# APPENDIX B





July 8, 2022

### Via E-Mail

Tom Rust, Esq.
Staff Director and Chief Counsel
United States House of Representatives
Committee on Ethics
1015 Longworth HOB
Washington, D.C. 20515-6328

Re: In the Matter of U.S. Rep. Alexandria Ocasio-Cortez (D-NY)
Committee on Ethics Review of OCE Rev. 22-8546

Mr. Rust:

This letter will respond on behalf of our client, U.S. Rep. Alexandria Ocasio-Cortez (D-NY), to the referral sent to the House Committee on Ethics (the "Committee") from the Office of Congressional Ethics ("OCE") on June 23, 2022 related to the Congresswoman's attendance at the 2021 Metropolitan Museum of Art's Costume Institute Benefit.

We are disappointed that – despite fully cooperating with OCE's investigation, producing hundreds of documents, making the Congresswoman and key campaign staff available for interview, and, most importantly, substantiating that all benefits received by the Congresswoman related to the event have been paid for by the Congresswoman personally, with her own funds – OCE still voted to refer the matter to the Committee

OCE agreed that the Congresswoman's attendance at the event was permissible under House Rules and, again, that she has personally paid for all benefits received that required reimbursement.<sup>1</sup> Despite this, OCE appears to have referred the matter to the Committee primarily because they believed, "but for" their review, the Congresswoman may not have paid for benefits provided to her. The Congresswoman always intended to pay for all expenses related to the Met Gala that required reimbursement under House Rules, as clearly evidenced by the involvement of Counsel prior to the event, and documented communication between the Congresswoman's staff, vendors and OCE in the days immediately surrounding the event.

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<sup>&</sup>lt;sup>1</sup> OCE Report, Review No. 22-8546, at 8; 12 footnotes 46 and 47 ("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").

The Congresswoman's staff explicitly told vendors prior to the Met Gala that the Congresswoman would be paying for many of the benefits provided *personally*. The most involved vendor - and the largest personal expense - was for the services of Brother Veilles and , who created the Congresswoman's dress, and rented numerous other items to the Congresswoman and to her partner. The following text messages, which took place between a senior campaign staffer and in the days prior to and immediately following the Met Gala, clearly show that the Congresswoman's staff was conscious that Brother Veilles' expenses would need to be incurred by the Congresswoman personally and that they were seeking the correct form of payment for the Congresswoman to use:





In addition, the Congresswoman's intent to pay for these benefits personally was clearly communicated via email by Counsel to Ethics on September 17, just days after the Met Gala:<sup>2</sup>

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.

<sup>&</sup>lt;sup>2</sup> Email between myself as counsel to the Congresswoman and Tom Rust on behalf of the Committee, September 17, 2021.

OCE notes that several invoices were not paid until after they initiated their review in February 2022, and uses that fact as the primary basis for their belief that "but for" their review, the Congresswoman *may not have* paid for benefits provided to her. Though deeply regrettable, the delay in payment to some vendors is easily explained. The Congresswoman tasked a senior campaign staffer with collecting and paying the invoices, but due to the other significant demands of their job and a lack of familiarity with high-profile, multi-layered events such as these, this staffer lost track of some of the many invoices. In addition, the invoice of the greatest value – from Brother Veilles – was not paid because, at the time OCE initiated their review, the Congresswoman and her staff believed that they were still awaiting a final invoice from the vendor. This final invoice was not received until April 15, 2022.

As the Congresswoman said in her interview with OCE, she deeply regrets that payment to many vendors took as long as it did. However, the delay in payment by itself is not evidence that the Congresswoman did not intend to pay for personal expenses related to Met Gala, especially given the explicit, documented communications which took place prior to OCE's review that show she did intend to pay, and that her staff was collecting invoices and consulting with Counsel to that effect.

Nothing remains to be investigated in this matter. We hope that – based on documents produced to OCE and the below – the Committee will recognize the Congresswoman's good faith efforts to comply at all times with House Rules, and will decide to dismiss this matter.

1. The Congresswoman and her staff invested clear effort into ensuring that her attendance at the Met Gala was permissible, and that vendors were made aware that personal expenses would need to be paid by the Congresswoman.

As a part of determining whether her attendance at the 2021 Met Gala would be permissible under the House Rules, the Congresswoman's staff consulted counsel - as counsel to the Congresswoman, I am routinely involved in conducting due diligence for her activities to ensure compliance with the various rules that regulate her activities. For this event, I reached out to the Metropolitan Museum of Art to confirm that the event met the criteria for a permissible charity event under House rules (where she could accept complimentary attendance and related benefits), and the general counsel of the museum confirmed that it met those criteria.<sup>3</sup>

Prior to the event, the Congresswoman's staff and I conducted extensive due diligence to ensure that her attendance at this event was permissible, and that any benefits that the Congresswoman was provided in connection with her attendance that could not be accepted under House Rules would be paid for by her, personally – including the rental value of her dress, fees for her hair and makeup, costs of hotel rooms used, transportation, and similar benefits. This due diligence included significant education for collaborators about how House ethics rules

<sup>&</sup>lt;sup>3</sup> OCE Report, Review No. 22-8546, Exhibit B, pages 57-59.

affected the Congresswoman's participation.<sup>4</sup> For nearly all of the vendors involved, it was their first time being exposed to House gift rules and ethical restrictions.

