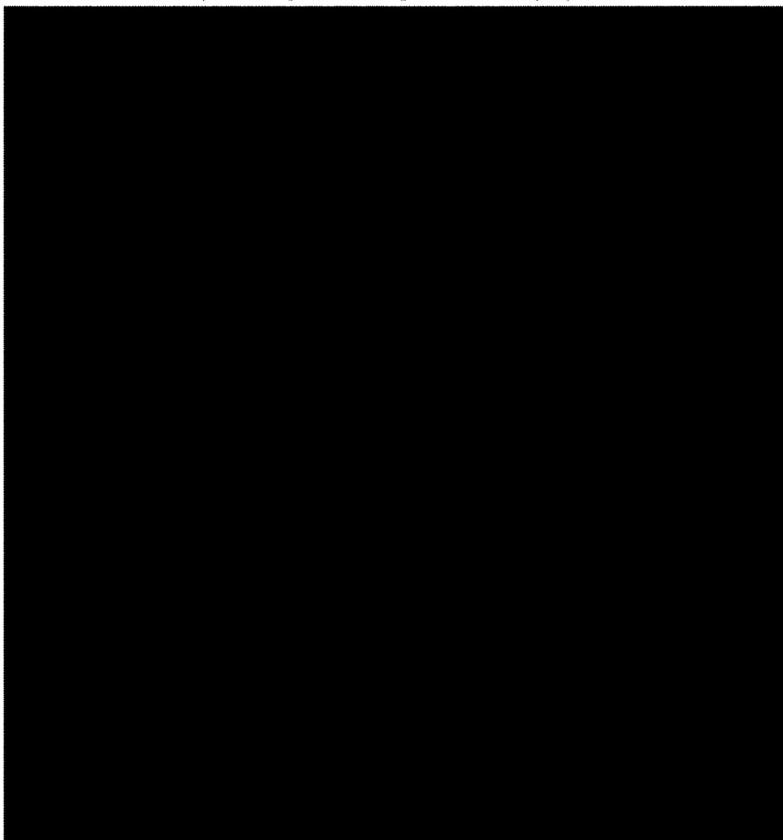
19-4114_0011

EXHIBIT 5



Ryan Anderson [REDACTED]

Fwd: Candidate receipt of salary from a congressional campaign



Andy Goddeeris

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RT 000142

Acre Mail - Fwd: Candidate receipt of salary from a congressional campaign <https://mail.google.com/mail/u/0?ik=2027c271e4&view=pt&search=all...>

Senior Policy Counsel
U.S. Rep. Rashida Tlaib (MI-13)
c. [REDACTED]

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437K

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RT 000143

EXHIBIT 6

4/18/2019

Gmail - Fwd: Candidate salary



Andrew Goddeeris [REDACTED]

Fwd: Candidate salary

Andy Goddeeris [REDACTED]
 To: Steve Tobocman [REDACTED]

Mon, Apr 30, 2018 at 2:43 PM

----- Forwarded message -----

From: Amanda Kaye [REDACTED]
 Date: Mon, Apr 30, 2018 at 2:39 PM
 Subject: Fwd: Candidate salary
 To: Andrew Goddeeris [REDACTED]

----- Forwarded message -----

From: Ryan Lomonaco [REDACTED]
 Date: Sat, Apr 28, 2018 at 10:30 PM
 Subject: Candidate salary
 To: Amanda Kaye [REDACTED]

Well, I'll be damned - it turns out that a salary is, in fact, permissible under very limited circumstances.

- First, the candidate cannot be an incumbent federal officeholder - which explains why I hadn't dealt with it - Mark was in office when I worked for him.
- The salary must be less than both the Congressional monthly salary (\$14,500/month), and also less than what Rashida made in earned income in the previous year. So if Rashida made \$48,000 last year in earned income, her salary could be no more than \$4,000 per month.
- Any other money that Rashida makes in earned income this year counts against the \$14,500/month limit (but, by my reading of the statute, does not count against the earned income limit, if that is lower than \$14,500)
- At the request of the FEC, Rashida would have to provide income tax records and proof of earnings to prove that the salary doesn't exceed her earned income from previous years.
- Payments may begin after the filing deadline for the office. If Rashida wins the primary election, payments can continue until the date of the general election; if for some reason she loses the primary, withdraws, or is otherwise not a candidate, payments must stop at that point.

By my "avid-fan-of-the-law-but-not-actually-a-lawyer" reading, it's not entirely clear whether payments can cover the period prior to the filing deadline (i.e. can the campaign pay Rashida today for the entire month of April?). It might be prudent to avoid paying for any time prior to the filing deadline, just to be safe.

My suggestion would be to handle it by bringing her on as an employee, taking payroll taxes out, etc. - rather than paying her a flat stipend and 1099ing her. But this type of payment, although legal and perfectly ethical, will be noticeable, and it would not surprise me to see someone write a news article about it when it becomes public at the filing deadline on July 15.

Related documents:

- FEC Candidate Guide (PDF) - check pages 53-57 (using the page numbers at the bottom of each page). In particular, the section on pages 53-54 entitled "Candidate Salary".
- 11 CFR 113.1, the specific law that pertains to personal use. The definition of salary is listed under 113.1(g)(1)(i)(i).
- When reading through this text, there is a spot in the candidate guide that might catch your eye, because it implies that salary can begin from the moment that a special election is called. However, after digging into 113.1, I found that this only applies to specials called in odd-numbered years; you would appear to be subject to the limits for normal elections.

<https://mail.google.com/mail/u/0/?ik=a976oc2051&view=pt&search=all&permmsgid=msg-f%3A1599197725184677466&dsqt=1&siml=msg-f%3A1599...> 1/2

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RT 000020
 19-4114_0016

4/18/2019

Gmail - Fwd: Candidate salary

--
Ryan Lomonaco
[REDACTED]

--
Amanda Kaye
[REDACTED]

--
Andy Goddeeris
Campaign Manager, Rashida For Congress
c. [REDACTED]
Donate and Volunteer
Twitter: @RashidaTlaib
Facebook: Rashida for Congress

<https://mail.google.com/mail/u/0/?ik=a976cc2051&view=pt&search=all&permmsgid=msg-f%3A1599197725184677466&dsqt=1&simple=msg-f%3A1599...> 2/2

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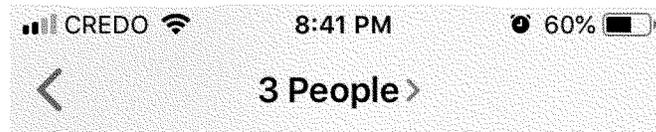
EXHIBIT 7

4/19/2019

Mail - Soh Suzuki - Outlook

Texts

Soh Suzuki
Fri 4/19/2019 8:52 PM
To: Soh Suzuki [REDACTED]



Thu, Aug 23, 6:38 AM

Rashida Tlaib

Sorry for the early text but do you think the campaign can still pay me a stipend until the general. Trying to get out of debt.

RT

Ryan Anderson

I think we definitely afford to do so. But we need to really clearly define your time and space if you're also working at Sugar, the combo might draw the

<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTKyMzAtMjZiZjZlOwMAIIMDAKAIEYAAAM90o6kPhuKSquYr5o8sHNBBwDlwJrLMfweSZq...> 1/6

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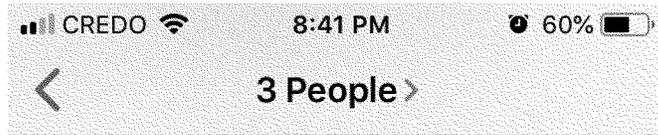
19-4114_0019

4/19/2019

Mail - Soh Suzuki - Outlook

RA **Some might draw the most concern**

Thu, Aug 23, 9:07 AM



Andrew Godderris

I think if you're going to take a salary from the campaign, which I think you should, you should think very hard about whether you need to be working part time at Sugar, because if you didn't like the media's reaction to you taking a

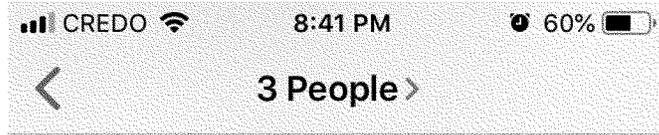
<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTkyMzAMjZjZiOWMAIIRMDAKAEYAAAM90o6kPhuKSquYf5o8eHNBBwDlwJrLMfweSZq...> 2/6

4/19/2019

Mail - Soh Suzuki - Outlook

AG salary while campaigning full time you probably won't like the story that Rashida is paying herself from the campaign while getting paid by her job.

Thu, Aug 23, 1:04 PM



When should my last be
I will tell John that I'm leaving immediately

<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTkyMzAtMjdkZi0wMAIIMDAKAEYAAAM90e6kPhuKSquYr5o8sHNBvDhwJtLMfweSZq...> 3/6

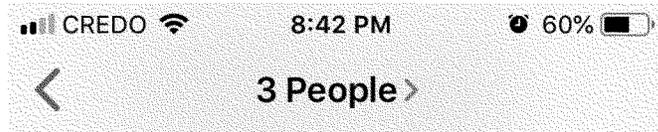
4/19/2019

Mail - Soh Suzuki - Outlook

RT I will start working from home

Andrew Godderris

Also keep in mind next report isn't due until October. I think we could cut you a check now, but you need a fundraising plan if you want to be paying: yourself, me, Ryan, Soh, Amira, and three field organizers. That could be \$20K a month right



I will tell John that I'm

<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTkyMzAtMjdlZjZlOwMAIiMDAKAEYAAAM90o8kPhuKSquYf5e8eHNBBvOlwJrLMfweSZq...> 4/6

4/19/2019

Mail - Soh Suzuki - Outlook

leaving immediately

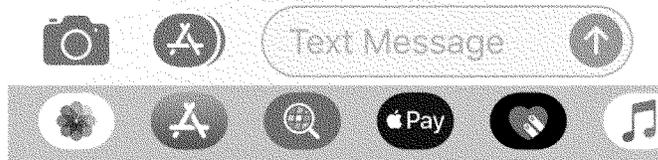
I will start working from home

RT

Andrew Godderris

Also keep in mind next report isn't due until October. I think we could cut you a check now, but you need a fundraising plan if you want to be paying: yourself, me, Ryan, Soh, Amira, and three field organizers. That could be \$20K a month right there, and that's on the low end.

AG



<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTkyMzAtMjdkZi0wMAIIMDAKAIEYAAAM90o6kPhuKSquYf5o8eHNBBwDlwJrLMfweSZq...> 5/6

4/19/2019

Mail - Soh Suzuki - Outlook

Sent from my iPhone

<https://outlook.live.com/mail/inbox/id/AQMkADAwATE0YTcwLTkyMzAtMjdlkZiOwMAIHMdAKAEYAAAM90e6kPhuKSquYr5e8sHNBBwDlwJrLMfweSZq...> 6/6

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19-4114_0024

EXHIBIT 8



Ryan Anderson [REDACTED]

Fwd: Salaries Budget - post primary

Andy Goddeeris [REDACTED] Tue, Apr 9, 2019 at 8:49 AM
To: Mark Brewer [REDACTED], Ryan Anderson [REDACTED], Soh Suzuki [REDACTED]

[REDACTED]

----- Forwarded message -----

From: **Amanda Kaye** [REDACTED]
Date: Tue, Aug 28, 2018 at 12:41 PM
Subject: Re: Salaries Budget - post primary
To: Rashida Tlaib [REDACTED]
CC: Andrew Goddeeris [REDACTED]

Absolutely. I bumped it some, so take a look please.

On Tue, Aug 28, 2018, 12:39 PM Rashida Tlaib [REDACTED] wrote:
Amanda, I know you have salaries on a sep sheet (thank you!) but wanted to see if paying me a stipend is still part of that?

On Tue, Aug 28, 2018 at 10:09 AM Amanda Kaye [REDACTED] wrote:
Please review. This is private to you.

[REDACTED]

—
Amanda Kaye
[REDACTED]

—
Rashida Tlaib
Candidate, Michigan's 13th Congressional District
Former Michigan State Representative
Attorney, Sugar Law Center
[REDACTED]

Donate at www.rashidaforcongress.com
or mail check payable to:
Rashida Tlaib for Congress
P.O. Box 32777
Detroit, MI 48232

More about Rashida: <http://redreamproject.org/videos/rashida-tlaib/>

New York Times: <https://www.nytimes.com/2018/06/29/us/politics/is-this-the-year-women-break-the-rules-and-win.html>

CNN: <https://www.cnn.com/2018/07/03/politics/rashida-tlaib-congress/index.html>

The Intercept: <https://theintercept.com/2018/07/05/climate-change-left-politics-policy/>

Forbes: <https://www.forbes.com/sites/carriehammer/2018/05/30/meet-the-woman-ready-to-shatter-a-glass-ceiling-for-the-second-time/>

An older but excellent interview with *Rachel Maddow*: <http://www.msnbc.com/rachel-maddow-show/watch/petcoke->

Acre Mail - Fwd: Salaries Budget - post primary

<https://mail.google.com/mail/u/0/?ik=2027e271e4&view=pt&search=all...>

pile-oil-industry-disregard-for-taxpayers-43384387988

Andy Goddeeris
Senior Policy Counsel
U.S. Rep. Rashida Tlaib (MI-13)
c. [REDACTED]

