

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**FINDINGS, CONCLUSIONS, AND ORDER IN THE MATTER OF THE COMPLAINT OF STEVE DRAZKOWSKI
REGARDING THE NEIGHBORS FOR ILHAN (OMAR) COMMITTEE**

1. Background

On July 19, 2018, the Minnesota Campaign Finance and Public Disclosure Board¹ received a complaint submitted by Rep. Steve Drazkowski regarding the Neighbors for Ilhan (Omar) committee (Omar committee). The Omar committee is the principal campaign committee of Rep. Ilhan Omar.²

The complaint described a \$2,250 payment to the Kjellberg Law Office on November 20, 2016, that was reported on the Omar committee's 2016 year-end report of receipts and expenditures. The complaint further stated that Carla C. Kjellberg of the Kjellberg Law Office served as the attorney of record in Rep. Omar's 2017 marital dissolution. The complaint alleged that the committee's payment to the Kjellberg Law Office was for services related to the marital dissolution, and therefore constituted conversion of committee funds to personal use in violation of Minnesota Statutes section 211B.12.

On July 24, 2018, the Board chair determined that the complaint alleged a prima facie violation of Minnesota Statutes section 211B.12. Both the Omar committee and Rep. Drazkowski provided written responses for the Board to consider for the probable cause determination. Rep. Drazkowski's August 2, 2018, response was treated as a supplement to his July 19, 2018, complaint. In the supplement, Rep. Drazkowski alleged that the Omar committee's 2016 year-end report of receipts and expenditures did not include sufficient information to justify the classification of the payment to the Kjellberg Law Firm as a noncampaign disbursement, in violation of Minnesota Rules 4503.0900, subpart 3. The supplemental complaint relied on public statements made by lawyer Carla Kjellberg to allege that the Omar committee's report violated Minnesota Statutes section 10A.20, by failing to disclose the payment to the Kjellberg Law Firm when it was incurred and failing to show that the payment was a reimbursement.

On August 7, 2018, the Board vice chair determined that the supplemental complaint alleged prima facie violations of Minnesota Rules 4503.0900 and Minnesota Statutes section 10A.20. On August 16, 2018, the Board found probable cause to initiate an investigation regarding the

¹ The Board has six members, none of whom may be an active lobbyist, a state elected official, or an active candidate for state office. The Board is not non-partisan, rather it is multi-partisan with no more than three of the six members supporting the same political party. See Minn. Stat. § 10A.02, subd. 1. The Board employs nine full-time staff members and oversees four major programs: campaign finance registration and disclosure, public subsidy administration, lobbyist registration and disclosure, and economic interest disclosure by public officials.

² Representative Ilhan Omar's committee, Neighbors for Ilhan (Omar), is for the Minnesota House of Representatives District 60B. In 2018, Rep. Omar was elected to the United States House of Representatives from Minnesota's Fifth Congressional District. This matter only relates to Rep. Omar's state candidate committee, Neighbors for Ilhan (Omar).

Omar committee's possible violations of Minnesota Statutes sections 10A.20 and 211B.12 and Minnesota Rules 4503.0900 based on the July 19, 2018, complaint and supplement. The August 16, 2018, probable cause determination combined all matters into one investigation because they involved the same facts.

At the outset of the investigation, Board staff reviewed the Omar committee's 2017 year-end report of receipts and expenditures and discovered multiple noncampaign disbursements and one campaign expenditure relating to Rep. Omar's out-of-state travel. The noncampaign disbursements were for airfare, hotel accommodations, and other expenses related to attending five out-of-state events, all categorized as expenses of serving in public office. The Omar committee's 2017 year-end report stated that the campaign expenditure was for airfare "to Boston to speak at rally," which may have been to support a local candidate in violation of Minnesota Statutes section 10A.27, subdivision 9. It was not clear from the report that the travel expenses were permitted noncampaign disbursements or permitted campaign expenditures under Minnesota Statutes section 211B.12. As required by Minnesota Statutes section 10A.022, subdivision 3, paragraph (b), Board staff sought approval from the Board to expand the investigation to include the 2017 out-of-state travel. The Omar committee was notified of staff's intent to bring the 2017 out-of-state travel expenses before the Board. On September 25, 2018, the Omar committee submitted a response about Rep. Omar's out-of-state travel. On October 3, 2018, the Board found probable cause to expand the investigation to include the out-of-state travel and the Omar committee's possible violations of Minnesota Statutes sections 10A.27, subdivision 9, and 211B.12.