From this, it proved to be exceptionally difficult during the due diligence phase to determine which individuals or entities should be reimbursed for which benefits, and how much each should be reimbursed. The Met Gala is primarily an event for celebrities, who are not subject to any legal restrictions on acceptance of gifts and who are routinely given complimentary benefits in connection with their attendance. This led to several occasions where the Congresswoman and her team were met with responses from collaborators and involved companies to the effect of "Met Gala attendees don't normally pay for this."

The Congresswoman's staff diligently educated vendors on her ethics requirements – compliance with House Rules was always at the forefront of planning.

## 2. The Committee should affirmatively dismiss this matter.

The Congresswoman has worked to create a culture in her office and on her campaign that not only meets but aims to exceed the highest ethical standards.

We hope that the Committee will recognize our commitment to compliance in this matter, and that that commitment was fulfilled. Since the Congresswoman has paid for all benefits received at the Met Gala – with her own personal funds – the Committee should affirmatively vote to dismiss the matter, and not proceed with further investigation.

Sincerely,

David Mitrani

Counsel for Congresswoman Ocasio-Cortez

Exhibit B, pages 57-59 (August 2021 discussion with Metropolitan Museum of Art regarding ethical boundaries of the Congresswoman's attendance), page 71 (conversation between senior campaign staffer and page 78 (discussion regarding legal call between Brother Veilles and the Congresswoman's team and counsel);

Exhibit C, page 17 (conversation between senior campaign staffer and (September 2021 discussion with Metropolitan Museum of Art and Vogue staff).

<sup>&</sup>lt;sup>4</sup> See, e.g. OCE Report, Review No. 22-8546:





February 27, 2023

Via E-Mail

Tom Rust, Esq.
Staff Director and Chief Counsel
United States House of Representatives
Committee on Ethics
1015 Longworth HOB
Washington, D.C. 20515-6328

Re: In the Matter of U.S. Rep. Alexandria Ocasio-Cortez (D-NY), Committee on Ethics Review of OCE Rev. 22-8546

Though no Ethics violation has been found, the Office of Congressional Ethics ("OCE") did identify that there were delays in paying vendors for costs associated with the Congresswoman's attendance at the Met Gala. The Congresswoman finds these delays unacceptable, and she has taken several steps to ensure nothing of this nature will ever happen again.

However, while regrettable, this matter definitively does not rise to the level of a violation of House Rules or of federal law. Even after OCE's exhaustive review of the Congresswoman's personal communications, there is no evidence that she ever intended to avoid these expenses. To the contrary, the record clearly shows that the Congresswoman always understood that she had to pay for these expenses personally – and she even worked with the undersigned counsel prior to the event to ensure that she complied with all applicable ethics rules.

We are confident the Committee on Ethics will dismiss this matter.

Sincerely,

David Mitrani

Counsel for Congresswoman Ocasio-Cortez





July 29, 2024

#### Via E-Mail

Tom Rust, Esq.
Staff Director and Chief Counsel
United States House of Representatives
Committee on Ethics
1015 Longworth HOB
Washington, D.C. 20515-6328

Re: In the Matter of U.S. Rep. Alexandria Ocasio-Cortez (D-NY) Committee on Ethics Review of OCE Rev. 22-8546

Dear Mr. Rust:

This letter will respond on behalf of our client, U.S. Rep. Alexandria Ocasio-Cortez (D-NY), to requests for additional information by the Committee on Ethics (the "Committee") on July 8, 2024 related to the Congresswoman's appearance at the 2021 Metropolitan Museum of Art's Costume Institute Benefit.

Responses to the Committee's questions are below, in **bold.** 

- 1. Please confirm whether the following items were provided (*footnote: This includes items provided to you, regardless of whether the item was actually worn to the 2021 Met Gala*) to you in connection with the September 13, 2021, Met Gala (2021 Met Gala). For any items provided, state whether the item was purchased, rented, loaned, or gifted:
  - a. Dress

The Congresswoman's dress for the 2021 Met Gala was rented from Brother Veilles.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part C, Exhibit 32, 22-8546\_0365 (invoice), Exhibit 31, 22-8546 0346 (payment).

## b. Shoes

The Congresswoman's shoes for the 2021 Met Gala were rented from Brother Veilles.<sup>2</sup> As the Congresswoman testified to OCE, the shoes were rented and were returned, although the invoice mistakenly stated they were a purchase.