EXHIBIT 9

Office Salaries				
Staff	Monthly Rate	Months	Total Costs	
Steve	\$5,000.00	6	\$30,000.00	
Andrew	\$10,250.00	6.5	\$66,625.00	
Sumaiya			\$2,500.00	
fundraiser	\$5,000.00	5	\$25,000.00	
Mahima	\$8,000.00	6	\$48,000.00	
Amanda	\$2,500.00	6	\$15,000.00	
campaign assist	\$4,000.00	5.5	\$16,500.00	
10 field organizers			\$68,000.00	5 who start May 1 = \$400/week x 14 weeks = \$28,000
				5 who start March 13 = \$400/week x 20 weeks = \$40,000
Finance Assistant			\$6,600.00	40 hrs/week at \$15/hr for 2 weeks, 20 hrs/week at \$15/hr for 18 weeks
			\$278,225.00	
Date	Vendor	Notes	Check No.	Amount
Salaries				
2/16/2018	Andrew	January pay (the	504	\$5,125.00
3/1/2018	Ryan	Feb 12-28	510	\$2,550.00
3/1/2018	Andrew	Feb 1-15	509	\$5,125.00
3/5/2018	New Solutions Gro	Feb 1-28	515	\$5,000.00
3/16/2018	Andrew	Feb 16-28	7006	\$5,125.00
4/1/2018	Andrew	Mar 1 - 15	7027	\$5,125.00
4/1/2018	Ryan	Mar 1 - 15	7030	\$2,312.50
4/1/2018	New Solutions Gro	Mar 1 - 15	7028	\$2,500.00
4/1/2018	Jon Butler	Mar 5 - 15	7029	\$628.57
4/5/2018	Jacqueline Stevent	Signature gathe	7017	\$375.00
4/11/2018	Jacqueline Stevent	Signature gathe	7019	\$125.00
4/12/2018	Jacqueline Stevent	Signature gathe	7021	\$568.00
4/16/2018	Jon Butler	3/16 to 3/31	7044	\$800.00
4/16/2018	Lisa Tencer	3/26 to 3/31	7049	\$400.00
4/16/2018	Amira Deebah	3/28 to 4/15	7050	\$2,625.00
4/16/2018	BrieAnn Bell	3/26 to 3/31	7051	\$416.25
4/16/2018	Ryan Anderson	3/16 to 3/31	7054	\$2,393.75
4/16/2018	Lama Ajrouche	3/26 to 3/31	7045	\$400.00

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19-4114_0029

	4/23/2018	Jean West		7046	\$500.00	\$4 paid as of 4/26/18		
	4/16/2018	Andrew	3/16 to 3/31	7052	\$5,125.00			\$
	4/16/2018	New Solutions Gro	3/16 to 3/31	7053	\$2,500.00	\$7 payable as of 4/26/18		\$
	4/30/2018	Andrew	4/1 to 4/15	7071	\$5,125.00			\$
	4/30/2018	Mahima	4/1 to 4/15	7072	\$2,500.00			\$
	4/30/2018	Jon Butler	4/1 to 4/15	7073	\$800.00			\$
	4/30/2018	Lisa Tencer	4/1 to 4/15	7074	\$800.00			\$
	4/30/2018	Lama Ajrouche	4/1 to 4/15	7075	\$800.00			\$
	4/30/2018	Amira Deebah	4/16 to 4/30	7079	\$1,750.00			\$
	4/30/2018	Aji Alfaraajalla	4/1 to 4/15	7076	\$800.00			\$
	4/30/2018	Oscar Arbulu	4/1 to 4/15	7078	\$800.00			\$
	4/30/2018	Alan Hernandez	4/1 to 4/15	7077	\$800.00			\$
	4/30/2018	New Solutions Gro	4/1 to 4/15	7094	\$2,500.00			\$
	5/1/2018	BrieAnn Bell	4/1 to 4/15	7098	\$697.50			\$
	5/7/2018	Rashida		7099	\$2,000.00			\$
	5/9/2018	Amanda K		7048	\$3,000.00	\$22,372.50		\$
	5/14/2018	Jonathan Butler	4/16 to 4/30	7104	\$800.00	n		\$
	5/14/2018	Lisa Tencer	4/16 to 4/30	7105	\$800.00	n		\$
	5/14/2018	Lama Ajrouche	4/16 to 4/30	7106	\$400.00	n		\$
	5/14/2018	Aji Alfaraajalla	4/16 to 4/30	7107	\$800.00	n		\$
	5/14/2018	Alan Hernandez	4/16 to 4/30	7108	\$800.00	n		\$
	5/14/2018	Oscar Arbulu	4/16 to 4/30	7109	\$800.00	n		\$
	5/14/2018	Alondra Zamudio	4/16 to 4/30	7110	\$400.00	n		\$
	5/15/2018	New Solutions Gro	4/16 to 4/30	7111	\$2,500.00	n		\$
	5/15/2018	Andrew	4/16 to 4/30	7112	\$5,125.00	n		\$
	5/15/2018	Mahima	4/16 to 4/30	7113	\$2,500.00	n		\$
	5/15/2018	Amira Deebah	5/1 to 5/15	7114	\$1,750.00	n		\$
	5/16/2018	Rashida	4/16 to 4/30	7115	\$2,000.00	n		\$
	5/18/2018	BrieAnn Bell	4/16 to 4/30	7120	\$310.00	n	\$18,985.00	\$
	5/23/2018	Ryan Anderson	4/1 to 4/30	7123	\$1,500.00	n		\$
	6/1/2018	Jonathan Butler	5/1 to 5/15	7130	\$800.00	n		\$
	6/1/2018	Lisa Tencer	5/1 to 5/15	7131	\$800.00	n		\$
	6/1/2018	Alan Hernandez	5/1 to 5/15	7132	\$800.00	n		\$
	6/1/2018	Aji Alfaraajalla	5/1 to 5/15	7133	\$800.00	n		\$

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18-4114_0000

	6/1/2018	Oscar Arbulu	5/1 to 5/15	7134	\$800.00	n			\$
	6/1/2018	Alondra Zamudio	5/1 to 5/15	7135	\$800.00	n			\$
	6/1/2018	Hassan Ahmad	5/1 to 5/15	7136	\$400.00	n			\$
	6/1/2018	New Solutions Gro	5/1 to 5/15	7137	\$2,500.00	n			\$
	6/1/2018	Andrew Goddeerts	5/1 to 5/15	7138	\$5,125.00	n			\$
	6/1/2018	Mahima Mahadeva	5/1 to 5/15	7139	\$2,500.00	n			\$
	6/1/2018	Monica Rao	5/1 to 5/15	7140	\$2,000.00	n			\$
	6/1/2018	Amira Deebah	5/16 to 5/31	7141	\$1,750.00	n			\$
	6/1/2018	Rashida Tlaib	5/1 to 5/15	7147	\$2,000.00	n			\$
	6/1/2018	Monica Rao	4/30 to 4/30	7148	\$200.00	n			\$
	6/1/2018	Soh Suzuki	5/1 to 5/15	7150	\$1,000.00	n			\$
	6/1/2018	BrieAnn Bell	5/1 to 5/13	7151	\$907.50	n			\$
	6/4/2018	Jean West	5/1 to 5/31	7152	\$500.00	n		\$25,182.50	\$
	6/16/2018	Jonathan Butler	5/16 to 5/31	7162	\$800.00				\$
	6/16/2018	Lisa Tencer	5/16 to 5/31	7163	\$800.00				\$
	6/16/2018	Alan Hernandez	5/16 to 5/31	7164	\$400.00				\$
	6/16/2018	Oscar Arbulu	5/16 to 5/31	7165	\$800.00				\$
	6/16/2018	Ali Alfarajalla	5/16 to 5/31	7168	\$800.00				\$
	6/16/2018	Alondra Zamudio	5/16 to 5/31	7167	\$400.00				\$
	6/16/2018	Hassan Ahmad	5/16 to 5/31	7168	\$800.00				\$
	6/16/2018	Andrew Nurmi	5/16 to 5/31	7172	\$800.00				\$
	6/16/2018	Rashida Tlaib	5/16 to 5/31	7173	\$2,000.00				\$
	6/16/2018	Andrew Goddeerts	5/16 to 5/31	7174	\$5,125.00				\$
	6/16/2018	New Solutions Gro	5/16 to 5/31	7175	\$2,500.00				\$
	6/16/2018	Mahima Mahadeva	5/16 to 5/31	7176	\$2,500.00				\$
	6/16/2018	Monica Rao	5/16 to 5/31	7177	\$2,000.00				\$
	6/16/2018	Amira Deebah	6/1 to 6/15	7178	\$1,750.00				\$
	6/16/2018	Soh Suzuki	5/16 to 5/31	7181	\$1,000.00				\$
	6/16/2018	BrieAnn Bell	5/14 to 6/3	7180	\$945.00				\$
	6/18/2018	Ryan Anderson	5/1 to 5/31					\$23,420.00	\$
	7/1/2018	Jonathan Butler	6/1 to 6/15	7218	\$400.00				\$
	7/1/2018	Lisa Tencer	6/1 to 6/15	7197	\$800.00				\$
	7/1/2018	Oscar Arbulu	6/1 to 6/15	7198	\$800.00				\$
	7/1/2018	Ali Alfarajalla	6/1 to 6/15	7199	\$800.00				\$

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RT 000068
18-4114_0031

		7/1/2018	Alondra Zamudio	6/1 to 6/15	7200	\$800.00			\$
		7/1/2018	Hassan Ahmad	6/1 to 6/15	7201	\$800.00			\$
		7/1/2018	Andrew Nurmi	6/1 to 6/15	7202	\$800.00			\$
		7/1/2018	Carla Underwood	6/1 to 6/15	7203	\$400.00			\$
		7/1/2018	Daniela Kabeth	6/1 to 6/15	7204	\$400.00			\$
		7/1/2018	Rashida Tlaib	6/1 to 6/15	7205	\$2,000.00			\$
		7/1/2018	Andrew Goddeeris	6/1 to 6/15	7206	\$5,125.00			\$
		7/1/2018	New Solutions Gro	6/1 to 6/15	7207	\$2,500.00			\$
		7/1/2018	Mahima Mahadeva	6/1 to 6/15	7208	\$2,500.00			\$
		7/1/2018	Monica Rao	6/1 to 6/15	7209	\$2,000.00			\$
		7/1/2018	Amira Deebah	6/16 to 6/30	7210	\$1,750.00			\$
		7/1/2018	Thelma Jean West	6/1 to 6/30	7211	\$500.00			\$
		7/1/2018	BrieAnn Bell	5/27 to 6/10	7212	\$772.50			\$
		7/1/2018	Soh Suzuki	6/1 to 6/15	7213	\$1,000.00	\$24,147.50		\$
		7/16/2018	Jonathan Butler	6/16 to 6/30	7224	\$800.00			\$
		7/16/2018	Lisa Tencer	6/16 to 6/30	7225	\$800.00			\$
		7/16/2018	Oscar Arbulu	6/16 to 6/30	7226	\$800.00			\$
		7/16/2018	Ali Alfarajalla	6/16 to 6/30	7227	\$800.00			\$
		7/16/2018	Alondra Zamudio	6/16 to 6/30	7228	\$800.00			\$
		7/16/2018	Hassan Ahmad	6/16 to 6/30	7229	\$800.00			\$
		7/16/2018	Andrew Nurmi	6/16 to 6/30	7230	\$800.00			\$
		7/16/2018	Carla Underwood	6/16 to 6/30	7231	\$800.00			\$
		7/16/2018	Daniela Kabeth	6/16 to 6/30	7232	\$800.00			\$
		7/16/2018	Rashida Tlaib	6/16 to 6/30	7233	\$2,000.00			\$
		7/16/2018	Andrew Goddeeris	6/16 to 6/30	7234	\$5,125.00			\$
		7/16/2018	New Solutions Gro	6/16 to 6/30	7235	\$2,500.00			\$
		7/16/2018	Mahima Mahadeva	6/16 to 6/30	7236	\$2,500.00			\$
		7/16/2018	Monica Rao	6/16 to 6/30	7237	\$2,000.00			\$
		7/16/2018	Amira Deebah	7/1 to 7/15	7238	\$1,750.00			\$
		7/16/2018	BrieAnn Bell	6/11 to 7/1	7241	\$1,402.50			\$
		7/16/2018	Soh Suzuki	6/16 to 6/30	7239	\$1,000.00			\$
		7/16/2018	Ryan Anderson	5/1 to 6/30	7223	\$3,000.00	\$28,477.50		\$
		8/1/2018	Jonathan Butler	7/1 to 7/15	7259	\$800.00			\$
		8/1/2018	Lisa Tencer	7/1 to 7/15	7260	\$800.00			\$

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RT 000059
18-4114_0032

		8/1/2018	Oscar Arbulu	7/1 to 7/15	7261	\$800.00			\$
		8/1/2018	Ali Alfaraajalla	7/1 to 7/15	7262	\$400.00			\$
		8/1/2018	Alondra Zamudio	7/1 to 7/15	7263	\$800.00			\$
		8/1/2018	Hassan Ahmad	7/1 to 7/15	7264	\$800.00			\$
		8/1/2018	Andrew Nurmi	7/1 to 7/15	7265	\$800.00			\$
		8/1/2018	Carla Underwood	7/1 to 7/15	7266	\$800.00			\$
		8/1/2018	Daniela Kabeth	7/1 to 7/15	7267	\$800.00			\$
		8/1/2018	Rashida Tlaib	7/1 to 7/15	7274	\$2,000.00			\$
		8/1/2018	Andrew Goddeeris	7/1 to 7/15	7275	\$5,125.00			\$
		8/1/2018	Mahima Mahadeva	7/1 to 7/15	7276	\$2,500.00			\$
		8/1/2018	Monica Rao	7/1 to 7/15	7253	\$2,000.00			\$
		8/1/2018	Amira Deebah	7/16 to 7/31	7254	\$1,750.00			\$
		8/1/2018	BrieAnn Bell	7/2 to 7/15	7283	\$705.00			\$
		8/1/2018	Thelma Jean West	7/1 to 7/31	7255	\$500.00			\$
		8/1/2018	Soh Suzuki	7/1 to 7/15	7277	\$1,000.00	\$22,380.00		\$
		8/10/2018	Lisa Tencer	7/16 - 8/7	7303	\$1,200.00			\$
		8/10/2018	Oscar Arbulu	7/16 - 8/7	7304	\$1,200.00			\$
		8/10/2018	Ali Alfaraajalla	7/16 - 8/7	7305	\$1,200.00			\$
		8/10/2018	Alondra Zamudio	7/16 - 8/7	7306	\$1,200.00			\$
		8/10/2018	Hassan Ahmad	7/16 - 8/7	7307	\$1,200.00			\$
		8/10/2018	Andrew Nurmi	7/16 - 8/7	7308	\$1,200.00			\$
		8/10/2018	Carla Underwood	7/16 - 8/7	7309	\$1,200.00			\$
		8/10/2018	Daniela Kabeth	7/16 - 8/7	7310	\$1,200.00			\$
		8/10/2018	Fatima Mohamad	7/24 - 8/7	7311	\$800.00			\$
		8/11/2018	Rashida Tlaib	7/16 - 8/7	7314	\$3,000.00			\$
		8/11/2018	Andrew Goddeeris	7/16 - 8/7	7315	\$7,687.50			\$
		8/11/2018	New Solutions Gro	7/1 - 8/7	7316	\$6,250.00			\$
		8/11/2018	Mahima Mahadeva	7/16 - 8/7	7317	\$3,750.00			\$
		8/11/2018	Monica Rao	7/16 - 8/7	7318	\$3,000.00			\$
		8/11/2018	Amira Deebah	8/1 - 8/7	7319	\$875.00			\$
		8/11/2018	BrieAnn Bell	7/16 - 8/7	7321	\$1,500.00			\$
		8/11/2018	Soh Suzuki	7/16 - 8/7	7320	\$1,500.00			\$
		8/10/2018	Ryan Anderson	7/1 - 8/7	7312	\$1,838.71	\$39,801.21		\$
		8/29/2018	Rashida Tlaib	8/6 - 8/31	7339	\$3,000.00			\$

