

**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 Board<sup>1</sup> 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.<sup>2</sup>

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

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<sup>1</sup> 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.

<sup>2</sup> 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. Drazkowski 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).<sup>3</sup>

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).<sup>4</sup>

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

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<sup>3</sup> 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.

<sup>4</sup> 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.<sup>5</sup> 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.

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<sup>5</sup> 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 24<sup>th</sup> 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 Deeqo 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 Officials<sup>6</sup> 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.<sup>7</sup> 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."<sup>8</sup> 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

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

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

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

attended the African Network of Southwest Florida's Annual Gala.<sup>9</sup> 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.<sup>10</sup> 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.

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<sup>9</sup> 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.

<sup>10</sup> [http://clerk.house.gov/public\\_disc/financial-pdfs/2018/10024006.pdf](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

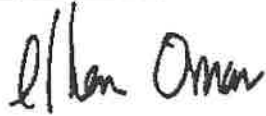


7. I have made the following efforts to locate the respondent: Looked for on Social media
8. I believe that it is not likely that respondent's location will become known to me, but there is reasonable possibility that mail will be forwarded or otherwise reach respondent if addressed as follows: No known address
9. This matter does not involve minor children or real estate.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: 8/2/2017

Signature:



Name: Ilhan Omar

Address: 2621 6<sup>th</sup> st

City/State/Zip: Minneapolis, MN 55454

Telephone: (612) 423-7558

E-mail address: Ilhanomar1@gmail.com

## Document 3

### Search Candidate

 ▼

## Omar, Ilhan House Committee - 17886

Login to Follow (<https://logon.cfb.mn.gov/sso/login?returnTo=https://cfb.mn.gov/reports-and-data/viewers/campaign-finance/candidates/17886/2018/>) ➔

Candidate Information

Financial Summary

Reports and Data

Officers & Contact Information

Economic Interest Statement

## 2017 Annual statement of economic interest

### Candidate: Omar, Ilhan

Period covered: This statement covers the time served as a public official in 2017.

Statement filed: 6/20/2018

Occupation: State Representative

Employer: State of Minnesota

230 State Capitol

Saint Paul, MN 55155

### Sources of income



Name of source	Relationship to source							
	Director	Officer	Owner	Member	Partner	Employer	Employee	Honorarium
ACCESS								✓
African Network of SW Florida								✓
CAIR Arizona								✓
CAIR Chicago								✓
CAIR-CA								✓
Institute for Social Policy and Understanding								✓
Inver Hills Community College								✓
ISPU								✓
MNSCU								✓
Muslim Legal Fund of America								✓
Ohio Wesleyan University								✓
State of Minnesota							✓	
United Way of Central Iowa								✓
VoteRunLead								✓

## Business or professional activity categories

Business or professional activity category	Engaged as employee	Engaged as contractor
Unclassified Establishments (unable to classify)		✓

## Securities

None reported

## Real property

None reported

## Pari-mutuel horse racing interests

None reported

## Document 4

EDITORIAL

# Ilhan Omar's credibility takes another hit

Tax return irregularities are just the latest misstep by the first-term congresswoman.

By Editorial Board Star Tribune | JUNE 11, 2019 — 5:55PM

U.S. Rep. Ilhan Omar is back in the news again, and not in a good way. The former state representative who won a seat in Congress last fall continues to be dogged by past missteps, this time eight violations of Minnesota campaign-finance law that will cost her nearly \$3,500 in reimbursements and civil penalties.

So complex were the allegations that the state Campaign Finance Board spent nearly a year assessing the case, deposing staff people and former staff people, along with Omar herself. The investigation was broadened in October — just a month before her election to Congress — to look more deeply into the allegations. Board Executive Director Jeff Sigurdson said that between six and eight people were deposed separately.

In an October 2018 editorial, we called on Omar to more fully explain her travel and other expenses. We [noted](http://www.startribune.com/omar-must-say-more-about-allegations/497299211/) (<http://www.startribune.com/omar-must-say-more-about-allegations/497299211/>) that the allegations “suggest a pattern of carelessness and/or self-dealing with legally restricted funds. Neither conclusion inspires the confidence voters deserve to have in someone they send to the U.S. House to represent them.”

It is even more disturbing, therefore, to learn that among the board's latest [findings](https://cfb.mn.gov/pdf/bdactions/1464_Findings.pdf?t=1560278298) ([https://cfb.mn.gov/pdf/bdactions/1464\\_Findings.pdf?t=1560278298](https://cfb.mn.gov/pdf/bdactions/1464_Findings.pdf?t=1560278298)) was a troubling discovery that is far beyond its jurisdiction, but worthy of greater scrutiny nevertheless. Omar, for two years running, filed [joint tax returns](http://www.startribune.com/rep-ilhan-omar-jointly-filed-tax-returns-prior-to-legal-marriage/511000692/?refresh=true) (<http://www.startribune.com/rep-ilhan-omar-jointly-filed-tax-returns-prior-to-legal-marriage/511000692/?refresh=true>) with a man she was living with but not legally married to. Complicating matters further, she was legally married to another man at the time.

