August 31, 2021

Omar Ashmawy  
Chief Counsel  
Office of Congressional Ethics  
U.S. House of Representatives  
P.O. Box 895  
Washington, DC 20515-0895

Email: oce@mail.house.gov

Re: NLPC COMPLAINT AGAINST U.S. REPRESENTATIVE ILHAN OMAR FOR VIOLATING FINANCIAL DISCLOSURE RULES

Dear Mr. Ashmawy:

The National Legal and Policy Center (NLPC), a nonprofit organization dedicated to promoting ethics in government, hereby files this complaint with the Office of Congressional Ethics (OCE) to immediately investigate whether Representative Ilhan Omar failed to properly disclose assets and income in her 2019 and 2020 Financial Disclosure Reports (attached hereto) with respect to a book contract she entered into in 2019 and any royalties she may have received from the subsequent sale of the book beginning in May 2020 to December 31, 2020.

Representative Omar also appeared to grossly undervalue the partnership interest that her husband, Tim Mynett, owns in E Street Group, LLC, a lucrative political consulting group he founded, at only $1.00-$1,000, particularly when she reports his income up to $1,000,000 in Schedule A of her recently filed 2020 Financial Disclosure Report. Omar previously retained the E Street Group for her election campaign, but after NLPC filed a complaint with the Federal Election Commission in 2019, she terminated the contract in 2020.1

1 Greg Re, Fox News, Omar hit with FEC complaint, accused of paying alleged paramour’s travel expenses with campaign funds (Aug. 28, 2019).  
Associated Press, Rep. Omar terminates contract with husband’s consulting firm (Nov. 16, 2020)  
Finally, it appears that Omar failed to disclose any checking or savings accounts she and/or her husband may own as an Asset in Schedule A, which is required if the aggregate amount of those accounts exceed $5,000. While she did report that her and her husband’s four tax-deferred retirement accounts have a combined value of between $3,003 and $46,000, it strains credulity that neither she nor her husband or jointly have not met the $5,000 threshold in combined non-retirement accounts, particularly when she reports that her husband as receiving up to $1,000,000 in income from his lucrative consulting practice.

Representative Omar’s apparent disclosure omissions and misreporting violate House ethics rules, the Ethics in Government Act, and possibly 18 U.S.C. 1001, a felony with penalties up to five years in prison for making false statements in a matter before the legislative branch. There is clearly more than “reasonable cause to believe” that disclosure violations may have occurred sufficient for two Board Members of the OCE to at least vote to begin a “preliminary review” as provided in OCE rules. After such review, including the issuance of subpoenas, if necessary, the OCE should find “substantial reason to believe” the allegations are true, thereby authorizing the OCE to refer this matter to the House Committee on Standards of Official Conduct for further investigation and appropriate disciplinary action against Representative Omar and to the Justice Department if warranted.

1. Omission of Book Contract and Royalty Payments

Representative Omar was first elected to office in November 2018. On January 16, 2019, Forbes reported that she sold her memoir, *This is What America Looks Like*, in collaboration with Rebecca Paley, to Dey Street Books, part of HarperCollins US, estimated at between $100,000 and $250,000.² In May 2020, Omar’s book was published.³ However, neither Omar’s 2019 nor her 2020 Financial Disclosure Report (the latter recently filed on August 13, 2021) contain any information about the book deal or income or royalties received.⁴


⁴ Assets and unearned income are required to be reported in Schedule A and any earned income over $200 outside of a Member’s salary is required to be reported in Schedule C of the Financial Disclosure Reports. See attached reports.
The ethics rules specifically address book contracts and royalties: any contract for royalties must be first approved by the Committee on Standards of Official Conduct,\(^5\) and the advance payment of copyright royalties is flatly prohibited.\(^6\)

**Pre-approval of book contract.** With respect to the pre-approval of any book contract, it was reported that when the issue was raised last year when Omar’s book was published in May 2020, Omar’s communication director tweeted on May 23, 2020, that “her book was approved by the Ethics Committee months ago and the [filing] deadline was automatically extended for every Member of Congress due to COVID.”\(^7\) Thus, while it may seem at first blush that Omar complied with Rule XXV, Clause 3(a) with respect to pre-approval requirement, the tweet raises further questions. If the book contract was entered into in early January 2019 as reported, that would have been well over a year prior to the May 2020 tweet, not just some “months” ago.

If, however, her book contract was entered into after she was elected in November 2018 but before she was sworn into office on January 3, 2019, she would not need prior approval nor would she have been prevented from receiving an advance payment then, although the amount of the advance payment received before being sworn in would need to be reported in a New Filer report by a new Member as has been done by a few other Members who received an advance prior to being elected or sworn into office.