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RT 000060
18-4114_0033

		9/1/2018	Andy Goddeeris	8/8 - 8/31	7340	\$3,843.75		\$
		9/1/2018	Oscar Arbulu	8/8 - 8/31	7341	\$1,125.00		\$
		9/1/2018	Amira Deebah	8/20 - 8/26	7342	\$437.50		\$
		9/1/2018	Soh Suzuki	8/8 - 8/31	7343	\$1,500.00		\$
		9/1/2018	Amanda Kaye	8/8 - 8/31	7344	\$1,000.00		\$
		9/19/2018	Ryan Anderson	8/8 - 8/31	7353	\$1,161.29	\$12,067.54	\$
		9/16/2018	Rashida Tlaib	9/1 - 9/15	7345	\$2,000.00		\$
		9/16/2018	Andy Goddeeris	9/1 - 9/15	7346	\$2,562.50		\$
		9/16/2018	Oscar Arbulu	9/1 - 9/15	7347	\$750.00		\$
		9/16/2018	Amira Deebah	9/1 - 9/15	7348	\$875.00		\$
		9/19/2018	Soh Suzuki	9/1 - 9/15	7355	\$1,000.00		\$
		9/16/2018	Amanda Kaye	9/1 - 9/15	7349	\$1,000.00	\$8,187.50	\$
		10/1/2018	Rashida Tlaib	9/16 - 9/30	7361	\$2,000.00		\$
		10/1/2018	Andy Goddeeris	9/16 - 9/30	7362	\$2,562.50		\$
		10/1/2018	Amira Deebah	9/16 - 9/30	7363	\$875.00		\$
		10/1/2018	Oscar Arbulu	9/16 - 9/30	7364	\$750.00		\$
		10/1/2018	Amanda Kaye	9/16 - 9/30	7365	\$1,000.00		\$
		10/1/2018	Soh Suzuki	9/16 - 9/30	7366	\$1,000.00		\$
		10/3/2018	Ryan Anderson	9/1 - 9/30	7368	\$4,000.00	\$12,187.50	\$
		10/16/2018	Rashida Tlaib	10/1 - 10/15	7371	\$2,000.00		\$
		10/16/2018	Andy Goddeeris	10/1 - 10/15	7372	\$2,562.50		\$
		10/16/2018	Amira Deebah	10/1 - 10/15	7373	\$875.00		\$
		10/16/2018	Oscar Arbulu	10/1 - 10/15	7374	\$750.00		\$
		10/16/2018	Amanda Kaye	10/1 - 10/15	7375	\$1,000.00		\$
		10/16/2018	Soh Suzuki	10/1 - 10/15	7376	\$1,000.00	\$8,187.50	\$
		11/1/2018	Rashida Tlaib	10/16 - 10/31	7379	\$2,000.00		\$
		11/1/2018	Andy Goddeeris	10/16 - 10/31	7380	\$2,562.50		\$
		11/1/2018	Amira Deebah	10/16 - 10/31	7381	\$875.00		\$
		11/1/2018	Oscar Arbulu	10/16 - 10/31	7382	\$750.00		\$
		11/1/2018	Amanda Kaye	10/16 - 10/31	7383	\$1,000.00		\$
		11/1/2018	Soh Suzuki	10/16 - 10/31	7384	\$1,000.00	\$8,187.50	\$
		11/16/2018	Rashida Tlaib	11/1 - 11/15	7399	\$2,000.00		\$
		11/16/2018	Andy Goddeeris	11/1 - 11/15	7400	\$2,562.50		\$
		11/16/2018	Amira Deebah	11/1 - 11/15	7401	\$875.00		\$

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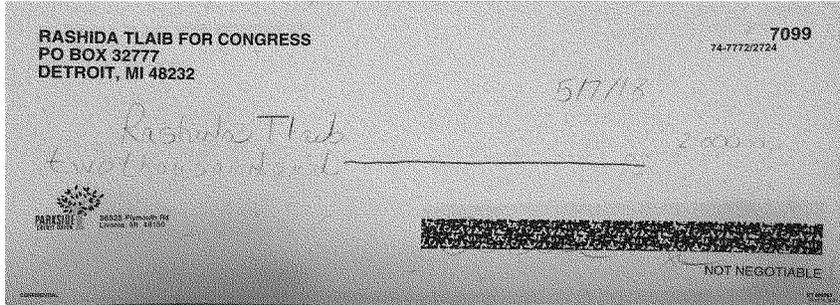
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18-4114_0034

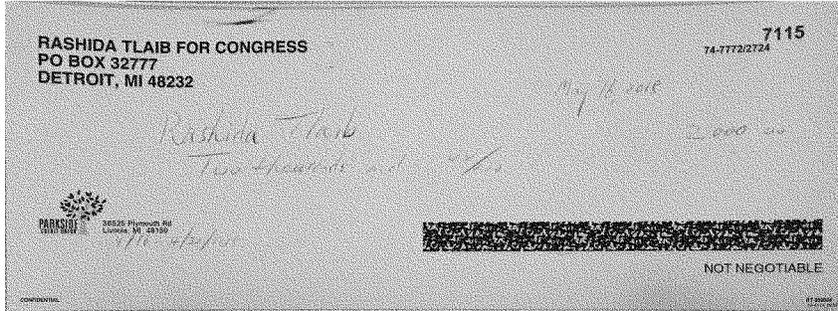
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11/16/2018	Amanda Kaye	11/1 - 11/15	7403	\$1,000.00		\$
11/16/2018	Soh Suzuki	11/1 - 11/15	7404	\$1,000.00	\$8,187.50	\$
12/1/2018	Ryan Anderson	10/1 - 12/31	7430	\$12,000.00		\$
12/1/2018	Rashida Tlaib	11/16 - 12/31	7424	\$15,500.00		\$
12/1/2018	Andy Goddeeris	11/16 - 12/31	7425	\$7,687.50		\$
12/1/2018	Amira Deebah	11/16 - 12/31	7428	\$2,625.00		\$
12/1/2018	Oscar Arbulu	11/16 - 12/31	7427	\$2,250.00		\$
12/1/2018	Amanda Kaye	11/16 - 12/31	7428	\$3,000.00		\$
12/1/2018	Soh Suzuki	11/16 - 12/31	7429	\$3,000.00	\$46,062.50	\$
12/1/2018	Amira Deebah	Bonus	7412	\$500.00		\$
12/1/2018	Oscar Arbulu	Bonus	7413	\$2,000.00		\$
12/1/2018	BrieAnn Bell	Bonus	7414,7448	\$500.00		\$
12/1/2018	Mahima Mahadeva	Bonus	7415	\$1,000.00		\$
12/1/2018	Lisa Tencer	Bonus	7416	\$1,000.00		\$
12/1/2018	Ali Alfarajalla	Bonus	7417	\$1,000.00		\$
12/1/2018	Alondra Zamudio	Bonus	7418	\$1,000.00		\$
12/1/2018	Hassan Ahmad	Bonus	7419	\$1,000.00		\$
12/1/2018	Andrew Nurni	Bonus	7420	\$1,000.00		\$
12/1/2018	Carla Underwood	Bonus	7421	\$1,000.00		\$
12/1/2018	Daniela Kabeth	Bonus	7422	\$1,000.00		\$
12/1/2018	Fatima Mohamad	Bonus	7423	\$1,000.00	\$12,000.00	\$
3/4/2019	Eleanor Carey	2/21 - 2/28	7456	\$625.00		\$
3/18/2019	Eleanor Carey	3/1 - 3/15	7461	\$1,250.00		\$
4/1/2019	Eleanor Carey	3/16 - 3/31	7465	\$1,250.00		\$
					\$372,677.82	\$115,067.54

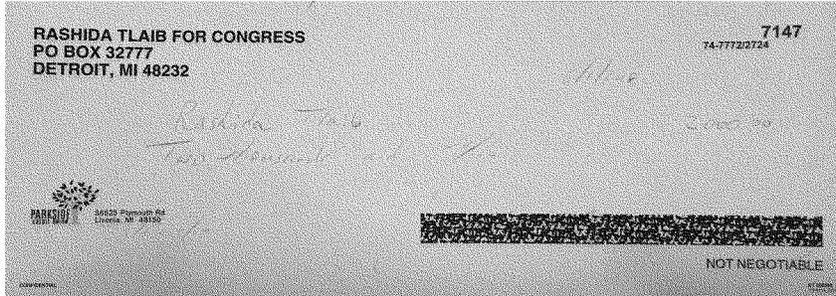
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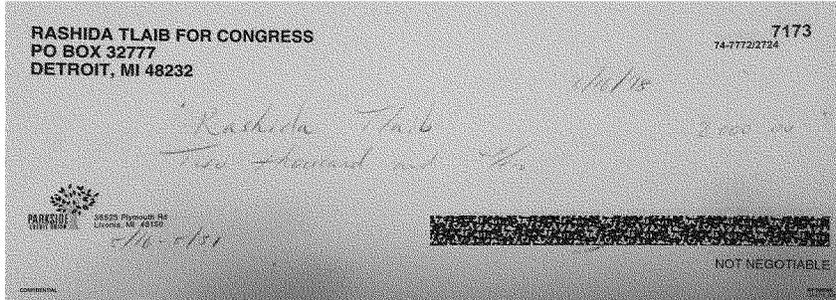
RT 000062
19-4114_0035

