

CONFIDENTIAL

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

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

REPORT

Review No. 22-8546

The Board of the Office of Congressional Ethics (hereafter “the Board”), by a vote of no less than four members, on June 17, 2022, adopted the following report and ordered it to be transmitted to the Committee on Ethics of the United States House of Representatives (hereafter “the Committee”).

SUBJECT: Rep. Alexandria Ocasio-Cortez

NATURE OF THE ALLEGED VIOLATION: Representative Alexandria Ocasio-Cortez may have accepted impermissible gifts associated with her attendance at the Met Gala in 2021. If Rep. Ocasio-Cortez accepted impermissible gifts, then she may have violated House rules, standards of conduct, and federal law.

RECOMMENDATION: The Board recommends that the Committee further review the above allegation concerning Rep. Ocasio-Cortez because there is substantial reason to believe that she accepted impermissible gifts associated with her attendance at the Met Gala in 2021.

VOTES IN THE AFFIRMATIVE: 5

VOTES IN THE NEGATIVE: 0

ABSTENTIONS: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE: Omar S. Ashmawy, Staff Director & Chief Counsel.

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FINDINGS OF FACT AND CITATIONS TO LAW

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UNITED STATES HOUSE OF REPRESENTATIVES

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 22-8546

On June 17, 2022, the Board of the Office of Congressional Ethics (hereafter “the Board”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

A. Summary of Allegations

1. Representative Alexandria Ocasio-Cortez may have accepted impermissible gifts associated with her attendance at the Met Gala in 2021. If Rep. Ocasio-Cortez accepted impermissible gifts, then she may have violated House rules, standards of conduct, and federal law.
2. The Board recommends that the Committee on Ethics of the United States House of Representatives (“Committee”) further review the above allegation concerning Rep. Ocasio-Cortez because there is substantial reason to believe that she accepted impermissible gifts associated with her attendance at the Met Gala in 2021.

B. Jurisdictional Statement

3. The allegations that were the subject of this review concern Rep. Ocasio-Cortez, a Member of the United States House of Representatives from the Fourteenth District of New York. The Resolution the United States House of Representatives adopted creating the Office of Congressional Ethics (“OCE”) directs that, “[n]o review shall be undertaken ... by the [B]oard of any alleged violation that occurred before the date of adoption of this resolution.”¹ The House adopted this Resolution on March 11, 2008. Because the conduct under review occurred after March 11, 2008, review by the Board is in accordance with the Resolution.

C. Procedural History

4. The OCE received a written request for a preliminary review in this matter signed by at least two members of the Board on February 18, 2022. The preliminary review commenced on February 19, 2022.²
5. On March 1, 2022, the OCE notified Rep. Ocasio-Cortez of the initiation of the preliminary review, provided her with a statement of the nature of the review, notified her of her right to

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

² A preliminary review is “requested” in writing by members of the Board of the OCE. The request for a preliminary review is received by the OCE on a date certain. According to the Resolution, the timeframe for conducting a preliminary review is 30 days from the date of receipt of the Board’s request.

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6. At least three members of the Board voted to initiate a second-phase review in this matter on March 18, 2022. The second-phase review commenced on March 21, 2022.⁴ The second-phase review was scheduled to end on May 4, 2022.
7. On March 21, 2022, the OCE notified Rep. Ocasio-Cortez of the initiation of the second-phase review in this matter, and again notified her of her right to be represented by counsel in this matter, and that invoking that right would not be held negatively against her.⁵
8. The Board voted to extend the second-phase review by an additional period of fourteen days on April 19, 2022. The additional period ended on May 18, 2022.
9. The Board voted to refer the matter to the Committee for further review and adopted these findings on June 17, 2022.
10. The report and its findings in this matter were transmitted to the Committee on June 23, 2022.

D. Summary of Investigative Activity

11. The OCE requested documentary and in some cases testimonial information from the following sources:

- (1) Rep. Ocasio-Cortez;
- (2) Campaign Staffer;
- (3) Aurora James;
- (4) Brother Vellies;
- (5) Janna Pea;
- (6) Mejuri, Inc.;
- (7) The Metropolitan Museum of Art;
- (8) Advance Magazine Publishers, Inc., d/b/a Condé Nast;
- (9) Met Gala Organizer; and
- (10) Stylist 1.

³ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Ocasio-Cortez (Feb. 22, 2022). Since the review commenced on Saturday February 19, 2022 and because February 21, 2022 was a federal holiday, the OCE initially contacted Rep. Ocasio-Cortez's staff on the morning of Tuesday, February 22, 2022. See Emails between Indhira Benitez, Investigative Counsel, Office of Cong. Ethics, and Gerardo Bonilla Chavez, Chief of Staff to Rep. Ocasio-Cortez (Feb. 22, 2022 - Mar. 1, 2022). In that initial communication, the OCE noted that it had a confidential communication for Rep. Ocasio-Cortez and sought the opportunity to speak to her directly regarding the matter. *Id.* Despite several follow up communications to her Chief of Staff during the week of February 22, 2022, the OCE was not provided with an opportunity to speak with Rep. Ocasio-Cortez. Accordingly, the OCE hand-delivered notice of the review to Rep. Ocasio-Cortez's office on March 1, 2022. *Id.*

⁴ According to the Resolution, the Board must vote (as opposed to make a written authorization) on whether to conduct a second-phase review in a matter before the expiration of the 30-day preliminary review. If the Board votes for a second phase, the second phase commences the day after the preliminary review ends.

⁵ Letter from Omar S. Ashmawy, Chief Counsel and Staff Dir., Office of Cong. Ethics, to Rep. Ocasio-Cortez (Mar. 21, 2022).

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12. The following individuals and entities refused to cooperate with the OCE's review:

- (1) Aurora James;
- (2) Brother Vellies; and
- (3) Janna Pea.