## c. Jewelry

The Congresswoman's jewelry for the 2021 Met Gala were rented from Brother Veilles.<sup>3</sup>

# d. Handbag

The Congresswoman's handbag for the 2021 Met Gala was rented from Brother Veilles.<sup>4</sup>

### e. Hair accessories

The Congresswoman wore a small flower in her hair to the 2021 Met Gala, as shown below:<sup>5</sup>



<sup>&</sup>lt;sup>2</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part C, Exhibit 32, 22-8546\_0365 (invoice), Exhibit 31, 22-8546\_0346 (payment); Exhibits Part A, 22-8546\_0059-0060 (substantiation of rental).

<sup>&</sup>lt;sup>3</sup> Id.

<sup>&</sup>lt;sup>4</sup> <u>Id.</u>

<sup>&</sup>lt;sup>5</sup> <u>See</u> The Guardian, "'Medium is the message': AOC defends 'tax the rich' dress worn to Met Gala", September 14, 2021, <u>at https://www.theguardian.com/us-news/2021/sep/14/aoc-defends-tax-the-rich-dress-met-gala</u> (last accessed July 25, 2024).

It is our impression that the cost of this accessory was covered under either hair and makeup vendor – The Wall Group, or Streeters.<sup>6</sup> There was not a separate charge for this item outside of these invoices.

- 2. For each of the items in question 1 that were rented or loaned, inform the Committee whether, when, and to whom the item was returned, as well as the condition the item was in at the time it was returned.
  - a. Dress

The dress was returned on September 15, 2021 (two days after the Met Gala), in good condition (worn once).

#### b. Shoes

The shoes were returned September 15, 2021 (two days after the Met Gala), in good condition (worn once). As the Congresswoman testified to OCE, the shoes were rented, and were returned.<sup>7</sup>

# c. Jewelry

The jewelry was returned to Brother Veilles on September 15, 2021 (two days after the Met Gala), in good condition (worn once).

# d. Handbag

The handbag was returned to Brother Veilles on September 15, 2021 (two days after the Met Gala), in good condition (used once).

#### e. Hair accessories

The flower cited above was not returned, as it was a live flower without future potential use.

• Streeters: Exhibit 16, 22-8546 0268-0268 (invoice), Exhibit 18, 22-8546 0294 (payment).

• The Wall Group: Exhibit 19, 22-8546 0297 (invoice), Exhibit 23, 22-8546 0323 (payment).

<sup>&</sup>lt;sup>6</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part C:

<sup>&</sup>lt;sup>7</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part A, 22-8546, 0059-0060.

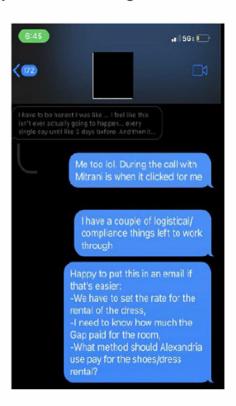
3. Did you or Mr. Roberts intend to pay for Mr. Roberts' bowtie and shoes in connection with the 2021 Met Gala at the time those items were provided by Brother Vellies?

Yes. The Congresswoman always intended to pay for all expenses related to the Met Gala that required reimbursement under House Rules, as clearly evidenced by the involvement of counsel (the undersigned) prior to the event, and documented communication between the Congresswoman's staff, vendors and the Committee in the days immediately surrounding the event.

The Congresswoman's staff explicitly told vendors prior to the Met Gala that the Congresswoman would be paying for the benefits provided personally as required by House rules. The most involved vendor – and the largest personal expense – was for the services of Brother Veilles and congresswoman's dress, and rented numerous other items to the Congresswoman and to her partner.

The following text messages, which took place between a senior campaign staffer and in the days prior to and immediately following the Met Gala, clearly show that the Congresswoman's staff was conscious that Brother Veilles' expenses would need to be incurred by the Congresswoman personally and that they were seeking the correct form of payment for the Congresswoman to use:8





<sup>&</sup>lt;sup>8</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part B 22-8546 0211; Part C, 22-8546 0237.

In addition, the Congresswoman's intent to pay for these benefits personally was clearly communicated via email by the undersigned counsel to Ethics on September 17, just days after the Met Gala:<sup>9</sup>

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.

4. You testified to OCE that, although had extended an offer to assist Mr. Roberts with finding tailoring services, it "never happened," and Mr. Roberts did not have any tailoring services done by any vendor other than Suitsupply.

Can you provide further explanation for what happened after Ms. extended her offer, including whether Mr. Roberts communicated with any tailor she had suggested and why no further tailoring was ultimately completed?

The cited comments to OCE reflected the Congresswoman's recollection at the time of the interview. On further discussion between the Congresswoman and Mr. Roberts, she has learned that additional tailoring was done on his tuxedo without her prior knowledge, that Mr. Roberts paid for personally.