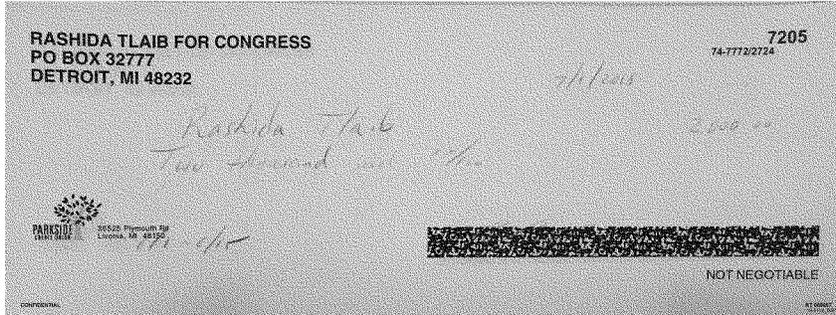
EXHIBIT 10

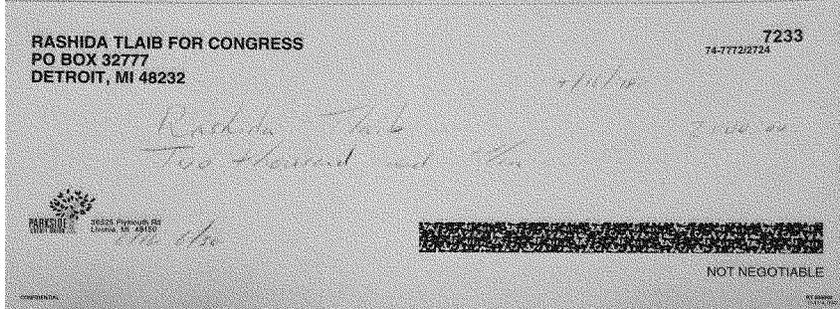


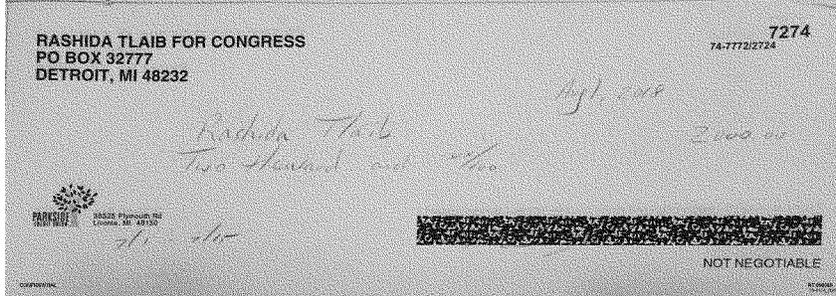


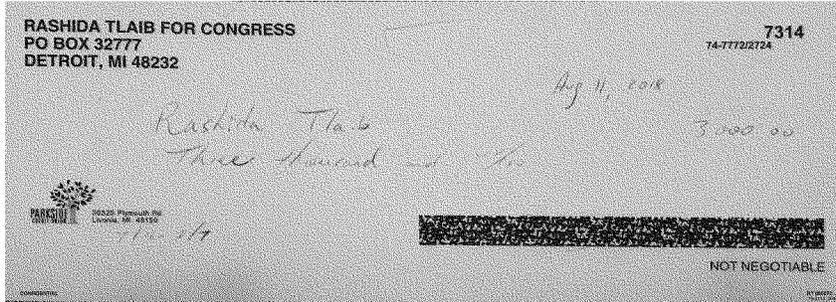


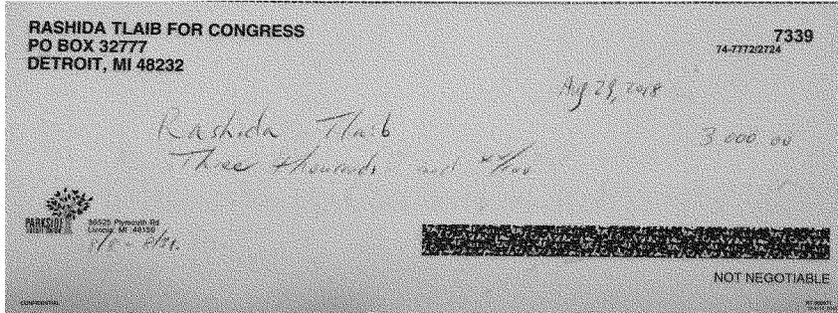


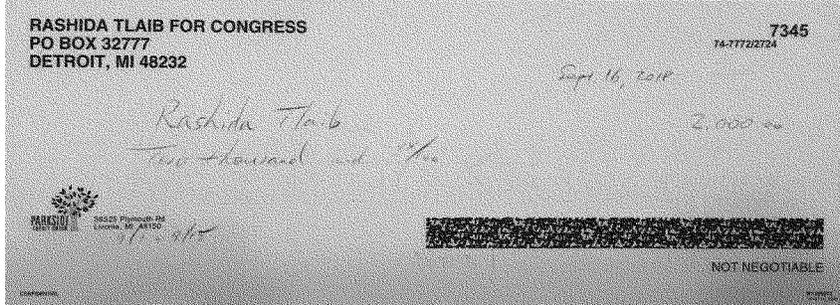


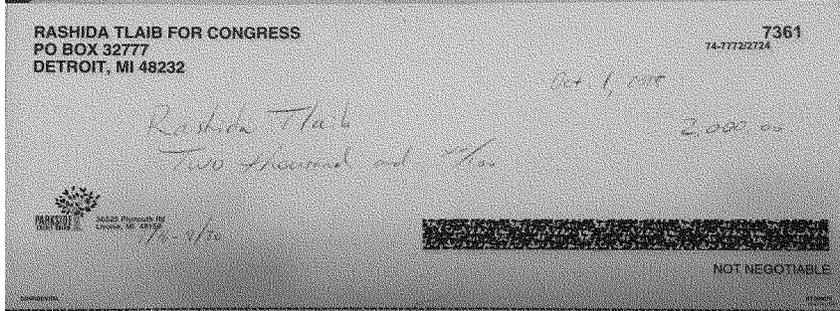


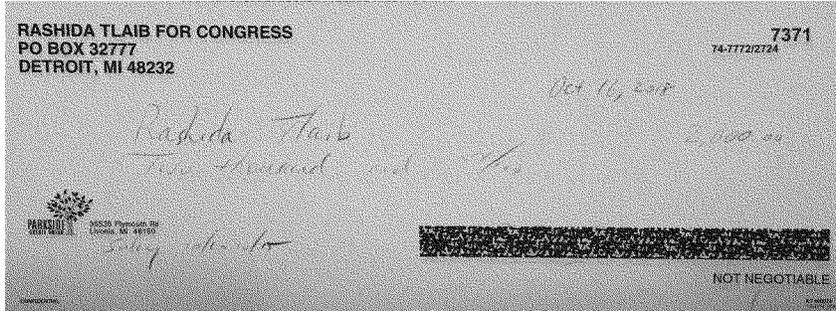


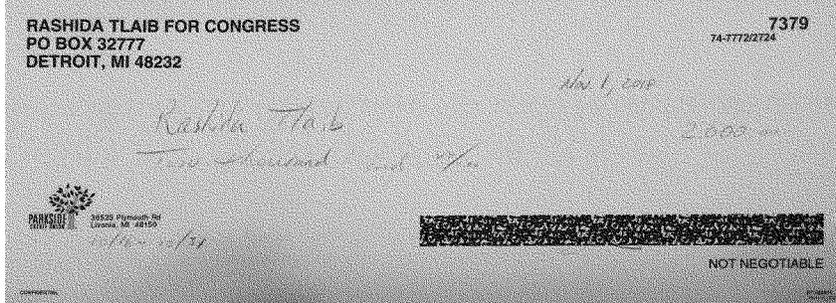


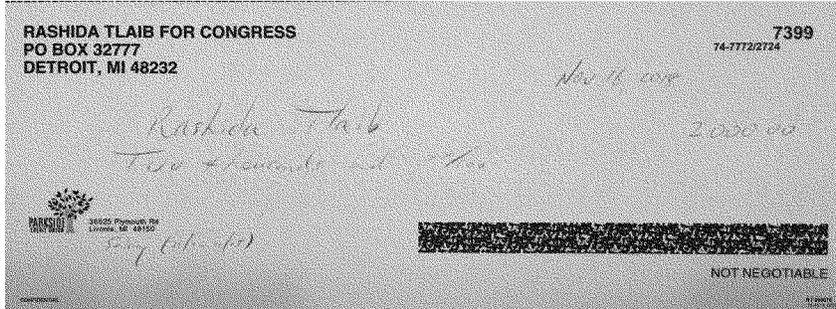












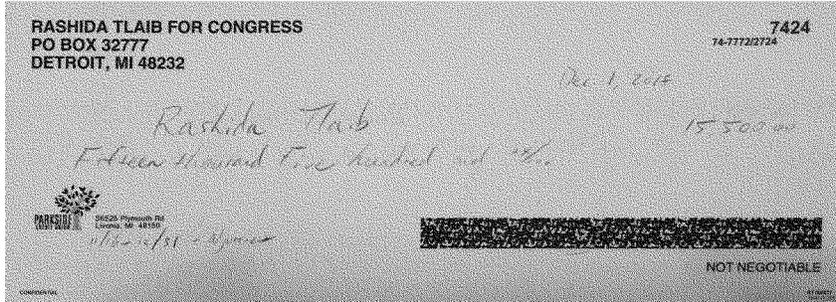


EXHIBIT 11



Ryan Anderson [redacted]

December 1st checks

Soh Suzuki [redacted] Thu, Nov 29, 2018 at 12:00 PM
To: Rashida Tlaib [redacted], Ryan Anderson [redacted], Andy Goddeeris [redacted],
Amanda Kaye [redacted], Amira Deebah [redacted],
"Arbulu Jr, Oscar Demetrio" [redacted]

Hello,
I wanted to share with you that the December 1st checks will be covering for the time period through December 31, 2018.
For most of us, the pay period covered would be from Nov. 16, 2018 to December 31, 2018. So, the amount reflected on the check will be triple the usual bi-monthly amount.

Given that December 1st will fall on a Saturday, I will be issuing the checks and leave them in the office - in individual envelopes attached to a basket where I generally get my receipts (by the office door). Please let me know if you would rather have it left at another location.

Thank you!

soh

—
Soh Suzuki
[redacted]

EXHIBIT 12



Ryan Anderson [REDACTED]

Staff pay for 12/1/2018

Soh Suzuki [REDACTED] Wed, Nov 21, 2018 at 10:36 AM
To: Ryan Anderson [REDACTED]

Hi Ryan,
Attached is the list of staff with projected amounts to be paid on 12/1/2018.

There's about \$136,000 in the bank account.
Approximately, \$66,000 more is to be spent before Dec. 31. Out of which, appx \$45,000 for the staff.
With bonus and adjsuted payments, another \$23,000 will be spent.
It should leave around \$47,000 in the bank account - the figure excludes any expected contributions.

soh

—
Soh Suzuki
[REDACTED]

 **Staff Payments 2018 12 01.xlsx**
14K

Staff	Thru 11/30	Thru 12/31	Adjustment	Bonus	12/1 check	Notes
Rashida Tlaib	\$ 2,000.00	\$ 6,000.00	\$ 7,500.00	\$ -	\$ 15,500.00	Addition of \$2000/mo for 3.75 mo.
Ryan Anderson	\$ 8,000.00	\$ 4,000.00	\$ -	\$ -	\$ 12,000.00	October payment and beyond
Andrew Goddeeris	\$ 2,562.50	\$ 5,125.00	\$ -	\$ -	\$ 7,687.50	
Amira Deebah	\$ 875.00	\$ 1,750.00	\$ -	\$ 500.00	\$ 3,125.00	
Oscar Arbulu	\$ 750.00	\$ 1,500.00	\$ -	\$ 2,000.00	\$ 4,250.00	
Amanda Kaye	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -	\$ 3,000.00	
Soh Suzuki	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -	\$ 3,000.00	
BrieAnn Bell	\$ -	\$ -	\$ -	\$ 500.00	\$ 500.00	
Mahima Mahadevan	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Lisa Tencer	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Ali Alfarajalla	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Alondra Zamudio	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Hassan Ahmad	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Andrew Nurmi	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Carla Underwood	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Daniela Kabeth	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Fatima Mohamad Abu-Omaran	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	
Jonathan Butler	\$ -	\$ -	\$ -	\$ -	\$ -	
Alan Hernandez	\$ -	\$ -	\$ -	\$ -	\$ -	
					\$ -	
TOTAL					\$ 58,067.50	
Budget Balance					\$ 34,994.96	Current budget line balance - budgeted thru Dec. 31, 2018
Additional Exp					\$ 23,067.54	Amount over the budget

Column B (thru 11/30) Amount owed through Nov. 30, 2018
 Column C (thru 12/31) Amount owed for the month of December - advance
 Column D (Adjustments) Any adjustments to be made for the previous payments
 Column E (Bonus) Bonus
 Column F (12/1 check) Amount to be paid on Dec. 1, 2018

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EXHIBIT 13



Amanda Kaye [REDACTED]

Field paychecks

6 messages

Mahima Mahadevan [REDACTED] Mon, May 14, 2018 at 7:59 AM

To: Amanda Kaye [REDACTED], Soh Suzuki [REDACTED]

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

Soh Suzuki [REDACTED] Mon, May 14, 2018 at 8:39 AM

To: Mahima Mahadevan [REDACTED], Amanda Kaye [REDACTED]

Thank you, Mahima.

Would it be okay for the team to wait for the check until tomorrow? I just wanted to confirm the details today and have them cut tonight for tomorrow.

Amanda - will you be in the office this morning? If so, can I check in with you on the details? If not, I may give you a call.

Thank you!

soh

--

Soh Suzuki
[REDACTED]

From: Mahima Mahadevan [REDACTED]
Sent: Monday, May 14, 2018 7:59 AM
To: Amanda Kaye; Soh Suzuki
Subject: Field paychecks

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

Amanda Kaye [REDACTED] Mon, May 14, 2018 at 8:51 AM

To: Soh Suzuki [REDACTED]

Hi Soh.

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RT 000039
19-4114_0058

I was not planning to come in today. Each field organizer is paid \$400/week. This period's check covers April 16-30. If you consult the past checks, NGP and/or the salary doc, you can see the names. Hope this helps.

AK

On Mon, May 14, 2018, 8:39 AM Soh Suzuki <[REDACTED]> wrote:

Thank you, Mahima.

Would it be okay for the team to wait for the check until tomorrow? I just wanted to confirm the details today and have them cut tonight for tomorrow.

Amanda - will you be in the office this morning? If so, can I check in with you on the details? If not, I may give you a call.

Thank you!

soh

--

Soh Suzuki
[REDACTED]

From: Mahima Mahadevan <[REDACTED]>
Sent: Monday, May 14, 2018 7:59 AM
To: Amanda Kaye; Soh Suzuki
Subject: Field paychecks

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

Mahima Mahadevan <[REDACTED]> Mon, May 14, 2018 at 8:51 AM
To: Soh Suzuki <[REDACTED]>
Cc: Amanda Kaye <[REDACTED]>

Works for me!

On Mon, May 14, 2018 at 8:39 AM Soh Suzuki <[REDACTED]> wrote:

Thank you, Mahima.

Would it be okay for the team to wait for the check until tomorrow? I just wanted to confirm the details today and have them cut tonight for tomorrow.

Amanda - will you be in the office this morning? If so, can I check in with you on the details? If not, I may give you a call.

Thank you!

soh

CONFIDENTIAL

RT 000040
19-4114_0059

--
Soh Suzuki
[REDACTED]

From: Mahima Mahadevan [REDACTED]
Sent: Monday, May 14, 2018 7:59 AM
To: Amanda Kaye; Soh Suzuki
Subject: Field paychecks

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

Soh Suzuki [REDACTED] Mon, May 14, 2018 at 8:59 AM
To: Amanda Kaye [REDACTED]

Hi Amanda,
Here are the names and the amount for each staff that I could figure out. Please let me know if anything is off.
Also, I'm assuming Ryan submits an invoice based on the past pay.

- Andrew - \$5125
- Steve (New Solutions) - \$2500
- Mahima - \$4000
- Amanda - \$1250
- Jonathan - \$800
- Lisa - \$800
- Lama - \$400 (week off; another week off for the next pay)
- Ali - \$800
- Alan - \$800
- Oscar - \$800
- Amira - \$1750 (for 5/1-5/15)
- Brie - (will submit time card)
- Rashida - \$2000
- Monica - next period
- Soh - next period
- Ryan??

Please let me know if I have the figures off.

soh
--
Soh Suzuki
[REDACTED]

From: Amanda Kaye [REDACTED]
Sent: Monday, May 14, 2018 8:51 AM
To: Soh Suzuki
Subject: Re: Field paychecks

Hi Soh.

I was not planning to come in today. Each field organizer is paid \$400/week. This period's check covers April 16-30. If you consult the past checks, NGP and/or the salary doc, you can see the names. Hope this helps.

AK

On Mon, May 14, 2018, 8:39 AM Soh Suzuki <[REDACTED]> wrote:

Thank you, Mahima.

Would it be okay for the team to wait for the check until tomorrow? I just wanted to confirm the details today and have them cut tonight for tomorrow.

Amanda - will you be in the office this morning? If so, can I check in with you on the details? If not, I may give you a call.

Thank you!

soh

--

Soh Suzuki
[REDACTED]

From: Mahima Mahadevan [REDACTED]
Sent: Monday, May 14, 2018 7:59 AM
To: Amanda Kaye; Soh Suzuki
Subject: Field paychecks

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

Amanda Kaye <[REDACTED]> Mon, May 14, 2018 at 9:02 AM
To: Soh Suzuki [REDACTED]

I would just get the field team their checks today and do the rest on the actual day. I am not being paid. You'll need time sheets from Ryan and Brie.

CONFIDENTIAL

RT 000042
19-4114_0061

On Mon, May 14, 2018, 8:59 AM Soh Suzuki <[REDACTED]> wrote:

Hi Amanda,
Here are the names and the amount for each staff that I could figure out. Please let me know if anything is off.
Also, I'm assuming Ryan submits an invoice based on the past pay.