On October 8, 2018, the Board received another complaint from Rep. Drazkowski regarding the Neighbors for Ilhan (Omar) committee. This new complaint alleged violations of Minnesota Statutes Chapters 10A and 211B that were not raised in the earlier complaint, specifically that the Omar committee's 2017 year-end report of receipts and expenditures showed several out-of-state trips paid for by the committee and that such disbursements should not be allowed as campaign expenditures or noncampaign disbursements. The second complaint alleged that Rep. Omar's trip to Boston was to support a local candidate there in violation of Minnesota Statutes section 10A.27, subdivision 9. The other allegations were similar to the travel issues that were the subject of the expanded investigation authorized by the Board. Although the Board already had expanded the investigation to include the 2017 out-of-state travel expenses, Minnesota Statutes section 10A.022, subdivision 3, paragraph (c), required a prima facie determination on the new complaint submitted by Rep. Drazkowski. On October 12, 2018, the Board chair determined that the new complaint from Rep. Drazkowski alleged prima facie violations of Minnesota Statutes sections 10A.27 and 211B.12. On November 7, 2018, the Board found probable cause existed that warranted an investigation of the Omar committee's possible violations of Minnesota Statutes sections 10A.27, subdivision 9, and 211B.12.

2. The investigation

The required notices of the probable cause determinations and the investigation were provided to Rep. Draskowski directly and to the Omar committee through its attorney. During the course of the investigation, the Board conducted sworn interviews with Elizabeth Loeb, treasurer of the Omar committee in 2016 and 2017; Carla Kjellberg, attorney for the Omar committee in 2016; Rep. Ilhan Omar, the candidate; Sonia Neculescu, district director/campaign manager of the committee; Connor McNutt, legislative aide to Rep. Omar; Matthew Gehring, staff coordinator for the Minnesota House of Representatives Research Office; and Patrick McCormack, director of the Minnesota House of Representatives Research Office. Over the course of the investigation, the Board requested documents on multiple occasions from the Omar committee. In response to the Board's request, the Omar committee provided copies of emails and a written response from Claudia Anderson, the former bookkeeper of the Omar committee. In the course of the investigation, participation by the Omar committee was both voluntary and cooperative. Lastly, an attorney for the Omar committee addressed the Board at the June 5, 2019, Board meeting.

3. Applicable statutes, administrative rules, and prior Board actions

Minnesota Statutes section 211B.12 provides that “[u]se of money collected for political purposes is prohibited unless the use is reasonably related to the conduct of election campaigns, or is a noncampaign disbursement as defined in Minnesota Statutes section 10A.01, subdivision 26.” The statute also provides that “[m]oney collected for political purposes . . . may not be converted to personal use.”

Minnesota Statutes section 10A.34, subdivision 4, provides that the Board may impose a civil penalty of up to \$3,000 per violation on the person responsible for the conversion of funds to personal use.

Minnesota Statutes section 10A.01, subdivision 9, provides that campaign expenditure “means a purchase or payment of money . . . made or incurred for the purpose of influencing the nomination or election of a candidate.”