II. REP. OCASIO-CORTEZ MAY HAVE ACCEPTED IMPERMISSIBLE GIFTS

A. Applicable Law, Rules, and Standards of Conduct

13. Federal Statutes

Under 5 U.S.C. § 7353(a), “no Member of Congress . . . shall solicit or accept anything of value from a person— (1) seeking official action from, doing business with, or (in the case of executive branch officers and employees) conducting activities regulated by, the individual’s employing entity; or (2) whose interests may be substantially affected by the performance or nonperformance of the individual’s official duties.”⁶

14. House Rules

House Rule XXIII, clause 4 states that “[a] Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept gifts except as provided by clause 5 of Rule XXV.”⁷

Under House Rule XXV, clause 5 “the term ‘gift’ means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.”

House Rule XXV, clause 5(a)(1)(A) states: “(i) A Member . . . of the House may not knowingly accept a gift except as provided in this clause. (ii) A Member . . . of the House may not knowingly accept a gift from a registered lobbyist or agent of a foreign principal or from a private entity

⁶ In *In the Matter of Rep. Charles B. Rangel*, 111th Cong., 2nd Sess. (Nov. 29, 2010) at 114, the Committee outlined what constitutes solicitation or acceptance under 5 U.S.C. § 7353, emphasizing that the prohibition has three components: “(1) a solicitation or acceptance; (2) of anything of value; (3) from a person seeking official action from the House or whose interests may be substantially affected by the performance or nonperformance of the individual’s official duties.” With respect to the third prong, the Committee emphasized its breadth by explaining: “the relevant inquiry is whether the person solicited had an interest in affecting the legislative process. In some instances, that will be reflected by lobbying on particular pieces of legislation. In other instances, there might be a request for a Member to intervene with a government agency. But it also includes recognizing the fact that most entities, including multi-national corporations and large foundations, will always have some interest in matters within the ambit of Congress. The performance or nonperformance of a Member’s official duties can affect the interests of those entities, and that effect can be substantial.” *Id.* at 117.

⁷ While House Rule 25 outlines the House’s gift rules, as discussed more fully below, the Committee released online gift rule guidance that provides details and examples on how House Rule 25 should be interpreted. *See infra*. Accordingly, the OCE primarily references the Gift Guidance below.

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that retains or employs registered lobbyists or agents of a foreign principal except as provided in subparagraph (3) of this paragraph.”

Pursuant to Rule XXV, clause 5(a)(3): “The restrictions of [House Rule XXV, clause 5(a)(1)] do not apply to the following . . . (Q) free attendance at an event permitted under [House Rule XXV, clause 5(a)(4)].”

Pursuant to House Rule XXV, clause 5(a)(4)(C): “A Member . . . of the House, or the spouse or dependent thereof, may accept a sponsor’s unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event unless— (i) all of the net proceeds of the event are for the benefit of an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; (ii) reimbursement for the transportation and lodging in connection with the event is paid by such organization; and (iii) the offer of free attendance at the event is made by such organization.”

15. House Gift Guidance⁸ and Committee Precedent

Consistent with House Rules, the Committee’s Gift Guidance defines a gift in a broad manner: “[a] gift is something with monetary value for which you do not have to pay.”⁹

Regarding valuation of gifts, the Committee’s Gift Guidance indicates that “[t]angible gifts are generally valued at the item’s fair market value, even if the item is not typically for sale. Fair market value is the item’s retail price, not the wholesale price, or the reasonable estimate of an item’s cost if it were available for sale.”¹⁰

*The House Gift Guidance explains that, “[t]he Gift Rule starts with the premise that you may not accept a gift **unless** it meets an exception to the Gift Rule.”¹¹ The Gift Guidance outlines several permissible gift exceptions, including an exception for charitable events.*

Under the charitable events exception, “[y]ou may accept an unsolicited offer of free attendance for a charity fundraising event for you and a spouse or dependent child. ‘Free attendance’ includes all or part of the cost of admission; local transportation to and from the event; and the food, refreshments, entertainment, and instructional materials provided to all event

⁸ In a December 31, 2020 Press Release, the Committee announced that it “ha[d] been working to update . . . the Travel and Gifts sections of the Ethics Manual” and that updated travel and gifts guidance provided by the Committee online now “supersede[s] the corresponding chapters in the *2008 House Ethics Manual*.” Press Release, House Committee on Ethics, Statement of the Chairman and Ranking Member of the Committee on Ethics Regarding Modernization of the Committee’s Website, Ethics Manual Updates, Revised Travel Regulations, and Revised Foreign Gifts and Decorations Act Regulations (Dec. 31, 2020). Accordingly, the OCE draws relevant gift rule guidance from the superseding materials provided by the Committee online at <https://ethics.house.gov/house-ethics-manual/gifts>.

⁹ *Gift Guidance*, House Ethics Committee, <https://ethics.house.gov/house-ethics-manual/gifts> (“House Gift Guidance”) (citing House Rule XXV). The guidance goes on to explain that “[g]ifts include gratuities, favors, discounts, entertainment, hospitality, loans, forbearances, services, training, travel expenses, in-kind contributions, advanced payments, and reimbursements after the fact.” *Id.*

¹⁰ House Gift Guidance.

¹¹ *Id.*

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended attendees. Free attendance does not include entertainment collateral to the event or food and refreshments outside the group setting of the event, such as giveaways.”¹²

“A charity fundraising event must meet the following criteria.