Andrew - \$5125
Steve (New Solutions) - \$2500
Mahima - \$4000
Amanda - \$1250
Jonathan - \$800
Lisa - \$800
Lama - \$400 (week off; another week off for the next pay)
Ali - \$800
Alan - \$800
Oscar - \$800
Amira - \$1750 (for 5/1-5/15)
Brie - (will submit time card)
Rashida - \$2000
Monica - next period
Soh - next period
Ryan??

Please let me know if I have the figures off.

soh

--

Soh Suzuki
<[REDACTED]>

From: Amanda Kaye <[REDACTED]>
Sent: Monday, May 14, 2018 8:51 AM
To: Soh Suzuki
Subject: Re: Field paychecks

Hi Soh.

I was not planning to come in today. Each field organizer is paid \$400/week. This period's check covers April 16-30. If you consult the past checks, NGP and/or the salary doc, you can see the names. Hope this helps.

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Thank you, Mahima.
Would it be okay for the team to wait for the check until tomorrow? I just wanted to confirm the details today and have them cut tonight for tomorrow.

Amanda - will you be in the office this morning? If so, can I check in with you on the details? If not, I may give you a call.

Thank you!

soh

Soh Suzuki

From: Mahima Mahadevan [REDACTED]
Sent: Monday, May 14, 2018 7:59 AM
To: Amanda Kaye; Soh Suzuki
Subject: Field paychecks

Hey Soh! A quick thing, our field organizer Lama Ajrouche did not work from april 23-may 6 so should not get the weekly pay for those two weeks. Sorry I'm sending this so late, shoulda sent sooner.

Also will field get paychecks for april 16-30? We have our field mtg on mondays so easiest time to give it to them. They'll also be back tmrw for phones so could give then too. Thx!!

CONFIDENTIAL

RT 000044
19-4114_0063

EXHIBIT 14



Amanda Kaye [REDACTED]

3 Questions

4 messages

Soh Suzuki [REDACTED] Tue, May 15, 2018 at 11:19 AM
 To: Amanda Kaye [REDACTED]

Hi Amanda,
 I have three questions...

- How is payment to Rashida scheduled? I think there was one-time payment of \$2,000 to her.
- How is phone bills paid? I see it is scheduled to be paid tomorrow... I just didn't see any info for it.
- in the bank transactions, I see "ACH/BANKCARD MERCH DEP". Are there any other entities other than NGP VAN that has the campaigns routing numbers to make transactions?
 - There is one transaction for a withdrawal of \$2,500 on 5/11/18... it just didn't seem to match other financial activities of NGP VAN that I could see. The Credit Union couldn't tell me any more than what I can see on the on-line transactions.

Thank you!!

soh

Soh Suzuki
 [REDACTED]

Amanda Kaye [REDACTED] Tue, May 15, 2018 at 11:22 AM
 To: Soh Suzuki [REDACTED]

Rashida should be paid on the same schedule as everyone else. So the first \$2k would be attributed to the previous pay period.

I'll pay the phone bill online unless you prefer to do it. I already have it set up.

\$2,500 was a refund to donor who was inadvertently set up for recurring contributions. I can't remember his name but he's from CA, but if emailed you about him earlier. I shut off auto pay for him

On Tue, May 15, 2018, 11:19 AM Soh Suzuki [REDACTED] wrote:

Hi Amanda,
 I have three questions...

- How is payment to Rashida scheduled? I think there was one-time payment of \$2,000 to her.
- How is phone bills paid? I see it is scheduled to be paid tomorrow... I just didn't see any info for it.

CONFIDENTIAL

RT 000045
 19-4114_0065

- In the bank transactions, I see "ACH/BANKCARD MERCH DEP". Are there any other entities other than NGP VAN that has the campaigns routing numbers to make transactions?
- There is one transaction for a withdrawal of \$2,500 on 5/11/18... it just didn't seem to match other financial activities of NGP VAN that I could see. The Credit Union couldn't tell me any more than what I can see on the on-line transactions.

Thank you!!

soh

--
Soh Suzuki
[REDACTED]

Soh Suzuki <[REDACTED]> Tue, May 15, 2018 at 12:42 PM
To: Amanda Kaye <[REDACTED]>

Thank you.
I'll process the payment for Rashida. I think everyone else is caught up, except for Brie and Ryan (waiting on the invoice/hours).
Yes - you did share with me about the re-payment. I didn't think about it. Okay - that makes sense.

Thank you!!

soh

--
Soh Suzuki
[REDACTED]

From: Amanda Kaye <[REDACTED]>
Sent: Tuesday, May 15, 2018 11:22 AM
To: Soh Suzuki
Subject: Re: 3 Questions

Rashida should be paid on the same schedule as everyone else. So the first \$2k would be attributed to the previous pay period.

I'll pay the phone bill online unless you prefer to do it. I already have it set up.

\$2,500 was a refund to donor who was inadvertently set up for recurring contributions. I can't remember his name but he's from CA, but if emailed you about him earlier. I shut off auto pay for him

On Tue, May 15, 2018, 11:19 AM Soh Suzuki <[REDACTED]> wrote:
Hi Amanda,
I have three questions...

CONFIDENTIAL

RT 000046
19-4114_0066

- How is payment to Rashida scheduled? I think there was one-time payment of \$2,000 to her.
- How is phone bills paid? I see it is scheduled to be paid tomorrow... I just didn't see any info for it.
- In the bank transactions, I see "ACH/BANKCARD MERCH DEP". Are there any other entities other than NGP VAN that has the campaigns routing numbers to make transactions?
 - There is one transaction for a withdrawal of \$2,500 on 5/11/18... it just didn't seem to match other financial activities of NGP VAN that I could see. The Credit Union couldn't tell me any more than what I can see on the on-line transactions.

Thank you!!

soh

--

Soh Suzuki
[REDACTED]

Amanda Kaye [REDACTED] Tue, May 15, 2018 at 1:20 PM
To: Soh Suzuki

There was one for April and one for May on the refund.

On Tue, May 15, 2018, 12:42 PM Soh Suzuki [REDACTED] wrote:

Thank you.

I'll process the payment for Rashida. I think everyone else is caught up, except for Brie and Ryan (waiting on the invoice/hours).

Yes - you did share with me about the re-payment. I didn't think about it. Okay - that makes sense.

Thank you!!

soh

--

Soh Suzuki
[REDACTED]

From: Amanda Kaye <[REDACTED]>
Sent: Tuesday, May 15, 2018 11:22 AM
To: Soh Suzuki
Subject: Re: 3 Questions

Rashida should be paid on the same schedule as everyone else. So the first \$2k would be attributed to the previous pay period.

I'll pay the phone bill online unless you prefer to do it. I already have it set up.

\$2,500 was a refund to donor who was inadvertently set up for recurring contributions. I can't remember his name but he's from CA, but if emailed you about him earlier. I shut off auto pay for him

On Tue, May 15, 2018, 11:19 AM Soh Suzuki [REDACTED] wrote:

Hi Amanda,
I have three questions...

- How is payment to Rashida scheduled? I think there was one-time payment of \$2,000 to her.
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 - There is one transaction for a withdrawal of \$2,500 on 5/11/18... it just didn't seem to match other financial activities of NGP VAN that I could see. The Credit Union couldn't tell me any more than what I can see on the on-line transactions.

Thank you!!

soh

Soh Suzuki
[REDACTED]

APPENDIX B

PERKINS COIE700 13th Street, NW
Suite 600
Washington, DC 20005-3960+1 202 654 6200
+1 202 654 6211
perkinscoie.com

August 29, 2019

BY HAND DELIVERYThe Honorable Theodore E. Deutch, Chairman
The Honorable Kenny Marchant, Ranking Member
Committee on Ethics
United States House of Representatives
Washington, DC 20515**Re: OCE Review No. 19-4114**

Dear Chairman Deutch and Ranking Member Marchant:

By and through her counsel, Representative Rashida Tlaib submits this response to the Report and Findings of the Office of Congressional Ethics (“OCE”) in Review No. 19-4114. Representative Tlaib respectfully requests the House Committee on Ethics (the “Committee”) to dismiss the matter and take no further action.

I. INTRODUCTION

This matter is about two payroll checks Representative Tlaib received, before she became a Member, under a Federal Election Commission (“FEC”) rule that allows non-incumbent candidates to receive salaries from their campaigns to replace lost income while running for office. Representative Tlaib is a single mother with limited means. When she ran for Congress for the first time in 2018, she had to curtail her work as a public interest attorney serving low income workers, while continuing to support her thirteen-year-old and seven-year-old sons. After consulting an election law attorney, and deliberating with her campaign advisors, she accepted a salary from her campaign committee, Rashida Tlaib for Congress (the “Campaign”). Representative Tlaib’s total salary stayed well below the limit set by the FEC.

Soon after Representative Tlaib was sworn into Congress, OCE began an investigation into whether FEC rules permitted the Campaign’s two final payments to Representative Tlaib, which were issued in November and December to make up for amounts unpaid before the date of the election. This investigation was unprecedented. The public record shows no other referral by OCE of conduct occurring entirely before the subject was even a Member. The Congresswoman cooperated with OCE’s request for information, but raised jurisdictional and prudential concerns, which OCE refused to address.

The Committee should close Review No. 19-4114. OCE’s recommendation of further investigation is plainly not merited. In its findings OCE admits that the salary payments fell within the FEC limit, acknowledges that the timing of the final two payments did not in itself violate FEC rules, and disregards evidence of Representative Tlaib’s good faith compliance. If the OCE report and findings form an accepted basis to initiate an investigation, it would invite an

unprecedented use of the ethics process to litigate the innumerable routine FEC questions with which every campaign must deal.

Without evidence of bad faith noncompliance on the candidate's part, the Committee best serves the House by deferring to the agency that has the statutory responsibility and expertise to resolve technical issues of campaign finance law. This is particularly true in matters like this one, where the allegation hinges on a fact-specific interpretation of a seldom-applied regulation.

Because OCE's referral presents no violation of House Rules by Representative Tlaib, because the undisputed facts show her good-faith efforts to comply with the applicable law, and because the matter falls outside the jurisdiction of OCE, Representative Tlaib respectfully requests the Committee to dismiss the matter.

II. STATEMENT OF FACTS

The conduct at issue in this review occurred entirely in 2018, before Representative Tlaib became a Member of Congress serving Michigan's Thirteenth District. She was a first-time Federal candidate, and the mother of two young boys. Before she ran for Congress, she supported her family as a full-time employee at the Sugar Law Center for Economic & Social Justice ("Sugar Law Center") and received a community organizing fellowship. Once she began to run, she realized that the demands and schedule of a successful campaign would not permit her to keep a full-time job. Accordingly, she terminated her fellowship at the end of 2017, and on May 1, 2018, she cut her employment at the Sugar Law Center by 85 percent, reducing her total income to about \$200 per week.

FEC regulations permit campaigns to pay limited salary to candidates who curtail outside employment to focus on their campaigns.¹ This rule was promulgated in recognition that "persons of average means need a salary in order to pay expenses while running for office."² Initially, Representative Tlaib did not seek to avail herself of this allowance. At the time she did not realize how quickly financial burdens would mount once she drastically reduced her income. On April 4, the Congresswoman emailed her campaign manager, Andrew Goddeeris, and consultant, Steve Tobocman, confessing that she was "struggling financially" and that between "rent and mortgage," she was "sinking."³ Several weeks later, she told them: "I am just not going to make it through the campaign." As an emergency measure, she requested "\$2,000 per two weeks . . . going toward much needed expenses due to campaigning that includes car maintenance, child care and other necessities."⁴ In late April, Mr. Tobocman sought advice from the Campaign's counsel, Mark Brewer, who confirmed that a candidate could receive a salary under certain conditions, and referred the Campaign to the FEC Campaign Guide for Congressional Candidates and Committees.⁵

¹ See 11 C.F.R. § 113.1(g)(1)(i)(I) (2018).

² 67 Fed. Reg. 76,962, 76,972 (Dec. 13, 2002).

³ RT 000109 (OCE Exhibit 2). The citations here and below correspond to Bates numbers on documents produced to OCE.

⁴ RT 000036 (OCE Exhibit 3).

⁵ Cf. FEC Campaign Guide for Congressional Candidates and Committees 53-54 (2014), <https://www.fec.gov/resources/cms-content/documents/candgui.pdf>. Another consultant, Ryan Lomonaco, drafted an email outlining the rules, noting that, "If Rashida wins the primary election, payments can continue until the date

Having not yet decided whether to accept a salary, on May 7, Representative Tlaib informed campaign staff that she would have to substantially increase her work at the Sugar Law Center, curtailing her campaign activities until noon each day. She explained, “This is my livelihood. Doesn’t just impact me, but my kids.”⁶ Mr. Goddeeris informed Representative Tlaib that under rules set out in the FEC Campaign Guide, she was allowed to receive about \$7,900 per month from the campaign committee, but that she might face political retribution for allegedly “using her campaign funds to enrich herself.” On the other hand, Mr. Goddeeris reasoned, if she was forced to dedicate large portion of each day to outside employment, it “would significantly impact campaign activities.”⁷

Shortly thereafter, the Campaign made the politically difficult decision to pay the permitted salary to Representative Tlaib, while understanding that the salary would fall below the maximum amount permitted, would be paid only according to availability of resources, and would be disclosed on its FEC reports. Thus, she received a salary for the remainder of the campaign, but never the full amount permitted.

As the FEC reports show, and the documents produced to OCE verify, the Campaign made two disbursements to its staff after Election Day, on November 16, 2018 and December 1, 2018.⁸ The Campaign included Representative Tlaib in those disbursements to make up some of the difference between what she was entitled to receive for her service through Election Day, November 6, 2018, and what the Campaign had previously paid her for services rendered through that date. The Campaign has made no further salary payments to Representative Tlaib, up to and beyond the date on which she became a Member of Congress, January 3, 2019.

