

July 2, 2024

Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, DC 20515-0895
Via email: oce@mail.house.gov

RE: ETHICS COMPLAINT AGAINST REPRESENTATIVE ILHAN OMAR

The American Accountability Foundation is writing today to request that you immediately open an investigation of Representative Ilhan Omar for likely violations of the Federal Elections Campaign Act ("FECA").

Specifically, on or about June 30, 2024, Rep. Omar's campaign committee ("Committee") held a rally led by the former Prime Minister of Somalia Hassan Ali Khaire and attended in-person campaign events.¹ Mr. Khaire participated in a campaign event for Rep. Omar, engaged in domestic federal electoral activities, and provided services to her Committee that appear to be compensated by a prohibited source.

BACKGROUND

On June 29, 2024, Hassan Ali Khaire appeared at a campaign rally in Minnesota to promote Rep. Omar ahead of her August 13, 2024, primary election. Mr. Khaire is a foreign national and former Prime Minister of Somalia. Mr. Khaire delivered a campaign speech for Rep. Omar, encouraging attendees at the event to support Rep. Omar and, most importantly, stating, "I am asking that you support and give money to Ilhan's campaign."²

¹ @DrCarro, X.com (June 30, 2024, 12:22 PM), <https://x.com/DrCaaro/status/1807464729188708411> at 39 seconds

² Bill Glahn, *Dual loyalties, double standards in Minneapolis politics*, American Experiment, <https://www.americanexperiment.org/dual-loyalties-double-standards-in-minneapolis-politics/>.



As reporting shows, Mr. Khaire appeared in front of a banner emblazoned with Rep. Omar’s campaign logo and solicited donations for her campaign.³



Mr. Khaire went on to say, “Support her with your votes, tell your neighbors and friends, and anyone you know to come out and support Ilhan Omar...and knock on every door you can so that she can be re-elected.”

Reporting indicates that Mr. Khaire was brought to the United States by the group Ka Joog as part of a Somali Independence Celebration.⁴ As government records show, Ka Joog is a non-profit corporation headquartered in Rep. Omar’s state.⁵

POSSIBLE VIOLATIONS OF THE FEDERAL ELECTION CAMPAIGNS ACT

Federal Election Commission's (“FEC”) guidance on foreign national’s participation in federal elections states that:

³ @Breaking911, X.com (June 30, 2024, 2:06 PM), <https://x.com/breaking911/status/1807475707330564384?s=46>.

⁴ Former PM Hassan Khaire Headlines 2024 Somali Week Festival, Friday, June 28th 2024, <https://southeast.newschannelnebraska.com/story/50965512/former-pm-hassan-khaire-headlines-2024-somali-week-festival>

⁵ Ka Joog, Form 990 (2020), https://apps.irs.gov/pub/epostcard/cor/392073475_202107_990_2023060521374480.pdf.



Contributions, donations, expenditures (including independent expenditures), and disbursements solicited, directed, received, or made directly or indirectly by or from foreign nationals in connection with any federal, state, or local election are prohibited.

Evidence exists to provide a reasonable basis that at least two FECA violations occurred in connection with Mr. Khaire's activities at Rep. Omar's campaign events.

Rep. Omar knowingly accepted Mr. Khaire's services at her campaign events, which went beyond the limited volunteer services permitted by a foreign national and involved impermissible decision-making.

FECA prohibits knowingly soliciting, accepting, or receiving contributions or donations from foreign nationals.⁶ While the FEC does provide a limited number of exceptions for a foreign national to participate in a federal election,⁷ the FEC prohibits foreign nationals' decisions involving election-related activities.⁸

Such participation in decisions includes directing, dictating, controlling, or directly or indirectly participating "in the decision-making process of ...political committee...with regard to such person's Federal...election-related activities, such as decisions...contributions, donations, expenditures, or disbursements in connection with elections for any Federal, State, or local office or decisions concerning the administration of a political committee."⁹

The FEC has provided guidance that uncompensated individuals may participate in fundraising solicitation;¹⁰ however, the activities engaged in by Rep. Omar and Mr. Khaire on or about June 30, 2024, provide a reasonable

⁶ 11 CFR 11.20(4).

⁷ Federal Election Commission, Advisory Opinion 2014-20 (Make Your Laws PAC, Inc.) (Concluding in part that foreign nationals may provide volunteer services provided they originate from the foreign national and are consistent with the Act's volunteer services exceptions.)

⁸ 11 CFR 110.20(i).

⁹ *Id.*

¹⁰ Federal Election Commission, Advisory Opinion 2004-26 (Weller) (Concluding that an uncompensated foreign national may engage in certain limited volunteer campaign activities, provided they do not receive any compensation or decision-making activities).



basis to extend to prohibited decision-making. This is because of the particularity in which Mr. Khaire—specifically, a get-out-the-vote and canvassing operation led by the Committee that held the event.

Further, and as described in greater detail below, Mr. Khaire’s services must have been provided without compensation to be permissible as a volunteer foreign national under FECA.¹¹ However, reporting has stated that his trip to Minneapolis was sponsored by a nonprofit corporation, which indicates that a prohibited third party compensated him for his services to the Committee.

Rep. Omar appears to have knowingly accepted services from a prohibited source when she had Mr. Khaire assist her Committee’s primary election.

Under the FECA, corporations, including nonprofit corporations, are prohibited from contributing to federal candidates and political committees, and candidates are prohibited from accepting contributions from prohibited sources.¹² A contribution is the transfer of anything of value, including providing services, with the purpose of influencing a federal election.¹³

Reporting indicates that the nonprofit corporation Ka Joog sponsored Mr. Khaire to the United States as part of a Somali Independence Celebration event.¹⁴ As a foreign national, Mr. Khaire may only engage in limited uncompensated volunteer activities. However, it appears that his trip and activities therein were not uncompensated, as the nonprofit corporation likely hosted his travel, lodging, and other incidental expenditures.¹⁵

While ostensibly a celebration of Somalia’s independence, a portion of the event was used by Rep. Omar’s Committee to campaign for reelection. Video recordings show Rep. Omar standing just to Mr. Khaire’s left as he delivered remarks supporting her campaign, with an Omar for Congress campaign banner as a backdrop and a gathering of community leaders.

¹¹ See *Id.*

¹² See 11 C.F.R 114.2; see also 11 C.F.R 114.2(d).

¹³ 11 C.F.R. § 100.52(d).

¹⁴ *Ibid.*, “Former PM Hassan Khaire Headlines”

¹⁵ *Ibid.*



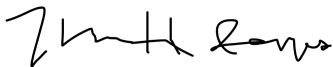
Accordingly, Rep. Omar's acceptance of Mr. Khaire's providing his campaign services indicates that Rep. Omar knowingly accepted a corporate contribution associated with Mr. Khaire's travel and lodging costs to galvanize an important constituency ahead of her August primary election.

CONCLUSION

Mr. Khaire is an extremely popular figure among the Somali diaspora, which is a significant and powerful constituency in Rep. Omar's district. Mr. Khaire's endorsement, solicitation of campaign contributions, and apparent decision-making assistance to Rep. Omar's campaign at a widely attended Somali Independence Day event in front of countless voters are sufficient to find a reason that Rep. Omar and her Committee may have violated FECA by accepting services from Mr. Khaire and a contribution from a prohibited source.

For all the reasons outlined above, the American Accountability Foundation urges the Office of Congressional Ethics to open an investigation into apparent violations of FECA associated with Mr. Khaire's campaigning activities with Rep. Omar and her Committee.

Sincerely,



Thomas H. Jones
Founder