Minnesota Statutes section 10A.01, subdivision 26, paragraph (a), clause (10), provides that noncampaign disbursements by a principal campaign committee include payment for the candidate's expenses for serving in public office. Travel expenses can fall within this category when the reason for the candidate's attendance at the event is to help the candidate in the performance of the duties of the office held and the candidate would not have attended the event if the candidate were not an office holder; however, the sole purpose of travel outside the candidate's district cannot be for the candidate to build relationships. See Findings in the matter of the People for (Gregory) Davids Committee (Aug. 15, 2006); Findings in the matter of the Joe

Hoppe Volunteer Committee (May 27, 2016); Advisory Opinion 277 (Oct. 31, 1997); Advisory Opinion 383 (Aug. 15, 2006).³

The Board notes that in a previous advisory opinion the Board found that the cost of an international trip could not be paid for with campaign committee funds as either a campaign expenditure or a noncampaign disbursement. However, in that opinion the elected official was not traveling to attend a conference related to legislative issues of concern to Minnesota. Instead, the travel was organized as an opportunity to learn about concerns and challenges facing another country. See Advisory Opinion 390 (Nov. 28, 2006).⁴

Minnesota Statutes section 10A.01, subdivision 26, paragraph (a), clause (1), provides that accounting and legal fees related to the campaign committee are a permitted noncampaign disbursement. Legal fees may be paid for with committee funds if the services relate to the candidate's chances of election and the candidate does not personally benefit from the services. See Advisory Opinion 328 (June 26, 2001); Advisory Opinion 318 (Oct. 13, 1999).

Chapter 10A has several provisions relating to recordkeeping and reporting. Minnesota Statutes section 10A.20, subdivision 4, states in relevant part, "[a] report must cover the period from January 1 of the reporting year to seven days before the filing date." Minnesota Statutes section 10A.20, subdivision 3, paragraph (j), requires that the reporting entity disclose unpaid bills on a report of receipts and expenditures as those bills are incurred. Minnesota Rules 4503.0900, subpart 3, states that "[i]temization of an expense which is classified as a noncampaign disbursement must include sufficient information to justify the classification."

Minnesota Statutes section 10A.20, subdivision 13, provides that when a committee reimburses someone for an expenditure, the committee can report that reimbursement in one of two ways: 1) report the expenditure or noncampaign disbursement as if it was paid directly to the vendor who sold the good or service used; or 2) report the name and address of the person being reimbursed as the payee and include the name and address of the vendor from which the person being reimbursed bought the good or service.

Finally, Minnesota Statutes section 10A.27, subdivision 9, paragraph (d), bars a state candidate or treasurer from making "a contribution from the principal campaign committee to a candidate for political subdivision office in any state."

4. Standard of proof and burden of proof

The standard of proof applicable to this matter is the preponderance of the evidence standard. Under that standard, the Board must be convinced by the evidence and the reasonable inferences that may be drawn from that evidence that it is more likely that a particular fact exists than that it does not exist. If the evidence on a particular matter is equally balanced, any finding

³ In 2018, Minnesota Statutes section 10A.173, subdivision 4, codified these provisions into statute. The changes were not effective until June 1, 2018, and therefore do not apply in this case.

⁴ Minnesota Statutes Chapters 10A and 211B do not specifically prohibit international travel.

based on that evidence is not proven by a preponderance of the evidence. See Findings in the matter of the complaint of Brian Wojtalewicz regarding Tim Miller, Citizens for Tim Miller, Southern Minnesota Beet Sugar Cooperative PAC, and Renville County Republican Party of Minnesota (Jan. 9, 2018).

In investigations involving Minnesota Statutes section 211B.12, the committee that spent the money has the burden of proving, by a preponderance of the evidence, that the expenditure was for a purpose allowed under that statute. Therefore, regarding the claimed noncampaign disbursements at issue in the present case, the Omar committee has the burden of proving the disbursements were for a purpose allowed under Minnesota Statutes section 211B.12. See Findings in the matter of the John Lesch for State Representative Committee (Aug. 1, 2017).

5. Analysis

2016 LEGAL FEES

The complaint alleged that the Omar committee used campaign funds to pay for her marital dissolution because the committee's 2016 year-end report of receipts and expenditures showed a \$2,250 payment to the Kjellberg Law Office in 2016 for "legal fees." The Omar committee's report did not include sufficient information to show that the expense was a noncampaign disbursement, as required by Minnesota Rules 4503.0900, subpart 3.