But since Rep. Omar apparently did obtain prior approval as a Member per the tweet from her communications director, that suggests her book contract was reportedly signed before January 16, 2019 as reported in Forbes, but after she was sworn into office on January 3, which

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\(^5\) House Rule XXV, Clause 3(b). A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive copyright royalties under a contract entered into on or after January 1, 1996, unless that contract is first approved by the Committee on Standards of Official Conduct as complying with the requirement of clause 4(d)(1)(E) (that royalties are received from an established publisher under usual and customary contractual terms). (Emphasis added).

\(^6\) House Rule XXV, Clause 3(a). A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive an advance payment on copyright royalties. This paragraph does not prohibit a literary agent, researcher, or other individual (other than an individual employed by the House or a relative of a Member, Delegate, Resident Commissioner, officer, or employee) working on behalf of a Member, Delegate, Resident Commissioner, officer, or employee with respect to a publication from receiving an advance payment of a copyright royalty directly from a publisher and solely for the benefit of that literary agent, researcher, or other individual. (Emphasis added).

leaves, at most, only eight business days for her to submit the proposed contract to the Ethics Committee for their review to ensure it meets the rule’s requirements;\(^8\) receive the committee’s approval; and then have the contract signed by the parties to become legally binding, an unusually expedited procedure.

In order to ensure that the ethics rules have been complied with and that there is full transparency, NLPC requests that the OCE obtain a copy of the book contract with Dey Street Books to determine the terms of any advance payment and royalty payments as well as any communications between Omar and the Ethics Committee regarding submission and approval of her book contract.

In addition, NLPC requests that OCE should obtain any agreement Rep. Omar had with her literary agent Seve Ross of the Steve Ross Agency, and her collaborator, Jessica Paley. It was also reported that Hurst would be publishing her book in the UK on May 28, 2020, which acquired rights from HarperCollins, and that contract should be obtained as well.\(^9\) If Omar does not voluntarily provide those documents to the OCE, they should be subpoenaed.

**Royalties.** Assuming that Omar did receive prior approval of her book contract, the question remains, what did she do with any advance royalty payment of the estimated $100,000 to $250,000? Under the rules, Omar is flatly prohibited from receiving any advance payments as a Member, although her agent Steve Ross and her collaborator, Rebecca, could legally receive their agreed upon shares of any advance payment *not* from Rep. Omar, but only directly from the publisher under Rule XXV, Clause 3(a.).\(^10\) Thus, while Omar’s failure to report receiving any advance payment on its face may appear to comply with the rule prohibiting the

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\(^8\) House Ethics Manual at 224-25 provides:

In determining whether the terms of a proposed contract are usual and customary ones, the Committee requires representations from the publisher as to the contract terms that it offers to similarly situated authors and whether the terms offered to the Member or employee differ in any way from its standard terms. In reviewing contract terms, the Committee considers, among other terms, those that benefit the author, including the royalty rates, any provision that entitles the author to copies of the book either without charge or at a reduced price, and any provision for a book tour sponsored by the publisher.


\(^10\) See note 6, *supra.*
receipt of any advance payment, it strains credulity that Rep. Omar has received no royalties or other thing of value from the sale of her book from May 2020 to December 31, 2020.

A typical royalty contract with a publisher provides for an advance of royalties, with the author receiving additional royalties once the per book royalty exceeds the amount of the book advance.\(^1\) The average royalty that an author receives for a hardcover book is 15%. Rep. Omar’s book in hardcover sells for approximately $15.00. Accordingly, it is reasonable to assume that Omar is receiving approximately $2.25 per book. If her book, touted by Speaker Pelosi and others, sold at least 100 copies in 2020, Omar would have earned $225.00 in royalties, which is greater than the $200 threshold to report outside income on Schedule A.

So even if she did not receive any of the book advance in the $100,000 to $250,000 range as reported, the contract may have provided that only her agent and collaborator would receive any upfront payments directly from the publisher, leaving Omar with receiving only the per book royalty payment, which she should report if it exceeds $200.

But then again, if the book contract provided that she would not receive any payment whatsoever until sales of the book exceeded any book advance paid to her agent and collaborator, then that scenario can be verified by comparing the book contract terms with the sales figures of the book. In any event, the book contract itself is an Asset that should be reported as such on Schedule A with the code “IP” for Intellectual Property even if Omar has yet to realize any payments pursuant to the terms of the book contract.

In short, it is clear that at a minimum, the OCE must initiate a preliminary investigation into this matter.