- You are invited by the event organizer directly, and
 - The event organizer is the organization(s) doing the work to put the event on, not a monetary event sponsor or table sponsor.
- The event’s primary purpose must be to raise funds to benefit an organization qualified under § 170(c) of the Internal Revenue Code.
 - The primary purpose is usually met if at least half of the proceeds are tax-deductible charitable contributions.”¹³

House Gift Guidance elaborates on the meaning of event organizers and sponsors, explaining in a footnote that “[e]vent organizer’ and ‘event sponsor,’ as those terms relate to events, mean ‘the person, entity, or entities that are primarily responsible for organizing the event. ... [T]here may be more than one event organizer if those entities ‘play[] significant, active role[s] in organizing the event in a manner that is roughly comparable’ to another event organizer or sponsor.”¹⁴

B. Background on the Met Gala and Rep. Ocasio-Cortez’s Attendance

16. The Metropolitan Museum of Art (“the Met”) hosts an annual Costume Institute Benefit (commonly known as the “Met Gala”) in order to raise funds the museum’s Costume Institute.¹⁵ The Costume Institute is a collection of “more than thirty-three thousand objects represent[ing] seven centuries of fashionable dress and accessories for men, women, and children, from the fifteenth century to the present.”¹⁶ The Met Gala “provides The Costume Institute with its primary source of annual funding for exhibitions, publications, acquisitions, operations, and capital improvements.”¹⁷
17. Condé Nast, which identifies itself as “a global media company that produces some of the world’s leading print, digital, video and social brands,” including Vogue,¹⁸ “partners with the [Met] in the organization and execution of the [annual Met Gala].”¹⁹ Anna Wintour, who is the Global Chief Content Officer for Condé Nast, Global Editorial Director of Vogue,²⁰ a

¹² *Id.* (footnotes omitted).

¹³ *Id.* (footnotes omitted).

¹⁴ *Id.*

¹⁵ See e.g., 2021 Met Gala Announcement (Exhibit 1 at 22-8546_0002).

¹⁶ The Met, *The Costume Institute*, <https://www.metmuseum.org/about-the-met/collection-areas/the-costume%20institute#:~:text=The%20Costume%20Institute's%20collection%20of,fifteenth%20century%20to%20he%20present> (last visited June 7, 2022).

¹⁷ 2021 Met Gala Announcement (Exhibit 1 at 22-8546_0002).

¹⁸ Condé Nast, *About*, <https://www.condenast.com/about> (last visited June 7, 2022).

¹⁹ Condé Nast Declaration Regarding Met Gala Activities (Exhibit 2 at 22-8546_0007).

²⁰ Press Release, Condé Nast, *Condé Nast unveils new global content strategy* (Dec. 15, 2020).

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Met Trustee,²¹ and a Chair of the annual Met Gala,²² is meaningfully involved with Met Gala planning and invitations.

18. Rep. Ocasio-Cortez was invited to the Met Gala in 2019, 2020, and 2021. She could not attend in 2019 and the 2020 Met Gala was cancelled due to the COVID-19 pandemic; however, Rep. Ocasio-Cortez attended the Met Gala in 2021 along with her partner, Riley Roberts. As discussed more fully below, Rep. Ocasio-Cortez received a series of goods and services which she did not pay for until the OCE opened this review.

C. Rep. Ocasio-Cortez's Attendance at the 2021 Met Gala

19. In 2021, Rep. Ocasio-Cortez was invited to and attended the Met Gala with Mr. Roberts. As part of her attendance, Rep. Ocasio-Cortez was provided with a couture dress, handbag, shoes, and jewelry. She also received hair, makeup, transportation, and ready-room services. Riley Roberts received a bowtie and shoes in advance of the event.
20. While Rep. Ocasio-Cortez appears to have now paid for the rental value of the attire she wore to the Met Gala and for the goods and services she and her partner received in connection with this September 2021 event, payment for these goods and services did not occur until after the OCE contacted her in connection with this review. But for the OCE opening this review, it appears that Rep. Ocasio-Cortez may not have paid for several thousands of dollars' worth of goods and services provided to her.

i. Rep. Ocasio-Cortez's Preparation for and Attendance at the 2021 Met Gala

21. On April 12, 2021, the Met announced that its 2021 Met Gala would be held on September 13, 2021.²³ Rep. Ocasio-Cortez received an invitation to the Met Gala in a May 13, 2021 email to Campaign Staffer.²⁴ Specifically, the email said:

Dear Representative Alexandria Ocasio-Cortez:

I am writing about the 2021 [Met Gala], which I am delighted to say will be back this year to celebrate the new exhibition and the 75th anniversary of The Costume Institute. . . . To celebrate ... we are planning to hold a slightly smaller [Met Gala] on Monday, September 13, 2021. . . . **Anna [Wintour] would be thrilled to have you and**

²¹ See e.g., Press Release, The Met, *Anna Wintour Becomes an Elective Trustee of The Metropolitan Museum of Art* (May 10, 2011); The Met, Board of Trustees (as of Nov. 2018), <https://www.metmuseum.org/-/media/files/about-the-met/annual-reports/2017-2018/annual-report-2017-18-the-board-of-trustees.pdf> (identifying Anna Wintour as an Elective Trustee).

²² See e.g., Press Release, The Met, *Costume Institute's Spring 2019 Exhibition to Focus on Camp in Fashion* (Oct. 9, 2018) (identifying Anna Wintour as a chair of the 2019 Met Gala); Press Release, The Met, *Costume Institute To-Part Exhibition to Focus on American Fashion* (Sept. 7, 2021) (identifying Anna Wintour as a chair of the 2021 Met Gala).

²³ 2021 Met Gala Announcement (Exhibit 1 at 22-8546_0002).

²⁴ Rep. Ocasio-Cortez 2021 Met Gala Invitation from Vogue (Exhibit 3 at 22-8546_0009-13).