Fewer than 100 days after Representative Tlaib was sworn in, on April 12, OCE opened an investigation into the salary payments made during the campaign.⁹ The thirty-day preliminary review began on April 13, which OCE did not disclose to Representative Tlaib until April 15.¹⁰ The statement of the nature of the review provided little notice of the alleged violation, saying simply that Representative Tlaib might have converted campaign funds to personal use, and that her Campaign might have expended funds not attributable to bona fide campaign or political purposes. On May 3, the Congresswoman responded to OCE’s requests, producing 140 pages of documents. Representative Tlaib also presented jurisdictional and prudential objections to the review, contending that H. Res. 895 did not give OCE authority to review her conduct before she became a Member, and that its review violated the FEC’s exclusive civil jurisdiction over questions of campaign finance law.

From the documents Representative Tlaib produced, and from the Campaign’s FEC reports, OCE found that FEC rules generally permitted the payment of salary to her, and that the amount the Campaign paid her was well within the limit set forth by the rules.¹¹ OCE also acknowledged

of the general election.” RT 000020 (OCE Exhibit 6). The rules, in fact, permit payment after the date of the general election, for services previously performed. *See* Findings of Facts and Citations to Law, OCE ¶ 15 n.10.

⁶ RT 000022A (OCE Exhibit 1).

⁷ *Id.*

⁸ *See* RT 000056 (OCE Exhibit 9); FEC Form 3, Year-End Report, Rashida Tlaib for Congress (Jan. 22, 2019).

⁹ Findings of Facts and Citations to Law, OCE ¶ 5.

¹⁰ Initiation of Preliminary Review, OCE (Apr. 15, 2019); Request for Information, OCE (Apr. 15, 2019).

¹¹ *See* Findings of Facts and Citations to Law, OCE ¶¶ 18-20, 27.

that salary payments made after Election Day did not prima facie violate the rule.¹² Finally, OCE received evidence from Representative Tlaib of her good-faith efforts to comply with the rule.¹³ The Findings lack any basis for concluding that the November 16, 2018 and December 1, 2018 payments were made for any reason other than to cover the difference between what the Campaign would have paid before Election Day, and the resources that were available. Still, OCE continued to press for additional disclosures. When she and her staff declined to be interviewed because of OCE's failure to respond to the jurisdictional and prudential concerns she had raised, OCE threatened her with "a negative inference" and a determination of non-cooperation.

The OCE Board informed Representative Tlaib that it would vote on her matter on August 9—during the district work period. Unable to attend personally, Representative Tlaib sent a statement through her counsel. OCE rejected the statement, saying that it was "not a statement from the subject." The following day, Representative Tlaib sent a letter to OCE adopting the her counsel's statement. On August 16, OCE informed Representative Tlaib that the Board had referred Review 19-4114 to the Committee on Ethics for further review. At no point during the review did OCE specify the nature of allegations against the Congresswoman or fully address her repeated jurisdictional and prudential objections.

III. ARGUMENT

A. OCE Fails to Present Any Violation by Representative Tlaib, Who Received the Salary Payments in Accordance With FEC Rules

FEC rules expressly permit "[s]alary payments by a candidate's principal campaign to a candidate" when certain conditions are met.¹⁴ Each payment made by the Campaign to Representative Tlaib complied with the prescribed conditions:

First, the candidate's salary must be made from the candidate's principal campaign committee.¹⁵ Each payment to Representative Tlaib met this condition, in that they were made by her principal campaign committee, Rashida Tlaib for Congress.

Second, the salary payments must fall within certain limits.¹⁶ They may not exceed the lesser of: the minimum salary paid to a Federal officeholder holding the Federal office that the candidate seeks, or the earned income that the candidate received during the year prior to becoming a candidate.¹⁷ The payments to Representative Tlaib complied with this condition as well. In 2017, the year prior to becoming a candidate, she received earned income totaling \$129,357,¹⁸ or

¹² See Findings of Facts and Citations to Law, OCE ¶ 15 n.10.

¹³ See, e.g., Findings of Facts and Citations to Law, OCE ¶¶ 23-26 (evidencing the Campaign's consultation with counsel).

¹⁴ 11 C.F.R. § 113.1(g)(1)(i)(I).

¹⁵ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

¹⁶ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

¹⁷ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

¹⁸ United States House of Representatives Financial Disclosure Statement for Rashida Tlaib, Congressional Candidate (filed Dec. 7, 2018).

\$44,643 less than a freshman Member of Congress.¹⁹ Her income during the campaign was well below this level. While she was permitted to earn salary payments of nearly \$5,000 per two-week period based on her previous income, she was never paid more than 60 percent of this—well below the candidate salary limit.

Third, a campaign committee must provide income tax records and other evidence of earned income upon request by the FEC.²⁰ Representative Tlaib has received no such request from the FEC. Nevertheless, as evidence of her preparedness to comply, she produced to OCE copies of her 2018 Form W-2 and Form 1099, and made her 2018 tax return available for inspection by OCE.

Fourth, payments made to the candidate must be computed on a pro-rata basis.²¹ This means that the campaign cannot pay the candidate the entire minimum annual salary for the Federal office sought, unless she has been a candidate for at least one year.²² Here, too, Representative Tlaib complied with the rule. The aggregate amount paid to her falls well below pro rata and approached neither her previous annual income nor the annual income of freshman Member of Congress.

Fifth, “an incumbent Federal officeholder . . . must not receive salary payments as a candidate from campaign funds. Otherwise, of course, such an incumbent officeholder would be receiving two salaries, one from his or her campaign, and one for his or her official duties.”²³ Again, Representative Tlaib clearly complied with this condition. The Campaign’s last payment of accrued salary was made to her on December 1, 2018, well before she was sworn in as a Member of Congress and thus eligible to earn a salary from the House.

Sixth, the salary payments must fall within specified timeframes. A salary may not be paid before the filing deadline for access to the primary election ballot.²⁴ If the candidate wins the primary

¹⁹ See Salaries of Members of Congress: Recent Actions and Historical Tables, Congressional Research Service (May 17, 2019), <https://crsreports.congress.gov/product/pdf/RS/97-1011>.

²⁰ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

²¹ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

²² 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

²³ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

²⁴ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972. OCE’s Findings of Facts and Citations to Law question whether payments, made on May 7, 2018 and May 16, 2018, comply with the rule because they appear to be compensation for work performed prior to April 24, 2018—the filing deadline for access to the primary election ballot in Michigan. Findings of Facts and Citations to Law, OCE ¶ 35, n.44. However, the FEC’s explanation for the candidate salary rule states explicitly: “the first payment of a salary from campaign funds to a candidate *must be made no earlier* than the filing deadline for access to the primary election ballot for Federal candidates.” 67 Fed. Reg. at 76,972 (emphasis added). OCE’s speculation that the FEC “has not authoritatively addressed” the permissibility of such payments is wrong and irrelevant. The explanation makes clear that the rule prohibits only *payments* made before the filing deadline; it says nothing about when salary accrual may begin. OCE also notes that Representative Tlaib failed to report these initial payments on her Candidate Financial Disclosure Reports. The omissions were inadvertent and were corrected, without prompting, when Representative Tlaib filed her first Financial Disclosure Report as a Member of Congress. See United States House of Representatives Financial Disclosure Report for Hon. Rashida Tlaib (filed Aug. 12, 2019). Representative Tlaib and the Campaign were forthright about the candidate salary payments from the beginning, disclosing them on FEC reports during the campaign. See, e.g., FEC Form 3, October Quarterly Report, Rashida Tlaib for Congress (Oct. 15, 2018); FEC Form 3, Pre-General Report, Rashida Tlaib for Congress (Oct. 25, 2018). The error was inadvertent and corrected quickly

election, the candidate may only be paid “through the date of the general election, up to and including the date of any general election runoff.”²⁵

In determining when salary payments must terminate, the FEC looks to the date on which the salary is *accrued*, not the date on which it is *paid*.²⁶ Thus, a campaign committee may pay its candidate her salary after Election Day, for services performed on or before Election Day. The FEC faced this situation in MUR 7068, which involved a candidate who continued to receive a salary from his campaign after the date of the general election. The Commission found that post-election salary payments for services rendered through Election Day were permissible, while payments for services rendered after the election were prohibited. This is consistent with the House’s own approach to calculating earned income from outside employment by Members and senior staff: “[o]utside earned income is attributed to the year in which the Member’s, officer’s or employee’s right to receive it becomes certain (*i.e.*, under the accrual method) rather than to the year of receipt.”²⁷

The schedule of payments to Representative Tlaib complied fully with the rule. The Campaign made two payments to Representative Tlaib after the date of the election: a payment on November 16, 2018, covering the period through the November 6 general election, and a payment on December 1, 2018, to catch up on the salary which she had accrued, but had theretofore been withheld. These payments of accrued salary were disbursed on the same schedule as final salary payments to the campaign staff.

In its findings, OCE points to certain documents relating to the November 16, 2018 and December 1, 2018 payments,²⁸ and claims “Rep. Tlaib was paid \$2,000.00 on November 16, 2018 *for work performed* between November 1, 2018 and November 15, 2018, and was thereafter paid \$15,500.00 on December 1, 2018 *for work performed* (or to be performed) between November 16, 2018 and December 31, 2018.”²⁹ However, OCE overlooked the fact that the spreadsheets cited for this conclusion were standardized to reflect payments to every individual on the Campaign’s payroll. With few exceptions, the recipients of payments listed on each record are grouped into standard pay periods. The spreadsheets do not say one way or the other when the underlying work was actually performed.

OCE’s findings refer to only one document explaining the organization of pay periods. On November 29, 2018, the Campaign treasurer emailed members of the staff to explain their final paychecks. OCE highlights the treasurer’s statement that “The December 1st checks will be covering for the time period through December 31, 2018.”³⁰ However, the second sentence of the treasurer’s email explains that “For most of us, the pay period covered would be from Nov. 16,

and voluntarily, and thus requires no further consideration by the Committee. *See, e.g.*, In the Matter of Allegations Relating to Representative Vernon G. Buchanan, H.R. Rep. No. 112-588 at 2, 5 (2d Sess. 2012).

²⁵ 11 C.F.R. § 113.1(g)(1)(i)(I); 67 Fed. Reg. at 76,972.

²⁶ *See* MUR 7068, Mowrer for Iowa, Dec. 5, 2016; *accord* Findings of Facts and Citations to Law, OCE ¶ 15 n.10.

²⁷ House Ethics Manual at 229 (2008) (citing House Select Comm. on Ethics, *Advisory Opinion No. 13* (Oct. 1978)).

²⁸ Findings of Facts and Citations to Law, OCE ¶¶ 28-34.

²⁹ Findings of Facts and Citations to Law, OCE ¶ 30 (emphasis added).

³⁰ Findings of Facts and Citations to Law, OCE ¶ 33.

2018 to December 31, 2018,” showing that, although the payments were keyed to standardized periods for accounting purposes, not every recipient fit the pattern.³¹

Thus, OCE’s findings show that: (1) FEC rules permitted a non-incumbent candidate like Representative Tlaib to receive a salary; (2) the total amount paid to her fell well within the limits set by FEC’s rule; and (3) the issuance of a salary check after Election Day can still be consistent with the rule. The findings show that Representative Tlaib and the Campaign worked in good faith to comply with the rule, and they present no evidence of non-compliance. OCE erred in referring the matter to the Committee, and Representative Tlaib complied with the law.

B. OCE’s Referral Exceeded Its Jurisdiction and Breached a Series of Norms Affecting the House Ethics Process

OCE’s recommendation for an investigation of Representative Tlaib is most irregular. In its eleven-year history, OCE has never recommended that the Committee investigate an alleged violation that occurred prior to the Member’s being elected. The present matter, involving no conscious disregard of any law or regulation, is a poor choice to depart from precedent. The Committee’s own precedent shows that OCE should never have initiated the review, and the Committee should now dismiss it.

First, OCE had no jurisdiction to initiate this review. Under H. Res. 895, OCE may only “undertake a preliminary review of any alleged violation by a Member, officer, or employee of the House of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the furtherance of his duties or the discharge of his responsibilities.”³² OCE’s own rules are even more explicit on this point: The Office may only investigate alleged violations of standards “in effect at the time the conduct occurred and applicable to the subject in the performance of his or her duties or the discharge of his or her responsibilities.”³³ At the time of the conduct under review, Representative Tlaib was not yet a Member, and therefore not subject to OCE’s jurisdiction. Moreover, OCE also seeks to enforce another norm—House Rule 23, clause 6’s verification requirement—that did not apply to Representative Tlaib until she was sworn into office, after all of the conduct involved occurred.³⁴ There is no reported instance in which OCE has referred a matter that entirely involved conduct undertaken when the subject was not yet a Member.

OCE claims authority in this matter, erroneously referring to precedent that “the Committee . . . has jurisdiction over ‘misconduct relating to a successful campaign for election to the House.’”³⁵ This statement confuses OCE’s jurisdiction with the Committee’s. However broad the Committee’s authority may be, there is nothing to indicate that Congress intended to give OCE the authority to open investigations of successful challenger and open-seat candidates solely over

³¹ *Id.*; RT 000017 (OCE Exhibit 11).

³² H. Res. 895, 110th Cong. § 1(c)(1)(A) (2008) (emphasis added).

³³ Office of Congressional Ethics, Rules for the Conduct of Investigations, Rule 1(3).

³⁴ See Findings of Facts and Citations to Law, OCE ¶ 16.

³⁵ *E.g.*, OCE ¶ 4, n.3 (citing *In the Matter of Allegations Relating to Representative Ruben Kihuen*, H.R. Rep. No. 115-1041, at 22, n.24 (2d Sess. 2018)).

the conduct of their campaigns.³⁶ And, indeed, OCE appears never to have claimed that authority—until now.³⁷

Second, even if OCE had jurisdiction, it still ignored the fact that the Committee rarely takes up allegations of pre-Member conduct or campaign finance violations. Initially, the Committee appeared to disclaim jurisdiction over a Member’s candidate conduct altogether. In 1968, Representative Melvin Price, Chairman of the Committee on Standards of Official Conduct explained, “[i]n the case . . . involving a candidate for office . . . we felt we did not have the jurisdiction on that.”³⁸ However, the Committee ultimately reserved the right to “deal with any given act, or accumulation of acts which, in the judgement of the committee, **are severe enough to reflect discredit on the Congress.**”³⁹ Thus, the Committee has investigated pre-Member candidate conduct only when the issues involved were severe enough potentially to reflect discredit on the House.⁴⁰

Even when matters involve conduct occurring during the Member’s tenure, the Committee has recognized that some are inappropriate for the full investigative process: for example, when a Member consulted Committee staff in good faith on a highly fact-specific question,⁴¹ or when a matter involves alleged violations of House Rule V, which restricts the political use of House floor footage, and is frequently the subject of disputes during campaigns.⁴² The Committee’s longstanding precedent provides no support for the proposition that a fact-specific issue of FEC compliance, without more, is an appropriate subject for investigation. For OCE to open an investigation on such allegations, where the possibility of surprise and unfairness to the newly elected Member is manifest, represents at the very least an inexplicable departure from past practice and an unbounded precedent.