It's against the law in Minnesota to file jointly unless one filer is legally married to the other. Last year Omar told the Star Tribune that she had married her partner “in her faith,” and had earlier divorced her first husband “in her faith.” That's fine for religious purposes. But for tax purposes, only civil marriages qualify. It's not known whether she benefited materially by filing jointly. That is something that voters, who are obliged to follow tax laws no matter how painful, are entitled to know.

It's not too much to expect that a lawmaker would check with a tax attorney on a rather complicated marital status before filing. And when [questions arise](https://www.mprnews.org/story/2019/06/11/ap-rep-omar-filed-joint-tax-returns-before-she-married-husband) (<https://www.mprnews.org/story/2019/06/11/ap-rep-omar-filed-joint-tax-returns-before-she-married-husband>), it's a violation to use campaign funds to clear up those personal issues, as Omar apparently did. The Campaign Finance Board has ordered that she reimburse her campaign \$3,469 for violations related to her tax returns and non-campaign travel costs. She must also pay a \$500 civil penalty.

Omar is no stranger to controversy. As a new state House member, she collected \$2,500 in [speaking fees](https://blogs.mprnews.org/capitol-view/2018/07/drazkowski-omars-speaking-fees-violate-house-policy/) (<https://blogs.mprnews.org/capitol-view/2018/07/drazkowski-omars-speaking-fees-violate-house-policy/>) — \$2,000 from Normandale Community College and \$500 from Inver Hills Community College — for appearances made shortly after she took office. Rep. Steve Drazkowski, R-Mazeppa, who publicly noted that state law prohibits legislators from collecting such fees from groups that have business before the Legislature, made that public, and Omar returned the money. Drazkowski also filed the latest complaint. “It's very clear there are huge ethical problems with Rep. Omar,” he told an editorial writer, adding that the House should consider an ethics investigation.

If this pattern continues, further investigation may be necessary. Omar could have avoided nearly every infraction by taking simple measures in advance to determine whether her actions would pass legal muster. In its findings, the board noted that



U.S. Rep. Ilhan Omar, D-Minn., listening to congressional testimony earlier this year.

Minnesota “House Research staff did explain that generally when they discuss whether a member can accept something of value, for example, travel and lodging reimbursement ... they discuss whether that would violate the gift prohibition,” but do not advise. “Rather, they commonly refer members to the Board. The Omar committee did not contact Board staff ... on the appropriateness of using committee funds for the travel reviewed in this investigation.”

Omar’s political rise has been marred by a series of unforced errors, including intemperate remarks and tweets earlier this year that were widely perceived as anti-Semitic. Every month seems to bring a fresh problem.

As an elected representative for Minnesota and one of the first Muslim women and Somali refugees elected to Congress, Omar is helping to break new ground. But more is expected of her than the symbolism attached to her victory. Omar has a special obligation to be worthy of the trust so many have placed in her, including many still-new Americans who expect better.