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Riley Roberts join us at the [Met Gala] this September, as guests of Vogue.”²⁵

22. On June 24, 2021, Rep. Ocasio-Cortez, through Campaign Staffer, accepted the invitation to attend the Met Gala.²⁶ Campaign Staffer was told to expect a “celebratory digital invitation” in “the coming weeks.”²⁷ On August 5, 2021, Campaign Staffer received that celebratory digital invite in the form of an email from the Met (events@metmuseum.org).²⁸
23. It is customary for fashion designers attending the Met Gala to dress Gala attendees. Accordingly, shortly after she accepted the invitation to the Met Gala, Vogue connected Rep. Ocasio-Cortez with Aurora James, the creative director and founder of the fashion brand Brother Vellies, who had agreed to dress Rep. Ocasio-Cortez in connection with the 2021 Met Gala.²⁹ Aurora James worked with Rep. Ocasio-Cortez and her team between July 2021 and the date of the Met Gala to design Rep. Ocasio-Cortez’s attire.
24. Rep. Ocasio-Cortez told the OCE that given the nature and visibility of the Met Gala, she retained counsel to ensure she and her team complied with all ethics rules.³⁰ Campaign Staffer echoed these same sentiments, noting that counsel was hired in advance of this “non-traditional” event to ensure that all Met Gala decisions were made in accordance with applicable ethics requirements.³¹ Campaign Staffer explained that she worked with counsel and Rep. Ocasio-Cortez to address compliance-related concerns involving attendance, attire, transportation, and other issues that arose in connection with the event.³² Documents produced by Rep. Ocasio-Cortez evidence her team working through some of these compliance related-concerns in advance of the Met Gala.³³
25. Rep. Ocasio-Cortez told the OCE that a determination was made, in advance of the Met Gala and in conjunction with her team and counsel, that she would be personally paying for the attire and services she received in connection with the Met Gala (as opposed to paying with campaign or official funds).³⁴
26. On September 13, 2021, Rep. Ocasio-Cortez attended the Met Gala with her partner. She also took part in a Vogue video which documented her getting ready for the event.³⁵ Rep.

²⁵ *Id.* (Exhibit 3 at 22-8546_0009) (emphasis in original).

²⁶ Rep. Ocasio-Cortez 2021 Met Gala Invitation Acceptance Email Chain (Exhibit 4 at 22-8546_0015).

²⁷ *Id.*

²⁸ Rep. Ocasio-Cortez 2021 Met Gala Invitation from the Met (Exhibit 5 at 22-8546_0019-20).

²⁹ Aurora James Introduction Email Chain (Exhibit 6 at 22-8546_0023-24).

³⁰ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0038-39). Rep. Ocasio-Cortez told the OCE that it is common practice for her to have her counsel vet events that might warrant extra scrutiny. *Id.*

³¹ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0092-98, 0101-02).

³² *Id.*

³³ *See e.g.*, Rep. Ocasio-Cortez’s Counsel’s Emails Regarding Attendance Concerns (Exhibit 9 at 22-8546_0192-99); Campaign Staffer and Aurora James Text Messages (Aug. 2021 – Mar. 2022) (Exhibit 10 at 22-8546_0211, 0217-18, 0237).

³⁴ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0040-42, 0045-46)).

³⁵ Video: Congresswoman Alexandria Ocasio-Cortez Gets Ready for the Met Gala, Vogue (Sept. 16, 2021), <https://www.youtube.com/watch?v=Y4yq726SUpE> (last visited June 7, 2022).

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Ocasio-Cortez received the following rental goods and services in connection with the video and her Met Gala attendance:

- a. Transportation from her home to Carlyle Hotel;
- b. Access to a ready room at the Carlyle Hotel on the day of the Gala (and also the Saturday before the Met Gala for dress fitting purposes);
- c. Hair and makeup services;
- d. A dress, handbag, shoes, and jewelry from Brother Vellies; and
- e. Transportation to the Met Gala from the Carlyle Hotel.³⁶

27. Brother Vellies also provided Riley Roberts with a pair of shoes and a bowtie.³⁷

28. The day after the Met Gala, Rep. Ocasio-Cortez received significant press coverage regarding her attendance and attire, and much of the coverage focused on the extent to which her attendance and attire were permissible under House ethics rules.³⁸ In wake of this press, the Committee's Director of Advice and Education contacted Rep. Ocasio-Cortez's staff regarding her attendance at the Met Gala.³⁹ Ultimately, on September 16, 2021, the Committee's Staff Director & Chief Counsel emailed with Rep. Ocasio-Cortez's counsel about her attendance.⁴⁰

29. The Committee's Staff Director & Chief Counsel noted that the Director of Advice and Education initially contacted Rep. Ocasio-Cortez's staff "not because the Ethics Committee had any questions."⁴¹ Instead, the Committee's contact had been "common, compliance-related outreach" designed to "proactively check[] if your client had any questions for us about the ethics rules and how they apply to events like the Met Gala. This is something we commonly do, particularly when there has been a high profile matter and we don't have a record of the office seeking the Committee's guidance on the issues involved."⁴² The Committee's Staff Director & Chief Counsel went on to explain that the goal of the outreach "was a brief, informal phone call" in which they could address any questions Rep. Ocasio-Cortez's staff might have about her attendance, including whether she could accept a free ticket for herself and a guest, whether she could receive a custom gown for the event, and how to address gifts that may have been accepted in contravention of House rules.⁴³

30. The Committee's Staff Director & Chief Counsel concluded his email to counsel by explaining that any phone call would be "entirely voluntary and meant in the spirit of proactive customer service. If we can be of help with regard to these questions (or any others), please let us know. Often with these kinds of things phone calls are quicker and

³⁶ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0042-45); Campaign Staffer Transcript (Exhibit 8 at 22-8546_0115-126).

³⁷ *See infra*, Section II.C.ii.

³⁸ The OCE considered whether Rep. Ocasio-Cortez and her partner's attendance were permissible under House ethics rules. *See infra*, note 46.

³⁹ Email Chain with House Ethics Regarding Met Gala Attendance (Exhibit 11 at 22-8546_0242-46).

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

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easier (and where outside counsel is involved, cheaper for the client). However, if you prefer to correspond in writing, that would be fine.”⁴⁴

31. Rep. Ocasio Cortez’s counsel responded to this email in writing by outlining the reasons why he believed her attendance and receipt of certain services were permissible under House rules.⁴⁵

In this case, the situation was straightforward: the Congresswoman’s accepted complimentary attendance at this event, which was a fundraiser for the Metropolitan Museum of Art, a 501(c)(3) charity. The invitation was extended directly by the sponsor of the event, which was the Met. The Congresswoman was offered a guest ticket under that same criteria, and her longtime partner attended the event as well.