During the investigation, the Omar committee provided responses explaining that after Rep. Omar won the primary for Minnesota House of Representatives District 60B in August 2016, a blog posted an article with allegations that Rep. Omar was not married to the person she referred to as her husband, and that she was actually married to her brother as part of an immigration scheme. The Omar committee created a crisis committee to respond to the allegations. The crisis committee included Carla Kjellberg, an attorney who represented Rep. Omar and the Omar committee with respect to the crisis. Ms. Kjellberg also represented Rep. Omar in Rep. Omar's marital dissolution. Ms. Kjellberg and some in the crisis committee believed that the allegations required a response and that they needed to see what was in Rep. Omar's immigration and financial records in order to prepare that response. At some point, there were media reports that the U.S. Attorney's Office was investigating the immigration status of Rep. Omar. On August 22, 2016, the U.S. Attorney's Office issued a statement that it was not investigating, nor had it requested an investigation into Rep. Omar.

The Omar committee provided additional information showing that the \$2,250 payment from the committee was reimbursement for two payments that the Kjellberg Law Office had made purportedly as part of its crisis management legal services for the committee. The additional information included two invoices that the Kjellberg Law Office had mailed to Rep. Omar directly, not to the Omar committee. The first was mailed on August 31, 2016, and asked for reimbursement of a \$1,500 payment that the Kjellberg Law Office had made to the accounting firm of Frederick & Rosen, Ltd. The second was mailed on September 30, 2016, and asked for

reimbursement of a \$750 payment that the Kjellberg Law Office had made to the law firm of De Leon & Nestor, LLC.

The invoices showed that the law firm of De Leon & Nestor, LLC had billed the Kjellberg Law Office \$750 for obtaining Rep. Omar's immigration records directly from the federal government. Rep. Omar's family already had copies of these records. However, the crisis committee asked for them directly from the federal government so that it could show that the records had been independently obtained and reviewed. Obtaining copies of the records directly from the federal government therefore benefitted the Omar committee and provided no personal benefit to Rep. Omar. The \$750 reimbursement payment from the Omar committee to the Kjellberg Law Office for the De Leon & Nestor invoice therefore was properly classified as a noncampaign disbursement.

The invoices also showed that the accounting firm of Frederick & Rosen, Ltd. had billed the Kjellberg Law Office \$1,500 for services for "Hirsi/Omar 2015 & 2014" on September 1, 2016. While the initial purpose of retaining Frederick & Rosen may have been to obtain and review financial records, Ms. Kjellberg stated that there was some personal benefit to Rep. Omar from the services as there was an issue with her tax returns that needed to be corrected regardless of her status as a candidate. In their depositions, neither Ms. Kjellberg nor Rep. Omar described how the services benefitted the committee.⁵ The Omar committee later provided additional explanatory information regarding the services provided by Frederick & Rosen. The crisis committee had Frederick & Rosen prepare releases for Rep. Omar and Mr. Hirsi to sign in order for Frederick & Rosen to obtain Rep. Omar's and Mr. Hirsi's filed joint tax returns for 2014 and 2015. Frederick & Rosen then reviewed the documents obtained from the Internal Revenue Service on behalf of the Omar committee. However, there is no substantive evidence in the record to show that the services benefitted the Omar committee, and the Omar committee has failed to prove, by a preponderance of the evidence, that the services from Frederick & Rosen were a permitted noncampaign disbursement under Minnesota Statutes section 211B.12. Rep. Omar must reimburse the committee the \$1,500 that was paid to the Kjellberg Law Firm for the services from Frederick & Rosen, Ltd.

Based on the analysis above, the preponderance of the evidence indicates that the \$2,250 paid to the Kjellberg Law Office was not payment for Rep. Omar's marital dissolution.

⁵ To the contrary, Ms. Kjellberg testified in her deposition:

Question: "Do you know, did Representative Omar's committee use any of the information that Frederick & Rosen provided as part of her response?"

Answer: "Probably not. That – this was correcting something that could have been detrimental to Ms. Omar."

Question: "Would the issue that was corrected, or potentially as least corrected, through this information from the Rosen firm been important for Representative Omar to correct regardless of her status as a candidate?"

Answer: "Yes, but probably not in the sense of urgency and necessity for professionals to do."