Third, OCE infringed on the FEC’s exclusive jurisdiction over civil enforcement of Federal campaign finance law.⁴³ The Committee recognizes that “FECA is enforced primarily by the Federal Election Commission (“FEC”), and House Members and their campaign staff should refer to the explanatory materials and advisory opinions issued by the FEC.”⁴⁴ Yet in a June 7,

³⁶ OCE makes no claim that the payments impacted the election outcome which might provide a basis for inquiry.

³⁷ See Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Representative Michael Grimm (Nov. 26, 2012), <https://ethics.house.gov/press-release/statement-chairman-and-ranking-member-committee-ethics-regarding-representative-2>.

³⁸ See 114 Cong. Rec. 8779 (1968).

³⁹ See 114 Cong. Rec. 8778 (1968) (emphasis added).

⁴⁰ See *In the Matter of Allegations Relating to Representative Ruben Kihuen*, Committee on Ethics, 115th Congress, 2d Session (2018) (involving a pattern of unwanted sexual advances that continued into Congressional service); *In the Matter of Representative Earl F. Hilliard*, Committee on Ethics, 107th Congress, 1st Session (2001) (involving a sustained pattern and practice of personal use extending into Congressional service); *In the Matter of Representative Jay Kim*, Committee on Ethics, 105th Congress, Second Session (1998) (involving aggravated crimes to which the Member had already pled guilty). See also Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Representative Michael Grimm (Nov. 26, 2012), <https://ethics.house.gov/press-release/statement-chairman-and-ranking-member-committee-ethics-regarding-representative-2>.

⁴¹ *In the Matter of Allegations Relating to Representative Tom Petri*, Committee on Ethics, 113th Congress, 2d Session (2014).

⁴² *In the Matter of Allegations Relating to Representative Ben Ray Lujan*, Committee on Ethics, 115th Congress, 1st Session (2017).

⁴³ 52 U.S.C.A. § 30106.

⁴⁴ House Ethics Manual at 122 (2008).

2019 letter to Representative Tlaib’s counsel, OCE claimed “independent and parallel authority to investigate potential violations of the Federal Election Campaign Act.” Having referred Members before on the theory that they are ultimately responsible for the conduct of their campaigns, OCE’s referral means that any Member whose campaign draws an FEC complaint can reasonably fear public ethics investigation, for that reason alone. Sorting through those investigations that merit referral, and those that do not, would require standards that are not yet even in development. Without such standards, referrals will be either mandatory or arbitrary, neither of which serves the ethics process.

Finally, OCE failed fully or fairly to characterize the conduct of Representative Tlaib and her staff in connection with this review. OCE says they “refused to cooperate” with the review, because they were unavailable for interviews with OCE staff. Yet, it fails to disclose that Representative Tlaib produced every document included among its findings; that she raised jurisdictional and prudential objections that it disregarded; and that her counsel offered to submit interrogatory questions to be answered by the Congresswoman and her staff under penalty of perjury, as provided in OCE Rule 4(D), as an alternative to the burden and significant expense of interviews, which OCE declined.

C. If OCE’s Erroneous Referral Is Allowed to Stand, It Will Chill Candidates of Average Means From Seeking Office, and Flood the Ethics Process With Campaign Finance Allegations

This review should alarm anyone thinking of running for Congress. Partisan FEC complaints have become a staple of the modern House campaign. The FEC has taken up more than 7,000 enforcement actions, and its rules are 547 pages long. If OCE takes the same posture with future candidates as it did with Representative Tlaib, then anyone could face an ethics investigation as soon as they arrive in Washington, even while trying in good faith to comply with the law. Non-incumbent candidates may be discouraged from running—especially working mothers like Representative Tlaib, who could otherwise avail themselves of the FEC’s emerging allowances for salaries and child care but must fear unfounded charges of personal use.

As noted above, the Committee has reserved the ability to “deal with any given act, or accumulation of acts which, in the judgement of the committee, are severe enough to reflect discredit on the Congress.”⁴⁵ At the same time, the House has disclaimed any desire to make “violations of law simultaneous violations of the code . . . for the reason that it might open the door to stampedes for investigation of every minor complaint or purely personal accusation made against a Member.”⁴⁶ If not corrected, the primary effect of this referral will be to signal to the partisan world that the ethics enforcement process is available to be used as a cudgel against political opponents, no matter the character of the alleged violation.

This would occur just when the FEC has been trying as a matter of policy to make it easier for a working parent to run for Congress. When it wrote the candidate salary rule on which Representative Tlaib relied, the FEC observed that “a candidate who is dependent on an income is put at a severe disadvantage compared to an incumbent who is free to campaign at all times

⁴⁵ 114 Cong. Rec. 8778 (Apr. 3, 1968).

⁴⁶ *Id.*

without any reduction in compensation or to an affluent challenger, who can afford to campaign without receiving any compensation . . . candidates without significant financial resources might not be able to forego salary payments in order to run for Federal office.”⁴⁷ Similar considerations led the FEC recently to allow payment of child care expenses from campaign resources, when such expenses are “incurred as a direct result of campaign activity.”⁴⁸

Because the FEC’s candidate salary and child care regulations, by their nature, inevitably involve questions of personal use, they provide a ready weapon to be used against the working mothers and fathers who would rely on them in good faith. Such was the case with Representative Tlaib, who had to wrestle with conflicting obligations to her campaign and to her family while she was a candidate. Ultimately, when her family’s well-being was threatened by the financial pressures of forgoing her income from the Sugar Law Center to work full-time on the campaign, she made the difficult choice many would-be candidates in her position undoubtedly choose: she decided to return to work to support her family. Knowing the campaign would suffer from the diminished presence of its candidate, her staff and counsel urged her to draw a salary from the Campaign instead, and she took that opportunity.

As OCE itself observed, “Rep. Tlaib appears to have been the type of candidate contemplated by the FEC when it implemented rules permitting candidates to receive a salary. Documents provided to OCE by Rep. Tlaib suggest that Rep. Tlaib did not have the financial means to campaign full-time without being compensated by her campaign committee.”⁴⁹ The documents further show that before availing herself of the opportunity, even in the heat of a contested primary campaign, Representative Tlaib and her staff took reasonable steps to comply with each element of the rule, including consulting with counsel who relied on the FEC’s own campaign guide to interpret the rule.⁵⁰ Yet now, despite those good faith efforts, Representative Tlaib finds herself the subject of a politically inspired inquiry, likely initiated by one of her political adversaries.

Recognizing the financial and personal toll of modern campaigns, the FEC has sought to level the playing field. But if this review is not dismissed, it will be a new game altogether. Instead of ending their campaigns on Election Day, candidates will be forced to defend every compliance decision made by their campaigns through the public investigation process of H. Res. 895. This can only discourage candidates from running, especially those of limited means.

IV. CONCLUSION

There is no reasonable basis for OCE’s referral of Representative Tlaib in this matter. OCE’s findings admit that FEC rules permitted the Campaign to pay her a salary. The findings admit that she received no greater amount than the rule would allow. They admit that the timing of the final two payments, at issue in this matter, does not present a prima facie violation of the rules. And they present evidence that the Congresswoman and her campaign took steps in good faith to

⁴⁷ 67 Fed. Reg. at 76,971.

⁴⁸ FEC Advisory Opinion 2018-06, at 3 (May 10, 2018).

⁴⁹ Findings of Facts and Citations to Law, OCE ¶ 20.

⁵⁰ Findings of Facts and Citations to Law, OCE ¶ 26.

comply with the rules. In short, the facts as presented in the findings are entirely consistent with compliance with the law and House Rules.

In making its recommendation, OCE exceeded its authority, departed from its own past practices, and pursued a matter of the type that the Committee regularly and wisely declines to pursue. By imagining itself as an enforcement agency parallel to the FEC, OCE risks making the ethics process a partisan battleground over alleged, highly fact-specific violations of campaign finance law. And in taking this action, OCE failed to acknowledge the extent of Representative Tlaib's cooperation with its investigation and declined to provide a justification for a review that raises serious questions of fairness and imposes unwarranted costs on a newly elected Member whose conduct has brought no discredit upon the House.

For the reasons set forth above, Representative Tlaib respectfully requests the Committee on Ethics dismiss Review 19-4114.

Very truly yours,



Karl J. Sandstrom
Brian G. Svoboda
Maxwell D. Nacheman
Counsel to Representative Rashida Tlaib

APPENDIX C

EXHIBIT 1



FINANCIAL DISCLOSURE REPORT

Filing ID #10024977

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Rashida Tlaib
Status: Congressional Candidate
State/District: M113

FILING INFORMATION

Filing Type: Amendment Report
Filing Year: 2018
Filing Date: 12/7/2018
Period Covered: 01/01/2017– 05/16/2018

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

Asset	Owner	Value of Asset	Income Type(s)	Income Current Year to Filing	Income Preceding Year
AXA Equivest Individual TSA 501(c)(3) [OT]		\$1,001 - \$15,000	Tax-Deferred		
DESCRIPTION: AXA Equivest Individual TSA 501(c)(3). Not income producing.					
DC1 College America 529 Savings Plan [OT]		\$1,001 - \$15,000	Tax-Deferred		
DESCRIPTION: DC1 College America 529 Savings Plan, managed by Capital Group and invested in AMCAP Fund-529C and AF Moderate Growth and Income-529C. Not income producing.					
DC2 College America 529 Savings Plan [OT]		\$1,001 - \$15,000	Tax-Deferred		
DESCRIPTION: DC2 College America 529 Savings Plan, managed by Capital Group and invested in AMCAP Fund-529C and Capital World Growth and Income-529C. Not income producing.					
Roth IRA [OT]		\$1,001 - \$15,000	Tax-Deferred		
DESCRIPTION: Roth IRA managed by Capital Group, invested in The Growth Fund of America-C. Not income producing.					

* For the complete list of asset type abbreviations, please visit <https://fd.house.gov/reference/asset-type-codes.aspx>.

SCHEDULE C: EARNED INCOME

Source	Type	Amount Current Year to Filing	Amount Preceding Year
Maurice & Jane Sugar Law Center	Salary	\$28,712.79	\$42,500.00
Wayne State University	Consulting/Advisory Fee	N/A	\$750.00
Metro Solutions	Consulting/Advisory Fee	\$200.00	\$800.00
Leadership in Government Fellowship	Stipend	N/A	\$85,307.00

SCHEDULE D: LIABILITIES

Owner	Creditor	Date Incurred	Type	Amount of Liability
	U.S. Federal Government	January 2001	Law School Student Loans	\$50,001 - \$100,000

SCHEDULE E: POSITIONS

Position	Name of Organization
Attorney	Maurice & Jane Sugar Law Center
Board Member	The Ecology Center
Board Member	Metro Solutions
Board Member	Michigan Legal Services
Advisory Board Member	ACLU of Michigan
Advisory Board Member	Bridging Communities Inc.

SCHEDULE F: AGREEMENTS

Date	Parties To	Terms of Agreement
May 2018	Rashida Tlaib, Sugar Law Center	Rashida Tlaib is on a limited leave of absence from her position at the Sugar Law Center through the November 6, 2018 general election. Tlaib will be compensated for 7.2 hours of work per week, and will continue to receive health, dental, short term disability, and life insurance benefits pursuant to her union contract. If Tlaib wins the general election and becomes a Congresswoman, Tlaib's employment with the Sugar Law Center will be terminated. If not she'll return to Sugar Law.

SCHEDULE J: COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Ethics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or dependent child?

Yes No

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Rashida Tlaib, 12/7/2018

EXHIBIT 2

4/19/2019

Gmail - Candidate receipt of salary from a congressional campaign



Steve Tobocman <[REDACTED]@gmail.com>

Candidate receipt of salary from a congressional campaign

2 messages

Mark Brewer <[REDACTED]@goodmanacker.com>

Fri, Apr 27, 2018 at 7:59 PM

To: Steve Tobocman <[REDACTED]@gmail.com>

Steve,

Rashida can receive a salary from the campaign under the conditions described on pages 53-54 of the attached which I highlighted.

Mark Brewer

Mark Brewer
Attorney
Goodman Acker P.C.
17000 West Ten Mile, Second Floor
Southfield, Michigan 48075
[REDACTED]@goodmanacker.com

[REDACTED] Phone
248-483-3131 Fax

www.goodmanacker.com

20180427200445567.pdf
437K

Steve Tobocman <[REDACTED]@gmail.com>

Sat, Apr 28, 2018 at 1:01 PM

To: [REDACTED]@gmail.com, [REDACTED]@gmail.com

Yay. I have to read this

Sent from my iPhone

Begin forwarded message:

[Quoted text hidden]

20180427200445567.pdf
437K

CONFIDENTIAL

RT 000141

<https://mail.google.com/mail/u/0/?ik=afad3d5b4b&view=pt&search=all&permthid=thread-f%3A159894585497677444&siml=msg-f%3A159894585497677444&...> 1/1

COE.TLAIB.000386

EXHIBIT 3

4/19/2019

Gmail - Going back to work part time



Steve Tobocman <[redacted]@gmail.com>

Going back to work part time

5 messages

Rashida Tlaib <[redacted]@gmail.com> Mon, May 7, 2018 at 11:11 AM
To: Steve Tobocman <[redacted]@gmail.com>, Andrew Goddeeris <[redacted]@gmail.com>, Mahima Mahadevan <[redacted]@gmail.com>

Team,

I am going to go back to work part time. This means I will be able to start campaign related activities after 12 noon.

Sorry I was not able to rent out my home. The man that was interested decided to purchase a home instead.