2. Under Valuating her Husband’s Partnership Interest in E Street Group LLC

In addition to failing to report anything about her book deal, Omar appears to have substantially undervalued the Asset of her husband’s business, the E Street Group LLC, a political consulting group based in Washington, D.C., that her husband Timothy Mynett founded and appears to be one of two partners who own and operate the LLC.\(^2\) The consulting

\(^1\) See Book Royalties 101: How They Work [https://scribemedia.com/book-royalties/]

\(^2\) According to Opencorporates, the Directors/Officers are listed as follows:

Hailer, William, executing officer
Hailer, William, governor
Hailer, William R, governor
Mynett, Timm, executing officer
Mynett, Timm, governor
Mynett, Timothy M, executing officer
side of the business received almost $3 million in consulting fees from Omar’s campaign before she terminated the relationship in late 2020.\(^{13}\)

She lists the value of her husband’s share in the partnership in Schedule A of her 2020 report as less than $1,000, yet reports that his income is in the $100,000 to $1,000,000 range. Besides being a political consulting company, The E Street Group LLC also owns and operates a marketing and brand strategy agency. [https://estreetgroup.com](https://estreetgroup.com). Surely, Mr. Mynett’s partner would buy his share out at more than $1,000 if it generates between $100,000 to $1,000,000 in income.

Accordingly, the OCE should conduct a preliminary investigation into the value of the listed Asset to determine if, as it appears, it was undervalued and misreported by Rep. Omar.

3. **Omission of Listing Any Checking or Savings Accounts in Schedule A**

As previously noted, it appears that Rep. Omar failed to disclose any checking or savings accounts she and/or her husband may own as an Asset in Schedule A, which is required if the aggregate amount of those accounts exceed $5,000.

While she did report that her and her husband’s four tax-deferred retirement accounts have a combined value of between $3,003 and $46,000, it strains credulity that neither she nor her husband or jointly have not met the $5,000 threshold in combined non-retirement checking, savings, and other accounts, particularly when she reports that her husband as receiving up to $1,000,000 in income from his lucrative consulting practice.

According, the OCE should conduct a preliminary investigation into whether this asset should have been disclosed or are there other reportable assets that are missing from her disclosure reports.

\[^{13}\text{OpenSecrets.org. Vendor/Recipient: E Street Group.}\]


Mynett, Timothy M, governor
Timothy M. Mynett, agent
[https://opencorporates.com/companies/us_dc/EXTUID_4219016](https://opencorporates.com/companies/us_dc/EXTUID_4219016)


Conclusion

NLPC respectfully requests that the Office of Congressional Ethics find that there is "reasonable cause to believe" that disclosure violations may have occurred sufficient for two Board Members of the OCE to at least vote to begin a "preliminary review" as provided in OCE rules. After such review, including the issuance of subpoenas, if necessary, the OCE should find "substantial reason to believe" the allegations are true, thereby authorizing the OCE to refer this matter to the House Committee on Standards of Official Conduct for appropriate disciplinary action against Representative Omar and to the Justice Department if warranted.

To the best of my knowledge and ability, all evidence submitted was not obtained in violation of any law, rule, or regulation. Further, I am aware that the 18 U.S.C. 1001, applies to information submitted to the Office of Congressional Ethics.

Respectfully submitted,

\[Signature\]

Paul D. Kamenar, Esq.
Counsel to National Legal and Policy Center

1629 K Street, N.W.
Suite 300
Washington, D.C. 20006
(301) 257-9435

**FINANCIAL DISCLOSURE REPORT**

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

**FILER INFORMATION**

Name: Hon. Ilhan Omar  
Status: Member  
State/District: MN05

**FILING INFORMATION**

Filing Type: Annual Report  
Filing Year: 2020  
Filing Date: 08/13/2021

**Schedule A: Assets and "Unearned" Income**

<table>
<thead>
<tr>
<th>Asset</th>
<th>Owner</th>
<th>Value of Asset</th>
<th>Income Type(s)</th>
<th>Income</th>
<th>Tx. &gt; $1,000?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ameriprise Retirement SEP IRA ⇒ Ameriprise Insured Money Market [BA]</td>
<td>SP</td>
<td>$1 - $1,000</td>
<td>Tax-Deferred</td>
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<tr>
<td>Ameriprise Retirement SEP IRA ⇒ MFS Global Equity Fund Class C (MWECX) [MF]</td>
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<td>Tax-Deferred</td>
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<tr>
<td>Ameriprise Retirement IRA ⇒ Ameriprise Insured Money Market [BA]</td>
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<td>$1,001 - $15,000</td>
<td>Tax-Deferred</td>
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<tr>
<td>E Street Group [OL]</td>
<td>SP</td>
<td>$1 - $1,000</td>
<td>Partnership Income</td>
<td>$100,001 - $1,000,000</td>
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</tr>
</tbody>
</table>

**LOCATION:** Washington, DC, US  
**DESCRIPTION:** Fundraising consulting services in Washington, DC.

**Schedule B: Transactions**

*Asset class details available at the bottom of this form. For the complete list of asset type abbreviations, please visit [https://fd.house.gov/reference/asset-type-codes.aspx](https://fd.house.gov/reference/asset-type-codes.aspx).*
None disclosed.