REPORTING ISSUES

The 2016 pre-general report of receipts and expenditures covered the period from January 1, 2016, through October 24, 2016, and was due on October 31, 2016. The Omar committee was required to include any obligations incurred during this time period on its 2016 pre-general report. The Omar committee's 2016 pre-general report, however, does not include the debts owed to Frederick & Rosen, Ltd. and De Leon & Nestor, LLC, which had been invoiced to Rep. Omar prior to the October 24th cut-off date. In addition, the year-end report did not correctly report the reimbursement to the Kjellberg Law Office. The Omar committee therefore violated the reporting requirements in Minnesota Statutes section 10A.20.

2017 TRAVEL COSTS

During Rep. Omar's deposition, she stated that part of the process for deciding what trips she would make was to confirm with the Minnesota House Research Office that the travel was allowed. Staff therefore interviewed Rep. Omar's legislative aide from the Minnesota House of Representatives and two staff members of the Minnesota House Research Office to obtain information regarding the travel that Rep. Omar reported for 2017. The legislative aide testified that travel opportunities being considered by Rep. Omar were presented to House Research Office staff for review before a decision was made to undertake the travel. Confidentiality rules applicable to the Minnesota House Research Office prevent its staff members from answering specific questions posed by Board staff regarding members of that body. Therefore, the staff members deposed did not provide any information regarding travel undertaken by Rep. Omar or inquiries regarding travel from Rep. Omar's legislative staff.

However, House Research staff did explain that generally when they discuss whether a member can accept something of value, for example, travel and lodging reimbursement, from an organization or individual, they discuss whether that would violate the gift prohibition. They specifically discuss whether the gift is from a lobbyist, a lobbyist principal, or a foreign government because of the gift ban provisions of Minnesota Statutes section 10A.071 and other provisions in legislative rules applicable to Minnesota House members. They do not give advice about whether members can use campaign committee funds for travel purposes; rather, they commonly refer members to the Board for campaign committee issues. The Omar committee did not contact Board staff for information on the appropriateness of using committee funds for the travel reviewed in this investigation.

Boston Unity Rally for Deeqa Jibril. Only one travel cost was reported as a campaign expenditure on the committee's 2017 year-end report: the Delta Air Lines payment of \$337.40, which was described as "to Boston to speak at rally." The Omar committee stated that the purpose of this trip was to attend a unity rally in Boston, which was a response to a white supremacy rally planned in that city. During her deposition, Rep. Omar stated that she was in Boston to attend the unity rally in opposition to the white supremacy rally and that when the white supremacy rally was cancelled, the opportunity to speak at the unity rally also was cancelled.

Rep. Omar said that someone on her staff discovered that a Boston City Council candidate was also a Muslim woman and suggested that they meet. Rep. Omar stated that the Boston City Council candidate created a campaign event that featured Rep. Omar. The event titled “Unity Rally for Deeqo Jibril with Rep. Ilhan Omar and Rep. Liz Malia in West Roxbury” was promoted on Eventbrite several days before Rep. Omar traveled to Boston. Minnesota Statutes section 10A.27, subdivision 9, bars a candidate from making “a contribution from the principal campaign committee to a candidate for political subdivision office in any state.” (Emphasis added.) Rep. Omar acknowledged that she spoke at the campaign event for a Boston City Council candidate. While Rep. Omar’s appearance in itself would not constitute a committee contribution to the Boston City Council candidate’s campaign, the expenditure of committee funds to pay for Rep. Omar to travel to Boston, thereby enabling her to speak at the candidate’s campaign event, would constitute an in-kind contribution from the Omar committee to the candidate for Boston City Council. Further, the cost of the trip would not have qualified as a noncampaign disbursement for a cost of serving in office even if Rep. Omar had spoken at the unity rally event because attending that event would not have helped Rep. Omar in the performance of her duties as a legislator. Therefore, the \$337.40 for the Boston trip must be repaid to the committee by Rep. Omar.