According to Mr. Roberts' recollection, the cost of those additional alterations was \$103, paid to Ignacio's Tailor, as below:



<sup>&</sup>lt;sup>9</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part C, Exhibit 11, 22-8546\_242-243.

5. Prior to paying any rental costs, did you have any discussions with anyone at Brother Vellies or on your congressional or campaign staff about what a possible rental value would be for any of the items in question 1?

If so, please provide details of the discussion, including the approximate date and names of the individuals present. Please also address whether any of your discussions about rental costs associated with the 2021 Met Gala included discussion of whether Rent the Runway was an appropriate comparator.

Yes: however, such discussions were solely anecdotal, around the potential personal cost of attending the event. To the Congresswoman's recollection, these discussions were with former campaign manager, and would have taken place around August of 2021.

Estimations were collected (working with the undersigned counsel) based on public resources such as Rent the Runway – a well-known "clothing as a service" brand – but those discussions were solely used for estimation purposes as to whether the Congresswoman could afford to attend the event. The Congresswoman in no way directed others to use these estimations to influence the potential cost of a rental.

6. Did you, or anyone acting on your behalf, ever request, suggest, or imply that any of the items and/or services provided to you and/or Mr. Roberts as part of your 2021 Met Gala attendance should fall within and/or not exceed a particular budget?

If yes, please provide details. If no, please explain why you did not discuss a budget, including whether you had any financial need to set a limit on the expenses.

No. To the Congresswoman's best recollection, the Congresswoman was presented a decision of whether she could attend based on the estimates, and she chose to attend and bear the personal cost of doing so as required by House rules.

7. Are you aware of any of the expenses incurred by Brother Vellies in connection with making or designing your dress, such as materials, labor, or expedited shipping?

If so, explain what expenses you are aware of, the approximate amount of those expenses, and how you became aware of those expenses.

No.

8. Prior to OCE's review, were you aware that invoices provided by Brother Vellies to your campaign manager were revised after she received them?

If so, please describe your knowledge of these revisions, including the reasoning behind any such revisions and any related conversations that you may have had or been privy to, the approximate date of any such conversations, a summary of those conversations, and list any other individuals present.

No. As the Congresswoman testified to OCE, preparation for the OCE's interview was the first time she became aware of this fact.<sup>10</sup>

9. Did you, or anyone acting on your behalf, ever request or suggest that payment be delayed for any of the items and/or services provided to you and/or Mr. Roberts as part of your 2021 Met Gala attendance?

No.

10. Did you understand, expect, and/or intend that any of the vendors that provided you and/or Mr. Roberts with items and/or services related to your 2021 Met Gala attendance would receive increased media exposure because of your position as a Member of Congress and/or public figure?

If yes, did you or anyone acting on your behalf at any time suggest or imply that such exposure could serve as compensation for the items or services provided?

While it did stand to reason that involvement with the Congresswoman's Met Gala appearance would bring additional media exposure to vendors, this was in no way stated, implied, or in any way communicated whatsoever that it could serve as compensation for services provided.

The Congresswoman would consider this unethical behavior if it did occur. If this did occur, the Congresswoman was unaware, and would have declined the offer if she had become aware.

As discussed above, the Congresswoman always intended to pay for all expenses related to the Met Gala that required reimbursement under House Rules, in cash (not in-kind), from personal funds.

7

<sup>&</sup>lt;sup>10</sup> Office of Congressional Ethics Rev. 22-8546, Exhibits Part A, Exhibit 7, 22-8546\_0061-0062.

11. Did you, or anyone acting on your behalf, ever have any discussions with anyone associated with Brother Vellies about whether the dress that you wore to the 2021 Met Gala could be auctioned or otherwise used for some charitable purpose?

If so, please describe such discussions, including the approximate date(s) and name(s) of any individuals present.

No. The Congresswoman does not recall having such discussions, and did not direct anyone to do the same.

12. Other than the 2021 Met Gala, have you, or anyone acting on your behalf, received complaints from any vendors who provided goods or services to you, for which you intended to pay with personal funds, regarding late or missing payment for such goods or services?

If so, please provide details.

We presume that this question is regarding activities related to the Congresswoman's official or candidate work that she would be required to pay for with personal funds, and not her personally. With that assumption, no.

13. Are there any aspects of the Office of Congressional Ethics' (OCE) Report and Findings that you found to be inaccurate or that you would otherwise like to address at this time?

Yes. OCE's referral to the Committee based on the assumption that the Congresswoman would not have paid for these benefits "but for" their intervention, despite all evidence to the contrary, runs counter to logic, and to an efficient use of government resources. The Congresswoman produced hundreds of documents, participated in an interview, and most importantly provided substantiation that all benefits received by her and by Mr. Roberts were paid for, using personal funds.

OCE agreed that the Congresswoman's attendance at the event was permissible, that Mr. Roberts' attendance as her spouse was permissible and, again, that she personally paid for all benefits that required reimbursement. In short, OCE substantively agreed that the Congresswoman was in compliance with House Rules.