Apart from the ticket, the meals, and beverages at the event, the Congresswoman is paying personally for all other benefits including the rental value of her dress, handbag, and accessories, as well as the full value for the shoes worn.

The Congresswoman is also paying for the services related to her hair and makeup, transportation related to the event, and the pro-rated value of a hotel room that was shared with others for staging prior to the Met Gala.

If the Committee’s staff has additional questions regarding the Congresswoman’s compliance with the gift rules, we’d be happy to provide information or substantiation.

32. As evidenced above, Rep. Ocasio-Cortez’s counsel emphasized that: 1) he believed her and her partner’s attendance qualified as a permissible exception to the House gift rules – specifically the exception that permits attendance at charity events; and 2) Rep. Ocasio-

⁴⁴ *Id.*

⁴⁵ *Id.*

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Cortez would be personally paying for the attire and services she was provided.^{46, 47} Rep. Ocasio-Cortez told the OCE that she was aware that her counsel was communicating with the Committee on these issues in or around this time.⁴⁸

ii. Rep. Ocasio-Cortez's Payment for Met Gala Services

33. Rep. Ocasio-Cortez told the OCE that while she would pay for the above-described services with her personal funds, Campaign Staffer was tasked with making the actual payments.⁴⁹ As discussed in more detail below, while the services identified above have been paid for as of the date of this report, Rep. Ocasio-Cortez neglected to pay for these services until after the OCE opened this review.⁵⁰ Thus, despite various efforts to address compliance concerns in advance of the Met Gala through counsel,⁵¹ and despite representations to the Committee

⁴⁶ *Id.* The OCE considered whether Rep. Ocasio-Cortez and her partner's attendance was permissible under House Rules. The OCE found significant documentary evidence suggesting that Rep. Ocasio-Cortez's invitation is most appropriately characterized as an invitation from Vogue. *See e.g.*, Rep. Ocasio-Cortez 2021 Met Gala Invitation from Vogue (Exhibit 3 at 22-8546_0009) ("Anna would be thrilled to have you and Riley Roberts join us at the [Met Gala] this September, as guests of Vogue"); Rep. Ocasio-Cortez 2021 Met Gala Invitation Acceptance Email Chain (Exhibit 4 at 22-8546_0015-16) (indicating that Rep. Ocasio-Cortez accepted the invitation from Vogue); August 2, 2021 Email Regarding Important Information for 2021 Met Gala (Exhibit 12 at 22-8546_0248) (noting that Rep. Ocasio-Cortez's RSVP was already noted prior to her receiving the celebratory digital invitation from the Met). While Rep. Ocasio-Cortez's counsel attempted to confirm that her invitation came directly from the Met, *see* Rep. Ocasio-Cortez's Counsel's Email Exchanges Regarding Attendance Concerns (Exhibit 9 at 22-8546_0198), and while Rep. Ocasio-Cortez did receive an email invitation from a Met email address, *see* Rep. Ocasio-Cortez 2021 Met Gala Invitation from the Met (Exhibit 5 at 22-8546_0019), the other documents identified above suggest that Vogue was the original source of the invitation. Additionally, the OCE reviewed numerous communications from the day after the Met Gala that related to press inquiries about her attendance. These documents also indicate that Vogue was the source of the invitation and suggest that there was some attempt to obfuscate Vogue's role in the invitation process. *See e.g.*, Sept. 14, 2021 Email Chain 1 Regarding Press Inquiries (Exhibit 13 at 22-8546_0251); Sept. 14, 2021 Email Chain 2 Regarding Press Inquiries (Exhibit 14 at 22-8546_0254-61); Sept. 14, 2021 Email 3 Regarding Press Inquiries (Exhibit 15 at 22-8546_0263). The OCE determined that, even if Vogue was the source of the invitation (and not the Met), Rep. Ocasio-Cortez's attendance would still be permissible under House Rule XXV, clauses 5(a)(3)(Q) and 5(a)(4)(C). Vogue is appropriately characterized as an event organizer given the significant and active role it plays in organizing the Met Gala. *See supra*, Section II.A. (outlining the charity events exception and defining an event organizer); *see also* Condé Nast Declaration Regarding Met Gala Activities (Exhibit 2 at 22-8546_0007). Additionally, the Met is a 501(c)(3) organization qualified under Sec. 170 of the tax code, and the primary purpose of the Met Gala is to raise funds for the Costume Institute. *See e.g.*, Met 2020 IRS Form 990 (designating the Met as a 501(c)(3); *see also* Rep. Ocasio-Cortez's Counsel's Email Exchanges Regarding Attendance Concerns (Exhibit 9 at 22-8546_0198).

⁴⁷ In response to Rep. Ocasio-Cortez's counsel's email detailing why he believed her and her partner's attendance was permissible under House Rules, Committee Staff Director & Chief Counsel noted that only spouses and dependent children qualified as permissible guests under the charitable events exception to the gift rule. Email Chain with House Ethics Regarding Met Gala Attendance (Exhibit 11 at 22-8546_0168). Consistent with prior decisions, the OCE Board opted to treat a long-term significant other as synonymous with a spouse.

⁴⁸ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0047).

⁴⁹ *Id.* (Exhibit 7 at 22-8546_0048).

⁵⁰ Rep. Ocasio-Cortez produced various documents to the OCE evidencing payment for the services she received in connection with the Met Gala. The payments were made on a series of American Express cards during the course of this review. While the OCE could not determine the ultimate source of the funds used to pay for these services, Rep. Ocasio-Cortez and Campaign Staffer each told the OCE that the services had been or would be paid from Rep. Ocasio-Cortez's personal funds. Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0053-59); Campaign Staffer Transcript (Exhibit 8 at 22-8546_0155-59, 0168-69, 0173, 0180, 0184-86).