The remaining travel costs on the Omar committee’s 2017 year-end report were categorized as noncampaign disbursements. Minnesota Statutes section 10A.01, subdivision 26, paragraph (a), clause (10), provides that noncampaign disbursements include payment for the candidate’s expenses for serving in public office. Travel expenses can fall within this category when the reason for the candidate’s attendance at the event is to help the candidate in the performance of the duties of the office held and the candidate would not have attended the event if the candidate were not an office holder.

The European Young Leaders Conference in Estonia. The total noncampaign disbursements for this trip were \$1,700.80 for airfare (\$564.40 on Delta Air Lines, \$815.58 on Estair OU Tallin, and \$320.82 on KLM Royal Dutch Airlines). Rep. Omar’s state legislative aide, Connor McNutt, stated in his deposition that Rep. Omar’s costs to attend the conference in Estonia were originally paid for by the conference organizers. Rep. Omar gave a speech at the conference. As described in the conference agenda, several substantive sessions at the conference related to, and may have been helpful for several of the legislative issues Rep. Omar worked on while in the Minnesota House. Rep. Omar stated in her deposition that she was sick during the conference but that she attended the entire event. Mr. McNutt also stated that the travel costs paid for by the Omar committee were related to Rep. Omar missing her return flight due to that illness. Thus, the only cost to the Omar committee was the cost in securing return flights due to the inability of Rep. Omar to use the travel paid for by the conference. Under circumstances where the cost of attending the conference qualifies as a cost of serving in office the Board concludes that unavoidable costs to reschedule return flights from that conference may be paid for with committee funds.

The Girl Up UN Conference in Washington D.C. The amount reported by the committee as a noncampaign disbursement was \$581.43 for Rep. Omar's hotel stay. Rep. Omar gave a speech and was interviewed by a young woman from South America. The conference was a leadership conference for girls. While Rep. Omar would not have been asked to participate in the Girl Up UN Conference if she had not been elected to the Minnesota House, her participation did not assist Rep. Omar in the performance of her duties as a legislator. Therefore, the Omar committee could not pay the \$581.43 for hotel costs as a noncampaign disbursement. Rep. Omar must repay her committee \$581.43.

The People for the American Way's America's Cabinet meeting in New York. The committee reported a noncampaign disbursement in the amount of \$611.20 for airline fees to attend a Young Elected Officials⁶ conference. This payment, however, actually was made so that Rep. Omar could attend a planning meeting in New York regarding her participation in the People for the American Way's America's Cabinet. The America's Cabinet webpage states that its purpose is to work to educate and inform the general public about what the national government should be doing to support communities across the country.⁷ Rep. Omar attended the planning meeting in April 2017 but the America's Cabinet project was not announced publicly until January 2018. While Rep. Omar would not have been asked to participate in the America's Cabinet had she not been elected to the Minnesota House, her participation did not assist Rep. Omar in the performance of her duties as a legislator. Therefore, the Omar committee could not pay the \$611.20 for airfare as a noncampaign disbursement. Rep. Omar must repay her committee \$611.20.

The National Immigrant Justice Center Human Rights Awards in Chicago. The reported noncampaign disbursement for this event was \$232.20 for airfare. Rep. Omar was the keynote speaker at the organization's annual Human Rights Awards luncheon and received the Jeanne and Joseph Sullivan Award. The website for the National Immigrant Justice Center states that the annual Human Rights Awards luncheon "draws more than 800 Attendees and provides critical funding for NIJC to ensure that it can continue to promote human rights and access to justice for immigrants."⁸ While Rep. Omar would not have been the recipient of the award or the keynote speaker at the event had she not been elected to the Minnesota House, this event was clearly a fundraising event for the National Immigrant Justice Center. Additionally, attending the event did not assist Rep. Omar in the performance of her duties as a legislator. Therefore, the Omar committee could not pay the \$232.20 for airfare as a noncampaign disbursement. Rep. Omar must repay her committee \$232.20.

The African Network of Southwest Florida's Annual Gala in Fort Myers (referred to on the 2017 year-end report as the Somali New Arrival Conference). The committee reported a noncampaign disbursement in the amount of \$207 for airline fees to attend the "Somali New Arrivals Conference." The committee acknowledges that this was incorrect, as Rep. Omar

⁶ The Young Elected Officials Network is a leadership development program of the organization People for the American Way.