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HENNEPIN COUNTY		STATE OF MINNESOTA				CARTRIDGE NO <b>1002</b>	
DIRECTOR OF LICENSING		<b>MARRIAGE LICENSE APPLICATION</b> (YOU MUST PRINT IN BLACK INK) <b>LICENSE VALID FOR SIX MONTHS FROM DATE OF ISSUE - NO REFUNDS</b>				IMAGE NO <b>0568</b>	
<b>GROOM</b>	FULL LEGAL NAME		NAME (FIRST)	(MIDDLE)	(LAST)	SEX	
			Ahmed	Nur Said	Elmi	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	
	ADDRESS (NUMBER & STREET)		859 41 <sup>st</sup> Ave NE				
	CITY, VILLAGE OR TOWNSHIP		COUNTY	STATE	ZIP CODE	AGE	BIRTH DATE
		Columbia Heights	Anoka	MN	55421	23	4/4/85
HOW WAS LAST MARRIAGE TERMINATED?		COMPLETE DATE OF LAST TERMINATION		COUNTY, STATE & COURT OF TERMINATION		PREVIOUS MARRIED NAME	
<input type="checkbox"/> DEATH <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> ANNULMENT							
<b>BRIDE</b>	FULL LEGAL NAME		NAME (FIRST)	(MIDDLE)	(LAST)	SEX	
			Tilhan	Abdullahi	Omar	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	
	ADDRESS (NUMBER & STREET)		859 41 <sup>st</sup> Ave NE				
	CITY, VILLAGE OR TOWNSHIP		COUNTY	STATE	ZIP CODE	AGE	BIRTH DATE
		Columbia Heights	Anoka	MN	55421	24	10/04/82
HOW WAS LAST MARRIAGE TERMINATED?		COMPLETE DATE OF LAST TERMINATION		COUNTY, STATE & COURT OF TERMINATION		PREVIOUS MARRIED NAME	
<input type="checkbox"/> DEATH <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> ANNULMENT							
IF EITHER PARTY IS A MINOR, NAME AND ADDRESS OF THE MINOR'S PARENTS OR GUARDIAN							
ARE THE BRIDE AND GROOM RELATED TO EACH OTHER BY BLOOD OR ADOPTION?				IF YES STATE KINSHIP		STATE THE FULL NAME AND DATE OF BIRTH OF ANY CHILD OF WHICH BOTH PARTIES ARE PARENTS - BORN BEFORE THE MAKING OF THE APPLICATION UNLESS PARENTAL RIGHTS HAVE BEEN TERMINATED	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
COMPLETE ADDRESS OF BRIDE AND GROOM AFTER MARRIAGE				NAME		BIRTH DATE	
STREET: 859 41 <sup>st</sup> Ave NE							
CITY/STATE/ZIP: Columbia Heights, MN 55421							

Federal and State law requires that an applicant's social security number must be collected on the Marriage License Application. Title 42, US Code Sec 666 (a)(13)(A), MN Statutes, Section 144.223, and MN Statutes, Section 517.08, Subd. 1a(9)

Minnesota Statute 259.13, subdivision 1, requires a person who committed a felony crime under any law, on or after August 1, 2000, to serve a notice of application for a name change on the prosecuting authority for the crime when seeking a name change as a part of the marriage license. If the prosecuting authority is located in another state, the Attorney General must also be served. Minnesota Statute 259.115, provides that if a person who committed a felony crime under any law on or after August 1, 2000, uses a different surname after marriage than what was used before marriage, without complying with section 259.13, is guilty of a gross misdemeanor. Minnesota Statute 517.08, subdivision 1b, provides that if a person committed a felony crime under any law, on or after August 1, 2000, is applying for a marriage license, the court administrator shall either grant the marriage license without the requested name change or delay its granting until the person: (1) certifies that 30 days have passed since the notice of name change upon the prosecuting authority, and if applicable, the Attorney General, and no objections have been made; or (2) provides a certified copy of a court granting the name change. The parties seeking the marriage license have the choice of whether to have the license granted without the name change or to delay its granting pending further action on the name change request.

COMPLETE NAMES OF PARTIES AFTER MARRIAGE		LAST		FIRST	
FIRST	MIDDLE	LAST	AND	FIRST	LAST
Ahmed	Nur Said	Elmi	AND	Tilhan	Abdullahi
				Omar	
Does one or both of the parties have a felony conviction for a crime committed on or after August 1, 2000 under Minnesota law or the law of another state or federal jurisdiction? Bride <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, Jurisdiction _____ Groom <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, Jurisdiction _____					
If Bride or Groom has committed a felony crime under any law, on or after August 1, 2000, and is assuming a different surname after marriage, documents served on the prosecuting attorney and proof of service as required by Minnesota Statutes 259.13, 258.115, and 517.08 must be attached.					
Attach copy of all documents served including Proof of Service		Date of Service		Deputy Registrar	

I hereby solemnly swear that I have read and understood the statutes written above, and swear that I either have committed no felony crimes under any law, on or after August 1, 2000, or if I have committed a felony crime, that I have fully complied with the notice of name change as required by Minnesota statutes.

AND

I hereby solemnly swear, under penalty of perjury, that the all of the above statements of fact are true in every respect; that we are no nearer of kin than the first cousins once removed; that neither is committed to the guardianship or conservatorship of the Commissioner of Public Welfare without written consent of the Commissioner of Public Welfare; that there is no legal impediment to this marriage; that neither of us has a spouse living and one of the applicants is a man and the other is a woman.

x   
Groom's signature (must be signed in the presence of a Notary/Deputy)

  
Bride's signature (must be signed in the presence of a Notary/Deputy)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

12 DAY OF February, 2009

  
NOTARY/DEPUTY

DATE OF APPLICATION 2/12/09

SUBSCRIBED AND SWORN TO BEFORE ME THIS

12 DAY OF February, 2009

  
NOTARY/DEPUTY

DATE LICENSE ISSUED 2/12/09