8

<sup>&</sup>lt;sup>11</sup> Office of Congressional Ethics, Review No. 22-8546, at 8; 12 footnotes 46 and 47 ("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").

Despite this, OCE refused to take this as sufficient to dismiss the matter. OCE faulting the Congresswoman for the time taken to pay is emblematic of a culture within the House of Representatives that discriminates against Members who are not independently wealthy and actively makes it more difficult for people not of financial means to serve in Congress. OCE's finding that the Congresswoman would not have reimbursed benefits "but for" its inquiry is insulting, offensive and completely unfounded – it failed to take into account the countless hours of work that the Congresswoman, her staff (including the undersigned counsel) put into due diligence and cooperation in this matter, and the significant personal burden on the Congresswoman to pay the amounts owed.

The Congresswoman very clearly intended at all times to pay for all expenses related to the Met Gala – <u>and OCE agreed that she did in fact pay for all expenses</u>. From this, nothing remains to be investigated in this matter. The Committee should use its finite resources to investigate matters where there are outstanding issues – and should therefore dismiss this matter despite OCE's referral.

As discussed in our original letter dated July 8, 2022, we hope that the Committee will recognize that this culture of compliance led to a commitment to compliance in this matter and that that commitment was fulfilled. Since the Congresswoman has paid for all benefits received at the Met Gala – with her own personal funds – the Committee should affirmatively vote to dismiss the matter, and not proceed with further investigation.

If there are any questions, I can be reached at <u>@sandlerreiff.com</u>.

Sincerely,

David Mitrani

Counsel for Congresswoman Ocasio-Cortez

# **Declaration**

I, Representative Alexandria Ocasio-Cortez, declare (certify, verify, or state) under penalty of perjury that the responses and factual assertions contained in the attached letter dated <u>July 29</u>, 2024, relating to my response to the July 8, 2024, Committee on Ethics request for information, are true and correct.

Signature:

Name: Representative Alexandria Ocasio-Cortez

Date: July 29, 2024

From: David Mitrani (Sandler Reiff)

To: Gwinn, Christine
Cc: Pescatore, Brittney

Subject: Re: Committee on Ethics - Representative Ocasio-Cortez

Date: Monday, September 30, 2024 5:32:20 PM

#### Christine,

After speaking with the Congresswoman, we respond in **bold** below. Mr. Roberts will need additional time to respond to his questions, we hope to follow up later this week on those.

The Congresswoman has been cooperative throughout this entire process: given this, may we ask whether the Committee is close to completing its inquiry in this matter?

• Question 2(b.) - You noted that the shoes worn by Representative Ocasio-Cortez were returned on September 15, 2021 (two days after the Met Gala). However, the Committee has reviewed communications from Brother Vellies indicating they had not received the shoes as of at least September 27, 2021. Could you please let us know whether there is any additional information that you can provide about the return of the shoes, including whether there are any additional documents or other records that could corroborate the date of return?

On September 15, 2021, a courier was secured to send the items back, as described in our previous responses and in the Congresswoman's OCE interview (cited in the previous July 29 letter). The Congresswoman dropped the items off at the office for the courier to return.

The Congresswoman no longer has the shoes, and is unaware as to what may have happened to them after they were sent back with the courier.

• Questions 1(e.), 2(e.) – You noted that it is your understanding that the hair accessory provided to Representative Ocasio-Cortez was a live flower whose cost was included in either of the invoices for the hair or makeup vendors. In some social media posts, the flower appears to have been described as a "handmade and hand painted crepe flower" made by artist in collaboration with Brother Vellies. We understand that Ms. I made the flowers for the shoes but wanted to confirm whether Representative Ocasio-Cortez is confident that the flower in her hair was not similarly handmade. See also the Vogue video of her getting ready around 2:30, which appears to show a flower identical to the one in her hair (distinct from the ones on her shoes): <a href="https://www.vogue.com/video/watch/tax-the-rich-with-aoc.">https://www.vogue.com/video/watch/tax-the-rich-with-aoc.</a>

The Congresswoman has responded to inquiries with her best recollection and in good faith. Her recollection is that The Wall Group or Streeters did not specifically note that the flower had particular significance, and that it was put it in her hair while getting ready. The Congresswoman did not keep the flower after the event.

It is our impression that the cost of this accessory was covered under either hair and makeup vendor— The Wall Group, or Streeters. There was not a separate charge for this item outside of these invoices.

Dave Mitrani Partner From: David Mitrani (Sandler Reiff)
To: Gwinn, Christine; Pescatore, Brittney

Subject: Re: Committee on Ethics - Representative Ocasio-Cortez

**Date:** Tuesday, October 15, 2024 5:31:58 PM

Attachments: Riley Roberts Documents Regarding Ignacios Tailoring.pdf

Christine – we have discussed with Riley, and respond in **bold** below.