⁵¹ *See supra*, Section II.C.i.

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regarding compliance with House rules,⁵² it appears several thousands of dollars' worth of services may have remained unpaid absent the OCE initiating this review. Below the OCE identifies these goods and services provided to Rep. Ocasio-Cortez and the details regarding when and how payment was made:

a. *Hair Services*

34. Rep. Ocasio-Cortez had her hair done by Stylist 1 on September 13, 2021 in preparation for the Met Gala.⁵³ This hair service was arranged for and coordinated by employees at Condé Nast in connection with the Vogue video.⁵⁴
35. On September 21, 2021, Condé Nast advised the agency representing Stylist 1 – Streeters – that billing would be handled by Campaign Staffer, and copied Campaign Staffer on that email.⁵⁵ On September 30, 2021, Streeters provided Campaign Staffer with a \$477.73 bill for services.⁵⁶
36. Between September 30, 2021 and February 24, 2022, the bill for hair services went unpaid. During this time, Streeters' accounts receivable department made repeated attempts to secure payment, culminating in a February 23, 2022 email threatening to “file a complaint with [New York City's Office of Labor Policy and Standards for Workers] against Alexandria Ocasio-Cortez for Congress if payment is not deposited before end of business tomorrow.”⁵⁷
37. On February 24, 2022, two days after the OCE first contacted Rep. Ocasio-Cortez's staff about this review, Campaign Staffer paid for Rep. Ocasio-Cortez's hair styling services.⁵⁸
38. When interviewed, Campaign Staffer did not provide the OCE with a clear explanation for these payment delays, aside from acknowledging that it “fell off [her] radar” and she often received emails from Streeters at times when she could not focus on their payment requests.⁵⁹ Campaign Staffer told the OCE that Rep. Ocasio-Cortez would periodically follow-up with her about needing to pay for these hairstyling services, but that Rep. Ocasio-Cortez was not aware at the time of the company's escalating payment demands.⁶⁰

b. *Makeup Services*

39. Rep. Ocasio-Cortez had her makeup done by Stylist 2 on September 13, 2021 in preparation for the Met Gala.⁶¹ This hair service was arranged for and coordinated by employees at Condé Nast in connection with the Vogue video.⁶²

⁵² See *supra*, Section II.C.i.

⁵³ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0042-43).

⁵⁴ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0119-20).

⁵⁵ Hairstyling Billing Emails 1 (Exhibit 16 at 22-8546_0266-67).

⁵⁶ *Id.* (Exhibit 16 at 22-8546_0265-68).

⁵⁷ Hairstyling Billing Emails 2 (Exhibit 17 at 22-8546_0271-86).

⁵⁸ Hairstyling Payment Confirmation (Exhibit 18 at 22-8546_0288-94).

⁵⁹ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0162-65).

⁶⁰ *Id.* (Exhibit 8 at 22-8546_0165-66).

⁶¹ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0042-43).

⁶² Campaign Staffer Transcript (Exhibit 8 at 22-8546_0119-20).

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40. On September 17, 2021, the agency representing Stylist 2 – The Wall Group – invoiced Condé Nast for \$344.85.⁶³ On September 21, 2021, Condé Nast advised The Wall Group that billing would be handled by Campaign Staffer, and copied Campaign Staffer on that email.⁶⁴ On September 23, 2021, The Wall Group asked Campaign Staffer to provide a billing address for the invoice.⁶⁵ It does not appear this was provided as the Wall Group attempted, unsuccessfully, to have Condé Nast pay for the bill in or around January 2022.⁶⁶ Condé Nast rejected that payment request on January 13, 2022, and provided the email address for Campaign Staffer as the appropriate billing point of contact.⁶⁷
41. Between January 13, 2022 and February 24, 2022, The Wall Group’s collections team made repeated attempts to secure payment from Campaign Staffer, noting on multiple occasions that the invoice was “EXTREMELY overdue.”⁶⁸ Campaign Staffer initially attempted to pay the outstanding bill on February 24, 2022, two days after the OCE first contacted Rep. Ocasio-Cortez’s staff, but the payment was rejected.⁶⁹ Campaign Staffer finally made payment for the service on March 16, 2022.⁷⁰
42. When interviewed, Campaign Staffer did not provide the OCE with a clear explanation on the basis for this delay in payment, aside from acknowledging that other things took precedence over The Wall Group’s payment requests.⁷¹

c. Attire Provided by Brother Vellies

43. On September 13, 2021, the day of the Met Gala, Aurora James and Brother Vellies provided Rep. Ocasio-Cortez with a custom dress, shoes, and handbag.⁷² They also provided her with jewelry.⁷³ These items were all provided to Rep. Ocasio-Cortez as rentals and later returned to Brother Vellies.⁷⁴
44. Rep. Ocasio-Cortez and Campaign Staffer told the OCE that they were not involved in the rental valuations – that was left to the discretion of Ms. James.⁷⁵ Ms. James and Brother Vellies declined to cooperate with this review, so the OCE could not address this issue with her or more specifically determine the manner in which rental valuations occurred.⁷⁶

⁶³ Makeup Invoice for Condé Nast (Exhibit 19 at 22-8546_0297).

⁶⁴ Makeup Billing Emails 1 (Exhibit 20 at 22-8546_0299).

⁶⁵ *Id.*

⁶⁶ Makeup Billing Emails 2 (Exhibit 21 at 22-8546_0309).

⁶⁷ *Id.*

⁶⁸ *Id.* (Exhibit 21 at 22-8546_0302-09).

⁶⁹ Makeup Billing Emails 3 (Exhibit 22 at 22-8546_0313).

⁷⁰ Makeup Payment Confirmation (Exhibit 23 at 22-8546_0323).

⁷¹ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0169).

⁷² Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0042-43).