**Schedule C: Earned Income**
None disclosed.

**Schedule D: Liabilities**

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<tr>
<th>Owner</th>
<th>Creditor</th>
<th>Date Incurred</th>
<th>Type</th>
<th>Amount of Liability</th>
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<tbody>
<tr>
<td></td>
<td>Nelnet Loan Services Inc</td>
<td>October 2005</td>
<td>Student Loans</td>
<td>$15,001 - $50,000</td>
</tr>
<tr>
<td>SP</td>
<td>Chase Bank</td>
<td>August 2019</td>
<td>Credit Card</td>
<td>$10,000 - $15,000</td>
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**Schedule E: Positions**
None disclosed.

**Schedule F: Agreements**

<table>
<thead>
<tr>
<th>Date</th>
<th>Parties To</th>
<th>Terms of Agreement</th>
</tr>
</thead>
</table>

**Schedule G: Gifts**
None disclosed.

**Schedule H: Travel Payments and Reimbursements**
None disclosed.

**Schedule I: Payments Made to Charity in Lieu of Honoraria**
None disclosed.

**Schedule A and B Asset Class Details**

- Ameriprise Retirement SEP IRA (Owner: SP)
- Ameriprise Retirement IRA (Owner: SP)
- Minnesota State Retirement System

**Exclusions of Spouse, Dependent, or Trust Information**

**IPO**: Did you purchase any shares that were allocated as a part of an Initial Public Offering?
- Yes ( ) No ( )
**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: Hon. Ilhan Omar, 08/13/2021
FILER INFORMATION
Name: Hon. Ilhan Omar
Status: Member
State/District: MN05

FILING INFORMATION
Filing Type: Annual Report
Filing Year: 2019
Filing Date: 08/13/2020

SCHEDULE A: ASSETS AND "UNEARNED" INCOME

<table>
<thead>
<tr>
<th>Asset</th>
<th>Owner</th>
<th>Value of Asset</th>
<th>Income Type(s)</th>
<th>Income</th>
<th>Tx. &gt; $1,000?</th>
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</thead>
<tbody>
<tr>
<td>Minnesota State Retirement System</td>
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<td>$1,001 - $15,000</td>
<td>Tax-Deferred</td>
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<td></td>
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<tr>
<td>Minnesota Target Retirement 2050 [MF]</td>
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</tbody>
</table>

* Asset class details available at the bottom of this form. For the complete list of asset type abbreviations, please visit https://fd.house.gov/reference/asset-type-codes.aspx.

SCHEDULE B: TRANSACTIONS
None disclosed.

SCHEDULE C: EARNED INCOME
None disclosed.

SCHEDULE D: LIABILITIES

<table>
<thead>
<tr>
<th>Owner Creditor</th>
<th>Date Incurred</th>
<th>Type</th>
<th>Amount of Liability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nelnet Loan Services Inc</td>
<td>October 2005</td>
<td>Student Loans</td>
<td>$15,001 - $50,000</td>
</tr>
</tbody>
</table>

SCHEDULE E: POSITIONS
Position |
---|
State Representative |
Name of Organization |
State of Minnesota |

**Schedule F: Agreements**

<table>
<thead>
<tr>
<th>Date</th>
<th>Parties To</th>
<th>Terms of Agreement</th>
</tr>
</thead>
</table>

**Schedule G: Gifts**

None disclosed.

**Schedule H: Travel Payments and Reimbursements**

<table>
<thead>
<tr>
<th>Source</th>
<th>Start Date</th>
<th>End Date</th>
<th>Itinerary</th>
<th>Days at Own Exp.</th>
<th>Lodging?</th>
<th>Food?</th>
<th>Family?</th>
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<tbody>
<tr>
<td>Ribat al Faith Association</td>
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<td>10/13/2019</td>
<td>Washington, DC, Rabat, Morocco, Dakhla, Morocco, Marrakech, Morocco, Washington, DC</td>
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<td>✓</td>
<td>✓</td>
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</table>

**Schedule I: Payments Made to Charity in Lieu of Honoraria**

None disclosed.

**Schedule A and B Asset Class Details**

- Minnesota State Retirement System

**Exclusions of Spouse, Dependent, or Trust Information**

**IPO:** Did you purchase any shares that were allocated as a part of an Initial Public Offering?
- Yes ☑ No

**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: Hon. Ilhan Omar, 08/13/2020