⁷ <http://www.pfaw.org/campaign/americas-cabinet/>

⁸ <https://immigrantjustice.org/calendar/nijc-human-rights-awards>

attended the African Network of Southwest Florida's Annual Gala.⁹ Rep. Omar was the keynote speaker at the organization's annual gala, which was a fundraiser for the organization. Rep. Omar was also paid \$800 for her speech at the event.¹⁰ Although Rep. Omar might not have been the keynote speaker at this event had she not been elected to the Minnesota House, she did not attend this event to assist her in the performance of her duties as a legislator. Therefore, the Omar committee could not pay the \$207 airfare as a noncampaign disbursement. Rep. Omar must repay her committee \$207 for this expense.

Based on the body of evidence before it, the Board makes the following:

Findings of fact

1. Neighbors for Ilhan (Omar) is the principal campaign committee of Rep. Ilhan Omar.
2. In 2016, the Omar committee made a noncampaign disbursement of \$2,250 to the Kjellberg Law Office.
3. The Omar committee's 2016 year-end report stated only that the payment was for legal fees and did not explain what those fees were for or how they related to the committee.
4. The 2016 payment of \$2,250 from the Omar committee to the Kjellberg Law Office was not a payment for Rep. Omar's subsequent marital dissolution.
5. The \$2,250 payment was a reimbursement for two payments made by the Kjellberg Law Office. One payment of \$750 was made to De Leon & Nestor, LLC for obtaining immigration records and one payment of \$1,500 was made to Frederick & Rosen, Ltd. for services related to Mr. Hirsi's and Rep. Omar's filed joint tax returns of 2014 and 2015.
6. On August 31, 2016, the Kjellberg Law Office mailed an invoice to Rep. Omar for reimbursement of the \$1,500 payment to Frederick & Rosen, Ltd.
7. On September 30, 2016, the Kjellberg Law Office mailed an invoice to Rep. Omar for reimbursement of the \$750 payment to De Leon & Nestor, LLC.
8. The Omar committee's 2016 pre-general report, which covered the period of January 1, 2016, through October 24, 2016, does not include the incurred debt of \$1,500 owed to Frederick & Rosen, Ltd., or the \$750 owed to De Leon & Nestor, LLC.
9. The \$750 paid to De Leon & Nestor, LLC, was for legal services that benefitted the committee.

⁹ On two separate occasions counsel for the Omar committee confirmed that this expense was related to the African Network of Southwest Florida's Annual Gala.

¹⁰ http://clerk.house.gov/public_disc/financial-pdfs/2018/10024006.pdf

10. There is no substantive evidence in the record to show that the \$1,500 paid to Frederick & Rosen, Ltd. was for services that benefited the Omar committee.
11. In 2017, the Omar committee paid \$337.40 for airfare to Boston so that Rep. Omar could make a speech at a unity rally and attend a campaign event for a local city council candidate.
12. In 2017, the Omar committee paid \$1,700.80 for airfare so that Rep. Omar could return from the European Young Leaders conference in Estonia. Rep. Omar's costs to attend the conference in Estonia were originally paid for by the conference organizers. This conference may have assisted Rep. Omar in performing her legislative duties and her invitation to the event was due to her status as a legislator. The travel costs paid for by the Omar committee were related to Rep. Omar missing her return flight due to illness.
13. In 2017, the Omar committee paid \$581.43 for a hotel stay so that Rep. Omar could give a speech and be interviewed by a young woman from South America at the Girl Up UN conference in Washington, D.C. While Rep. Omar would not have been asked to participate in the Girl Up UN Conference had she not been elected to the Minnesota House, she did not attend this event to assist her in her performance of her duties as a legislator.
14. In 2017, the Omar committee paid \$611.20 for airfare so that Rep. Omar could attend a meeting for the People for the American Way's America's Cabinet in New York. While Rep. Omar would not have been asked to participate in the America's Cabinet had she not been elected to the Minnesota House, she did not attend this event to assist her in her performance of her duties as a legislator.
15. In 2017, the Omar committee paid \$232.20 for airfare so that Rep. Omar could be the keynote speaker at the National Immigrant Justice Center's annual Human Rights Awards luncheon and receive the Jeanne and Joseph Sullivan Award. While Rep. Omar would not have been the recipient of the award or the keynote speaker at the event had she not been elected to the Minnesota House, this event was a fundraising event for the National Immigrant Justice Center. Additionally, she did not attend this event to assist her in her performance of her duties as a legislator.
16. In 2017, the Omar committee paid \$207 for airfare so that Rep. Omar could be the keynote speaker at the African Network of Southwest Florida's Annual Gala. Rep. Omar was paid \$800 for her speech at the event. While Rep. Omar might not have been the keynote speaker at this event had she not been elected to the Minnesota House, she did not attend this event to assist her in the performance of her duties as a legislator.