⁷³ Mejuri, Inc. provided the jewelry to Brother Vellies, which in turn rented it to Rep. Ocasio-Cortez.

⁷⁴ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0043, 0059-60).

⁷⁵ *Id.* (Exhibit 7 at 22-8546_0060-61); Campaign Staffer Transcript (Exhibit 8 at 22-8546_0110-12, 0128-29).

⁷⁶ The OCE gathered information about the retail costs of certain items Rep. Ocasio-Cortez wore in connection with the Met Gala. *See e.g.*, Brother Vellies Handbag Advertisement (Exhibit 24 at 22-8546_0326) (valuing a similar handbag at \$995); Nordstrom Shoe Advertisement (Exhibit 25 at 22-8546_0328) (valuing similar shoes at \$795);

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45. On September 19, 2021, Janna Pea, a publicist associated with Brother Vellies, provided Campaign Staffer with a bill for \$2,283.93 from Brother Vellies:⁷⁷

DESCRIPTION	AMOUNT
Met Gala Gown Rental – September 13, 2021	\$1,300.00
Met Gala Handbag Rental – September 31, 2021	\$ 170.00
Met Gala Shoe Purchase - Ribbon Pump	\$ 635.00
Sales Tax 8.5%	\$ 178.93
Total	\$2,283.93

46. A day later, on September 20, 2021, another bill was provided to Campaign Staffer, this time totaling \$990.76.⁷⁸

DESCRIPTION	AMOUNT
Met Gala Gown Rental – September 13, 2021	\$ 300.00
Met Gala Handbag & Jewelry Rental – September 31, 2021	\$ 450.00
Met Gala Shoe Purchase - Ribbon Pump	\$ 160.00
Sales Tax 8.875%	\$ 80.76
Total	\$ 990.76

47. When asked about the billing revisions, Campaign Staffer acknowledged calling Ms. Pea to discuss the original bill.⁷⁹ Campaign Staffer told the OCE that she understood that the shoes would be rentals, and not a purchase, so she “flagged that for [Pea].”⁸⁰ She also told the OCE that she “want[ed] to confirm the gown rental price [was] correct.”⁸¹ According to Campaign Staffer, prior to the Met Gala, she had some general discussions regarding overall rental costs and was told a final bill would likely be around a thousand dollars.⁸² Because the original bill had an error regarding the shoe purchase and was higher than expected, Campaign Staffer asked Ms. Pea to confirm the overall bill was correct.⁸³

48. Campaign Staffer could not explain why the gown rental costs were reduced from \$1,300 to \$300.⁸⁴ The OCE sought to interview Ms. Pea on these matters, but she declined to cooperate.

Mejuri Dome Ring Advertisement (Exhibit 26 at 22-8546_0330) (valuing the Dome Ring at \$65); Mejuri Large Tube Hoops Advertisement (Exhibit 27 at 22-8546_0332) (valuing the Large Tube Hoops at \$450).

⁷⁷ September 19, 2021 Brother Vellies Bill (Exhibit 28 at 22-8546_0334-35).

⁷⁸ September 20, 2021 Brother Vellies Bill (Exhibit 29 at 22-8546_0337-39).

⁷⁹ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0139).

⁸⁰ *Id.* (Exhibit 8 at 22-8546_0140).

⁸¹ *Id.*

⁸² *Id.* (Exhibit 8 at 22-8546_0140).

⁸³ *Id.* (Exhibit 8 at 22-8546_0140-43).

⁸⁴ *Id.* (Exhibit 8 at 22-8546_0144-45).

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49. As of March 2022, the \$990.76 Brother Vellies bill remained unpaid. When asked why this bill was not paid before the OCE opened its review, Campaign Staffer told the OCE that she did not think she had received a final invoice.⁸⁵ She believed other items that Brother Vellies paid for would need to be added to the invoice, including costs for Rep. Ocasio-Cortez's use of space at the Carlyle Hotel and transportation from the Carlyle Hotel to the Met Gala.⁸⁶
50. Campaign Staffer told the OCE that she identified these issues for Ms. Pea after receiving the second invoice, and at that point, she expected Ms. Pea to provide her with an updated invoice that addressed those outstanding items.⁸⁷ When asked if she ever followed up on the invoice, Campaign Staffer acknowledged that she did not, and explained that payment "didn't become a focus [again] until" the OCE opened this review.⁸⁸
51. When asked about the extent to which Rep. Ocasio-Cortez was aware that this payment was not made, Campaign Staffer told the OCE that Rep. Ocasio-Cortez knew that payments were not made since they had not been put on her credit card or withdrawn from her account; however, she indicated that she was not providing Rep. Ocasio-Cortez with regular status updates on the matter.⁸⁹ Instead, she told Rep. Ocasio-Cortez that she was waiting to hear from Janna Pea regarding an updated invoice.⁹⁰
52. On March 3, 2021, two days after the OCE provided formal notice to Rep. Ocasio-Cortez of this review, Campaign Staffer emailed Janna Pea seeking "a confirmation of payment on the invoice from Brother Vellies."⁹¹ In response to that email, Janna Pea explained that Brother Vellies never received payment.⁹² Campaign Staffer replied, noting "[w]e will have to take care of this ASAP."⁹³ On March 9, 2022, Campaign Staffer made a \$990.77 payment to Brother Vellies.⁹⁴

d. *Other Services Provided by Brother Vellies*

53. After the OCE opened this review, Rep. Ocasio-Cortez's counsel contacted counsel for Aurora James and Brother Vellies and requested "an invoice and supporting documentation for any goods, services or amenities which Representative Alexandria Ocasio-Cortez and Mr. Riley Roberts may have received from [Brother Vellies or Aurora James] in connection with the September 13, 2021, Met Gala, for which Representative Ocasio-Cortez and Mr. Roberts may not have yet paid."⁹⁵ As set forth below, in an April 15, 2022 letter, counsel for Aurora James and Brother Vellies identified \$5,579.99 worth of unpaid goods and services provided

⁸⁵ *Id.* (Exhibit 8 at 22-8546_0146-50).