R

Andrew Goddeeris <[redacted]@gmail.com> Mon, May 7, 2018 at 11:16 AM
To: Rashida Tlaib <[redacted]@gmail.com>
Cc: Steve Tobocman <[redacted]@gmail.com>, Mahima Mahadevan <[redacted]@gmail.com>

The campaign can pay you no more than you made in income last year, on a monthly basis. we just accept that it may become a political issue - but we have good response "I quit my job to do this, I have real skin in the game"

Sent from my iPhone
[Quoted text hidden]

Rashida Tlaib <[redacted]@gmail.com> Mon, May 7, 2018 at 11:35 AM
To: Andrew Goddeeris <[redacted]@gmail.com>
Cc: Steve Tobocman <[redacted]@gmail.com>, Mahima Mahadevan <[redacted]@gmail.com>

I need you all to make a final decision on this. This is my livelihood. Doesn't just impact me but my kids.
[Quoted text hidden]

Steve Tobocman <[redacted]@gmail.com> Mon, May 7, 2018 at 11:45 AM
To: Rashida Tlaib <[redacted]@gmail.com>
Cc: Andrew Goddeeris <[redacted]@gmail.com>, Steve Tobocman <[redacted]@gmail.com>, Mahima Mahadevan <[redacted]@gmail.com>

I thought we had decided to pay you after Brewer provided the analysis.
[Quoted text hidden]

--
Steve Tobocman
Global Detroit
www.globaldetroit.com
[redacted]

Give to Global Detroit. Growing our economy. Mobilizing our immigrant potential. <http://www.globaldetroit.com/donate/>

Join me for the Welcoming Interactive > Welcoming Economies Convening in Louisville, KY June 18-20 | Register Here



<https://mail.google.com/mail/u/0/?ik=afad3d5b-4b&view=pt&search=all&permthid=thread-f%3A1599818592914752892&siml=msg-f%3A1599818592914752892&...> 1/2

CONFIDENTIAL

RT 000119A

COE.TLAIB.000620

4/19/2019

Gmail - Going back to work part time

Check out what's new with Global Detroit!
Follow us @GlobalDET | like us on Facebook | explore our website

Andy Goddeeris <[REDACTED]@gmail.com> Mon, May 7, 2018 at 12:12 PM
To: Steve Tobocman <[REDACTED]@gmail.com>
Cc: Rashida Tlaib <[REDACTED]@gmail.com>, Steve Tobocman <[REDACTED]@gmail.com>, Mahima Mahadevan <[REDACTED]@gmail.com>

Look, there are two options. The choice should be made by you, **Rashida**, I feel **very uncomfortable** telling you what you can and can't do with regards to money.

Rashida can legally collect a salary of ~\$7900 a month from the campaign (she can collect no more than her income from the previous year from the campaign committee). It subjects her to some additional reporting requirements if the FEC asks, but it is clearly legal. The downside is that in mid-July, it will become public that Rashida has collected X number of dollars from the campaign, and there might be attacks that follow that accuse Rashida of using her campaign funds to enrich herself. There will be a very good response to this: I quit my job when nobody else did, and I don't have a cushy government job to fall back on if I don't win - I'm all in for this race and for the people of the district. Personally, I believe this to be a very good response. I also think that people are especially sensitive to how money is handled. With all the financial bullshit the other campaigns are pulling, though, I think you would be pretty insulated from attack.

The other option is for Rashida to go back to working part-time at Sugar Law. This means blocking off 9a-12p every day, which would significantly impact campaign activities (fewer doors knocked, less money raised). But, it would provide Rashida with a steady income and not implicate campaign funds.

[Quoted text hidden]

...
Andy Goddeeris
Campaign Manager, Rashida For Congress
c. [REDACTED]
Office and Residence
Twitter: @RashidaTlaib
Facebook: Rashida for Congress

<https://mail.google.com/mail/u/0/?ik=afad3d5b4b&view=pt&search=all&permthid=thread-f%3A1599818592914752892&siml=msg-f%3A1599818592914752892&...> 2/2

CONFIDENTIAL

RT 000120A

COE.TLAIB.000621

EXHIBIT 4



FINANCIAL DISCLOSURE REPORT

Clerk of the House of Representatives • Legislative Resource Center • 135 Cannon Building • Washington, DC 20515

FILER INFORMATION

Name: Rashida Tlaib
Status: Congressional Candidate
State/District: MI13

FILING INFORMATION

Filing Type: Candidate Report
Filing Year: 2018
Filing Date: 05/16/2018

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

Asset	Owner	Value of Asset	Income Type(s)	Income Current Year to Filing	Income Preceding Year
AXA Equivest Individual TSA 501(c)(3) [OT]		\$1,001 - \$15,000	Tax-Deferred		
DESCRIPTION: AXA Equivest Individual TSA 501(c)(3). Not income producing.					
DC1 College America 529 Savings Plan [OT]		\$1,001 - \$15,000	Tax-Deferred		
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Wayne State University	Consulting/Advisory Fee	N/A	\$750.00
Metro Solutions	Consulting/Advisory Fee	\$200.00	\$800.00
Leadership in Government Fellowship	Stipend	N/A	\$68,307.00

SCHEDULE D: LIABILITIES

Owner	Creditor	Date Incurred	Type	Amount of Liability
	U.S. Federal Government	January 2001	Law School Student Loans	\$50,001 - \$100,000

SCHEDULE E: POSITIONS

Position	Name of Organization
Attorney	Maurice & Jane Sugar Law Center
Board Member	The Ecology Center
Board Member	Metro Solutions
Board Member	Michigan Legal Services
Advisory Board Member	ACLU of Michigan
Advisory Board Member	Bridging Communities Inc.

SCHEDULE F: AGREEMENTS

Date	Parties To	Terms of Agreement
May 2018	Rashida Tlaib, Sugar Law Center	Rashida Tlaib is on a limited leave of absence from her position at the Sugar Law Center through the November 6, 2018 general election. Tlaib will be compensated for 7.2 hours of work per week, and will continue to receive health, dental, short term disability, and life insurance benefits pursuant to her union contract. If Tlaib wins the general election and becomes a Congresswoman, Tlaib's employment with the Sugar Law Center will be terminated. If not she'll return to Sugar Law.

SCHEDULE J: COMPENSATION IN EXCESS OF \$5,000 PAID BY ONE SOURCE

None disclosed.

EXCLUSIONS OF SPOUSE, DEPENDENT, OR TRUST INFORMATION

Trusts: Details regarding "Qualified Blind Trusts" approved by the Committee on Ethics and certain other "excepted trusts" need not be disclosed. Have you excluded from this report details of such a trust benefiting you, your spouse, or dependent child?

Yes No

Exemption: Have you excluded from this report any other assets, "unearned" income, transactions, or liabilities of a spouse or dependent child because they meet all three tests for exemption?

Yes No

CERTIFICATION AND SIGNATURE

I CERTIFY that the statements I have made on the attached Financial Disclosure Report are true, complete, and correct to the best of my knowledge and belief.

Digitally Signed: Rashida Tlaib , 05/16/2018

EXHIBIT 5

4/29/2019

Gmail - Beth from Detroit News



Rashida Tlaib [redacted]@gmail.com>

Beth from Detroit News

7 messages

Rashida Tlaib <[redacted]@gmail.com> Tue, Jul 17, 2018 at 4:11 PM
To: TJ Bucholz <[redacted]@vanguard-pa.com>, Andrew Goddeeris <[redacted]@gmail.com>, [redacted]@gmail.com
<[redacted]@gmail.com>

called to ask why I am paying myself
I answered the best I could

--
Rashida Tlaib
Candidate, Michigan's 13th Congressional District
Former Michigan State Representative
Attorney, Sugar Law Center
[redacted]
[redacted]@rashidaforcongress.com
Donate at www.rashidaforcongress.com
or mail check payable to:
Rashida Tlaib for Congress
P.O. Box 32777
Detroit, MI 48232

More about Rashida: <http://redreamproject.org/videos/rashida-tlaib/>

New York Times: <https://www.nytimes.com/2018/06/29/us/politics/is-this-the-year-women-break-the-rupee-and-win.html>
CNN: <https://www.cnn.com/2018/07/03/politics/rashida-tlaib-congress/index.html>
The Intercept: <https://theintercept.com/2018/07/05/climate-change-left-politics-policy/>
Forbes: <https://www.forbes.com/sites/cariehammer/2018/05/09/meet-the-woman-ready-to-shatter-a-glass-ceiling-for-the-second-time/>

An older but excellent interview with *Rachel Maddow*: <http://www.msnbc.com/rachel-maddow-show/watch/petcoke-pile-oil-industry-disregard-for-taxpayers-43384387988>

TJ Bucholz <[redacted]@vanguard-pa.com> Tue, Jul 17, 2018 at 4:13 PM
To: Rashida Tlaib <[redacted]@gmail.com>, Andrew Goddeeris <[redacted]@gmail.com>, [redacted]@gmail.com
<[redacted]@gmail.com>

I was just sending Andy a message on this -- you're a single mother of two children working your butt off on the trail and you're not independently wealthy. The salary is nominal and I am assuming necessary for you to be a full-time candidate trying to take a progressive to Washington.

[Quoted text hidden]

Steve Tobocman <[redacted]@gmail.com> Tue, Jul 17, 2018 at 4:14 PM
To: TJ Bucholz <[redacted]@vanguard-pa.com>
Cc: Rashida Tlaib <[redacted]@gmail.com>, Andrew Goddeeris <[redacted]@gmail.com>, [redacted]@gmail.com
<[redacted]@gmail.com>

DITTO!

[Quoted text hidden]

<https://mail.google.com/mail/u/1/?ik=f39cdd048d&view=pt&search=all&permthid=thread-a%3Ammiair-472808617549486328&siml=msg-a%3A%3...> 1/3

CONFIDENTIAL

RT 000087

COE, TLAIB, 000304

4/29/2019

Gmail - Beth from Detroit News

Steve Tobocman
Global Detroit
www.globaldetroit.com

Give to Global Detroit. Growing our economy. Mobilizing our immigrant potential. <http://www.globaldetroit.com/donate/>



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TJ Bucholz <@vanguard-pa.com> Tue, Jul 17, 2018 at 4:14 PM
To: Rashida Tlaib <@gmail.com>, Andrew Goddeeris <@gmail.com>, @gmail.com
com <@gmail.com>

I also believe there are some tougher questions coming on the report as well from critics. I just received an email from Todd Spangler about this as well.

From: Rashida Tlaib [mailto: @gmail.com]
Sent: Tuesday, July 17, 2018 4:12 PM
To: TJ Bucholz; Andrew Goddeeris; @gmail.com
Subject: Beth from Detroit News

called to ask why I am paying myself
[Quoted text hidden]

Rashida Tlaib <@gmail.com> Tue, Jul 17, 2018 at 4:15 PM
To: TJ Bucholz <@vanguard-pa.com>
Cc: Andrew Goddeeris <@gmail.com>, @gmail.com, @gmail.com

I said that I am the only candidate that had to leave my job to run for office. I said I am not a lobbyist for Matty Moron or a currently elected person who is campaigning on public salary.
Sorry if that was wrong but it is what I could say

On Tue, Jul 17, 2018 at 4:13 PM, TJ Bucholz <@vanguard-pa.com> wrote:
[Quoted text hidden]
[Quoted text hidden]

Rashida Tlaib <@gmail.com> Tue, Jul 17, 2018 at 4:16 PM
To: TJ Bucholz <@vanguard-pa.com>
Cc: Andrew Goddeeris <@gmail.com>, @gmail.com, @gmail.com

I did slam Joe DiSano by asking her that the better question is who is paying him to attack me.
And TJ you can always call her
[Quoted text hidden]

TJ Bucholz <@vanguard-pa.com> Tue, Jul 17, 2018 at 4:17 PM
<https://mail.google.com/mail/u/1/?ik=f39cdd048d&view=pt&search=all&permthid=thread-a%3Ammiai-r-4728088617549486328&siml=msg-a%3As%3...> 2/3

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COE, TLAIB, 000305

4/29/2019

Gmail - Beth from Detroit News

To: Rashida Tlaib <[REDACTED]@gmail.com>

Cc: Andrew Goddeeris <[REDACTED]@gmail.com>; '[REDACTED]@gmail.com' <[REDACTED]@gmail.com>

DiSano calling people "grifters" on digital media. Coming from the grifter in charge of the grifters. Lolz.

[Quoted text hidden]

<https://mail.google.com/mail/u/1/?ik=f39cdd048d&view=pt&search=all&permthid=thread-a%3Ammia-r-4728088617549486328&siml=msg-a%3A%3...> 3/3

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COE.TLAIB.000306

EXHIBIT 6

Pay Period Starts	Pay Period Ends	Paid On	Amount Paid	Salary Deferred
		5/7/2018	\$ 2,000.00	\$ -
4/24/2019	4/30/2019	5/16/2018	\$ 2,000.00	\$ 1,000.00
5/1/2019	5/15/2018	6/1/2018	\$ 2,000.00	\$ 1,000.00
5/16/2018	5/31/2018	6/16/2018	\$ 2,000.00	\$ 1,000.00
6/1/2018	6/15/2018	7/1/2018	\$ 2,000.00	\$ 1,000.00
6/16/2018	6/30/2018	7/16/2018	\$ 2,000.00	\$ 1,000.00
7/1/2018	7/15/2018	8/1/2018	\$ 2,000.00	\$ 1,000.00
7/16/2018	8/7/2018	8/11/2018	\$ 3,000.00	\$ 1,500.00
8/8/2018	8/31/2018	8/29/2018	\$ 3,000.00	\$ 1,500.00
9/1/2018	9/15/2018	9/16/2018	\$ 2,000.00	\$ 1,300.00
9/16/2018	9/30/2018	10/1/2018	\$ 2,000.00	\$ 1,300.00
10/1/2018	10/15/2018	10/16/2018	\$ 2,000.00	\$ 1,300.00
10/16/2018	10/31/2018	11/1/2018	\$ 2,000.00	\$ 1,300.00
11/1/2018	11/6/2018	11/16/2018	\$ 2,000.00	\$ 1,300.00
		12/1/2018	\$ 15,500.00	
			\$ 45,500.00	\$ 15,500.00

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COE.TLAIB.000393