• Question 4 – Could you please explain why Mr. Roberts sent the receipt for the tailoring services to



According to Mr. Roberts' recollection, told him to hold on to receipts related to the Met Gala, so he sent to her for safe keeping, not to seek reimbursement, approval, or the like.

Please also provide any additional information and/or documentation demonstrating that Mr. Roberts did in fact pay for this cost out of personal funds.

As discussed in our previous response, the cost of Mr. Roberts' additional alterations were \$103, paid to Ignacio's Tailor, which only accepts cash (link). We have attached the ATM transaction from Mr. Roberts' personal account on the same day as the invoice for the tailoring, September 10, 2021, representing cash used for the payment when he paid the tailor on the next day.

---

Dave Mitrani

Partner

Sandler Reiff Lamb Rosenstein & Birkenstock, P.C.

1620 Eye Street NW, Suite 900

Washington, D.C. 20006

sandlerreiff.com

From: Gwinn, Christine < @mail.house.gov>

Date: Tuesday, October 15, 2024 at 14:58

**To:** David Mitrani (Sandler Reiff) < @sandlerreiff.com>, Pescatore, Brittney

@mail.house.gov>

Subject: RE: Committee on Ethics - Representative Ocasio-Cortez

Dave,

Following up on the below correspondence. Please inform the Committee whether you anticipate providing responses to the Committee's questions regarding Mr. Roberts or whether staff should contact him directly.

Thank you, Christine



P.O. Box 15284 Wilmington, DE 19850

RILEY S ROBERTS

## Customer service information

Customer service: 1.800,432.1000

En Español: 1.800.688.6086

bankofamerica.com

Bank of America, N.A. P.O. Box 25118 Tampa, FL 33622-5118

# Your Adv Plus Banking

for August 13, 2021 to September 13, 2021

RILEY S ROBERTS

# Account summary

Beginning balance on August 13, 2021

Deposits and other additions

Withdrawals and other subtractions

Checks

Service fees

Ending balance on September 13, 2021

Your account is enrolled in Balance Connect™ for overdraft protection. You can manage your overdraft protection preferences, including linked accounts, in Online and Mobile Banking.

Account number:

Masterpiece Moment

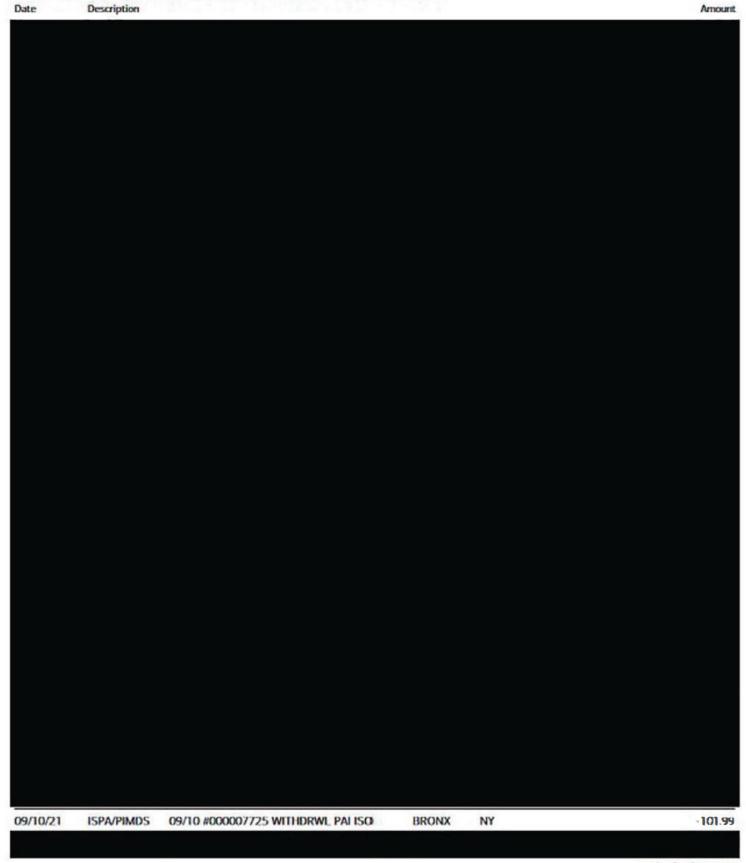
# Be inspired by art!

Bank of America's Masterpiece Moment is a new video series that explores great works of art in museums across the United States. A new episode will be available every other Monday night.

Visit bankofamerica.com/MasterpieceMoment to watch the latest episodes, and sign up for alerts so you never miss a moment!