⁸⁶ *Id.* (Exhibit 8 at 22-8546_0146-50, 0176).

⁸⁷ *Id.* (Exhibit 8 at 22-8546_0149-50).

⁸⁸ *Id.* (Exhibit 8 at 22-8546_0148-50).

⁸⁹ *Id.* (Exhibit 8 at 22-8546_0160-61).

⁹⁰ *Id.*

⁹¹ March 2022 Emails Between Campaign Staffer and Janna Pea Regarding Payment for Brother Vellies Attire (Exhibit 30 at 22-8546_0341).

⁹² *Id.*

⁹³ *Id.*

⁹⁴ Brother Vellies Proof of Payment 1 (Exhibit 31 at 22-8546_0345-47).

⁹⁵ April 15, 2022 Letter from Aurora James and Brother Vellies' Counsel to Rep. Ocasio-Cortez Counsel (Exhibit 32 at 22-8546_0349-50).

Subject to the Nondisclosure Provisions of H. Res. 895 of the 110th Congress as Amended to Rep. Ocasio-Cortez and Riley Roberts, including transportation services to the Met Gala, room usage at the Carlyle Hotel, and shoes and a bowtie for Riley Roberts:⁹⁶

Our clients, Cultural Brokerage Agency LLC d/b/a Brother Vellies and Aurora James, are in receipt of your request for an invoice and supporting documentation for any goods, services or amenities which Representative Alexandria Ocasio-Cortez and Mr. Riley Roberts may have received from our clients in connection with the September 13, 2021, Met Gala, for which Representative Ocasio-Cortez and Mr. Roberts may not have yet paid. Our clients have reviewed their records and identified the expenses below:

- LV Services, Inc. (car service): \$571.59.
- Room 1122 at the Carlyle Hotel on September 12, 2021: \$1,214.61.
- Room 1122 at the Carlyle Hotel on September 13, 2021: \$1,205.04.
- Room 0911 at the Carlyle Hotel on September 13, 2021: \$2,182.67.
- Shoes for Mr. Roberts' attendance at the Met Gala: \$136.08.
- Bow tie for Mr. Roberts' attendance at the Met Gala: \$270.00.
- **TOTAL: \$5,579.99.**

54. On May 10, 2022, a \$5,579.99 payment was made to Brother Vellies.⁹⁷

e. *Condé Nast Transportation*

55. During this review, Rep. Ocasio-Cortez's team also identified unpaid transportation services, from Rep. Ocasio-Cortez's home to the Carlyle Hotel on the morning of the Met Gala.⁹⁸ These services were provided by Condé Nast in connection with her participation in Vogue's Met Gala video shoot.⁹⁹ Rep. Ocasio-Cortez's team determined that an appropriate payment for the transportation service was \$180.00, and that amount was paid to Condé Nast on May 10, 2022.¹⁰⁰

iii. Rep. Ocasio-Cortez's Explanations for Her Failure to Pay

56. When asked about the delays in payments for the variety of goods and services described above, Rep. Ocasio-Cortez acknowledged "there was a ball that was dropped" and described the situation as "deeply regrettable."¹⁰¹

⁹⁶ *Id.* The April 15, 2021 letter from Aurora James and Brother Vellies' counsel suggests that Rep. Ocasio-Cortez used space at the Carlyle Hotel on September 12, 2021; however, that usage, for dress fitting purposes, actually occurred on Saturday, September 11, 2021. See Campaign Staffer Transcript (Exhibit 8 at 22-8546_0178).

⁹⁷ Brother Vellies Proof of Payment 2 (Exhibit 33 at 22-8546_0367-68).

⁹⁸ Condé Nast Transportation Repayment Emails (Exhibit 34 at 22-8546_0371-75).

⁹⁹ Campaign Staffer Transcript (Exhibit 8 at 22-8546_0119-20).

¹⁰⁰ Condé Nast Transportation Payment Confirmation (Exhibit 35 at 22-8546_0377-80).

¹⁰¹ Rep. Ocasio-Cortez Transcript (Exhibit 7 at 22-8546_0052, 0063).

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57. Rep. Ocasio-Cortez recalled following-up with Campaign Staffer several times after the Met Gala about the need to pay for the services she was provided and being told that they were in a “holding pattern” since Brother Vellies needed to provide them with a revised and updated invoice.¹⁰² Rep. Ocasio-Cortez acknowledged she was not privy to the details about how payment was supposed to be structured and or when demands for payment were sent, and she relied on Campaign Staffer to address these matters.¹⁰³ Rep. Ocasio-Cortez told the OCE that she only “learned about the extent of the nonpayment” on May 11, 2022, the day before her interview with the OCE.¹⁰⁴
58. Based on the foregoing information, the Board finds that there is substantial reason to believe that Rep. Ocasio-Cortez accepted impermissible gifts associated with her attendance at the Met Gala in 2021.

III. CONCLUSION

59. Based on the foregoing information, the Board finds that there is substantial reason to believe that Rep. Ocasio-Cortez accepted impermissible gifts associated with her attendance at the Met Gala.
60. Accordingly, the Board recommends that the Committee further review the above allegation that Rep. Ocasio-Cortez accepted impermissible gifts associated with her attendance at the Met Gala.

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

61. The following witnesses, by declining to provide requested information to the OCE, did not cooperate with the OCE review:
- a. Aurora James;
 - b. Brother Vellies; and
 - c. Janna Pea.
62. The Board recommends that the Committee on Ethics issue subpoenas to Aurora James, Brother Vellies, and Janna Pea.

¹⁰² *Id.* (Exhibit 7 at 22-8546_0050-53).

¹⁰³ *Id.* (Exhibit 7 at 22-8546_0048-53, 0063).

¹⁰⁴ *Id.* (Exhibit 7 at 22-8546_0058, 0063).