Based on the above findings of fact, the Board makes the following:

Conclusions of law

1. The Omar committee's 2016 year-end report of receipts and expenditures did not include a description of the payment to the Kjellberg Law Office sufficient to justify that payment as a noncampaign disbursement as required by Minnesota Rules 4503.0900, subpart 3.
2. The Omar committee's 2016 pre-general report of receipts and expenditures did not include the Omar committee's debts of \$1,500 to Frederick & Rosen, Ltd. and \$750 to De Leon & Nestor, LLC, in violation of Minnesota Statutes section 10A.20, subdivision 3, paragraph (j), and subdivision 4.
3. The Omar committee has failed to meet its burden to prove, by a preponderance of the evidence, that the payment of \$1,500 to Frederick & Rosen, Ltd. was a permitted noncampaign disbursement under Minnesota Statutes section 211B.12.
4. The Omar committee made an in-kind contribution of \$337.40 in airfare to allow Rep. Omar to attend a campaign event in Boston for a local candidate in violation of Minnesota Statutes section 10A.27, subdivision 9, paragraph (d).
5. The Omar committee improperly paid the hotel costs for Rep. Omar's stay in Washington D.C. to give a speech and participate in an interview by a young woman for the Girl Up UN conference.
6. The Omar committee improperly paid the costs for Rep. Omar's travel to New York to attend a planning meeting for the America's Cabinet.
7. The Omar committee improperly paid the costs for Rep. Omar's travel to Chicago to accept an award at a fundraising luncheon for the National Immigrant Justice Center.
8. The Omar committee improperly paid \$207 for Rep. Omar's travel to Florida to receive an honorarium for attending the gala for the African Network of Southwest Florida in violation of Minnesota Statutes section 211B.12.

Based on the foregoing findings and conclusions, the Board issues the following:

Order

1. The Omar committee must file an amended 2016 pre-general report disclosing the amounts owed for immigration services and obtaining and reviewing the joint tax returns, and must fully describe the purpose of those expenses within ten days of the date of this order.

2. Rep. Omar must personally reimburse the Omar committee \$3,469.23. This reimbursement payment is the total amount of campaign funds that were used for purposes not permitted by statute in 2016 and 2017. Rep. Omar must provide documentation within 30 days from the date of this order showing the deposit of the reimbursement into the Omar committee's account.
3. A civil penalty of \$500 is assessed against Rep. Ilhan Omar personally for the \$207 payment in violation of Minnesota Statutes section 211B.12. Rep. Omar must personally pay the \$500 by check or money order made payable to the State of Minnesota. Payment must be within 30 days of the date of this order.
4. The Omar committee shall review its 2018 year-end reports of receipts and expenditures and make any amendments necessary to ensure that those reports comply with the findings of fact, conclusions of law, and order contained herein.
5. This order resolves the violations discussed above and all other violations that could have arisen out of the reports filed by the Omar committee.
6. The Board investigation of this matter is concluded and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.

/s/ Margaret Leppik
Margaret Leppik, Chair
Campaign Finance and Public Disclosure Board

Date: June 6, 2019