S9M-01-71-3113B | 3414765

# Withdrawals and other subtractions - continued



continued on the next page



May 16, 2025

### Via E-Mail

Tom Rust, Esq.
Staff Director and Chief Counsel
United States House of Representatives
Committee on Ethics
1015 Longworth HOB
Washington, D.C. 20515-6328

Re: In the Matter of U.S. Rep. Alexandria Ocasio-Cortez (D-NY) Committee on Ethics Review of OCE Rev. 22-8546

Mr. Rust:

This letter will respond on behalf of our client, U.S. Rep. Alexandria Ocasio-Cortez (D-NY), a letter sent by the Committee on Ethics (the "Committee") on May 5, 2025 related to the Congresswoman's appearance at the 2021 Metropolitan Museum of Art's Costume Institute Benefit ("Met Gala"). We incorporate by reference previous responses provided on July 8, 2022, February 27, 2023, and July 29, 2024.<sup>1</sup>

The Committee's letter presents additional "discovered" costs for Brother Veilles to produce the Congresswoman's dress and hair, which dramatically increase the amount that the Congresswoman has been asked to pay. The Congresswoman was not aware of these costs incurred by Brother Veilles until the May 5, 2025 letter and exhibit were sent (on the day of the 2025 Met Gala, which is a "coincidence" not lost on the Congresswoman). She did not authorize these costs. In summary, the Committee should close this matter privately, as:

- I. The Congresswoman has made every effort to comply with the law, and with OCE's and the Committee's requests in this matter. Unfortunately, there is little to show for this cooperation if anything, it has resulted in *more* scrutiny.
- II. The Congresswoman will pay additional amounts if presented with an invoice from Brother Veilles. Given the circumstances, any additional invoice must be *without* any interest or penalties.
- III. The Congresswoman would be happy to contribute \$250 to the Met's Costume Institute, but objects to the Committee making a finding that Mr. Roberts' attendance was impermissible.

<sup>1</sup> While the Office of Congressional Ethics' name has changed to the Office of Congressional Conduct, we will refer to that body as "OCE", since the matter began before the name was changed.

Concluding this letter here would leave far too much off of the public record.

The Congresswoman was unaware that Brother Veilles incurred these additional costs for the creation of her dress – and solely acted on the facts previously provided by Brother Veilles and by .2 When she has been presented an invoice, she has paid it, from personal funds – she has taken Brother Veilles' and word time and time again for how much she owed to them for the evening – and the number keeps getting larger. It is not the Congresswoman's fault that Brother Veilles or seemingly withheld these additional costs from the Office of Congressional Ethics (or seemingly even from the counsel who they hired to conduct a review of costs during the OCE phase).

Yet, here we are again. For the second time, Brother Veilles has "found" additional costs that the Congresswoman will be directed to pay. How have these costs not come to light until now? In preliminary questions regarding to the Committee's letter, the Committee's staff was unable to provide assurances that – even if the Congresswoman did pay these extra amounts – this matter would come to a close (and if it did, it would likely be a public one).

This is unacceptable. The Congresswoman has paid thousands of dollars for this one evening that happened years ago. Continuing to leave this matter open flies in the face of the immense personal expense for the Congresswoman, the years of good faith cooperation, the hundreds of documents reviewed, the multiple interviews sat for (and not to mention the cost of doing so). The Committee should close this matter privately once the Congresswoman pays the amounts Brother Veilles has discovered.

Continuing to keep this matter open serves no one and diverts crucial resources from the Committee that can be used on other matters. A public release closing this matter also serves no one, as the scrutiny the Congresswoman has been subject to in this matter has been well documented. So far, the Congresswoman has very little to show for complete, good faith cooperation with this investigation outside of more scrutiny seemingly *because of* her cooperation, and more money that she's being required to pay *for actions taken by others* without her knowledge or authorization.

However, multiple facts in this matter have remained constant: the Congresswoman *always* intended to pay for all expenses related to the Met Gala that required reimbursement under House Rules, as clearly evidenced by the involvement of the undersigned Counsel prior to the event, and documented communication between the Congresswoman's staff, vendors and OCE in the days immediately surrounding the event.

The goalposts for the standards that others would hold the Congresswoman to keep being moved. We hope they are not moved again beyond the amounts the Congresswoman is being asked to pay in the May 5, 2025 letter and this matter is closed privately.

<sup>&</sup>lt;sup>2</sup> We will assume that the costs in Exhibit 1 of the Committee's letter are actual, legitimate costs that have somehow been discovered years after the fact.

1. The Committee should close this matter privately once the Congresswoman pays the amounts Brother Veilles has discovered. While the Committee has thanked the Congresswoman for her cooperation, it has meant little in practice. If anything, it has seemingly increased the scrutiny that the Committee has placed on this matter.

While many Members of Congress do not cooperate with OCE (now the Office of Congressional Conduct), or provide the bare minimum to the Committee, the Congresswoman and her staff fully cooperated with this inquiry in good faith.<sup>3</sup> The Congresswoman produced hundreds of documents to OCE, voluntarily sat for an interview herself, and has been open and honest with OCE and with the Committee.

In turn, since OCE referred the matter in June of 2022, the Committee appears to have spent significant staff time both rechecking OCE's work, and *searching for* additional things that the Congresswoman would need to pay for. For example, it is clear that Committee staff went *frame-by-frame* reviewing the Congresswoman's appearance at the 2021 Met Gala – photos and videos – to see whether there were additional items that had not previously been discovered for her to pay for.

In a September 16, 2024 email, the Committee asks the Congresswoman (through the undersigned counsel), specifically pointing out zoomed-in social media posts and parts of videos:<sup>4</sup>

Questions 1(e.), 2(e.) – You noted that it is your understanding that the hair accessory provided to Representative Ocasio-Cortez was a live flower whose cost was included in either of the invoices for the hair or makeup vendors. In some social media posts, the flower appears to have been described as a "handmade and hand painted crepe flower" made by artist in collaboration with Brother Vellies. We understand that Ms. made the flowers for the shoes but wanted to confirm whether Representative Ocasio-Cortez is confident that the flower in her hair was not similarly handmade. See also the Vogue video of her getting ready around 2:30, which appears to show a flower identical to the one in her hair (distinct from the ones on her shoes): https://www.vogue.com/video/watch/tax-the-rich-with-aoc.

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<sup>&</sup>lt;sup>3</sup> <u>See</u>, e.g. Campaign Legal Center, "Members of Congress Are Refusing To Cooperate With Ethics Investigations" (November 2, 2023) <u>at https://campaignlegal.org/update/members-congress-are-refusing-cooperate-ethics-investigations</u> (last accessed May 14, 2025).

<sup>&</sup>lt;sup>4</sup> Email from Christine Gwinn to David Mitrani, September 16, 2024.



It is clear that cooperation has only brought more scrutiny – the Congresswoman's answers to questions have brought more questions. Investigation and enforcement in this matter has been unrelenting. OCE agreed that the Congresswoman's and her now-fiancé Riley Roberts' attendance at the 2021 Met Gala was permissible under House Rules and that she has personally paid for all benefits received that required reimbursement (that we were aware of at the time). Despite this, OCE referred the matter to the Committee primarily because they believed, "but for" their review, the Congresswoman *may not have* paid for benefits provided to her.

OCE faulting the Congresswoman for the time taken to pay is emblematic of a culture within the House of Representatives that discriminates against Members who are not independently wealthy and actively makes it more difficult for people not of financial means to serve in Congress. OCE's finding that the Congresswoman would not have reimbursed benefits "but for" its inquiry was insulting, offensive and completely unfounded – it failed to take into account the countless hours of work that the Congresswoman and her staff put into due diligence and cooperation in this matter, and the significant personal burden of paying the funds determined to be owed by her personally.

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<sup>&</sup>lt;sup>5</sup> OCE Report, Review No. 22-8546, at 8; 12 footnotes 46 and 47 ("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").

Now, with the receipt of the Committee's May 5, 2025 letter, we are aware of \$2,983.28 (\$2,733.28 plus \$250) in new costs, in addition to the around \$7,500 already paid. What other due diligence could the Congresswoman and her staff have done before the event that would have satisfied the Committee, since Brother Veilles keeps "discovering" new costs? Seemingly, nothing would have been sufficient.

The Congresswoman has and will pay for all costs with personal funds – all told, *over* \$10,000 in total for *one evening*. While some may argue that the Congresswoman "just shouldn't have gone" to the event if she could not afford to, that argument simply disregards the due diligence conducted, and the fact that so many of the expenses were incurred without the Congresswoman's knowledge or authorization, but still require her payment despite this. It would be nonsensical to suggest that the Congresswoman should have been prepared to pay for aspects of items and services that she didn't know about and didn't authorize.

The Congresswoman's cooperation in this matter – including the significant due diligence conducted before the event – should be worth something. The Committee should close this matter privately as an incentive for others to cooperate and to strive for compliance in the same manner as the Congresswoman has.

2. The Committee should close this matter privately once the Congresswoman pays the amounts Brother Veilles has discovered. It is not the Congresswoman's fault that Brother Veilles appears to have withheld their costs from her (and from others).

As described above, the Congresswoman was unaware that Brother Veilles incurred these additional costs for the creation of her dress – and solely acted on the facts provided by Brother Veilles and by . The Congresswoman – and to the best of her knowledge neither did her agents – did not authorize Brother Veilles to incur these costs to create her dress.

Brother Veilles' interaction with the Congresswoman was primarily through her agent, former campaign manager, interacting with Brother Veilles' owner, Ms. Ms. on behalf of the Congresswoman, explicitly told vendors prior to the Met Gala that the Congresswoman would be paying for many of the benefits provided *personally*, including Brother Veilles.

As we conducted due diligence to determine whether it was permissible for the Congresswoman to attend the event and what costs she would need to pay, it proved to be exceptionally difficult to educate vendors on the ethical requirements that the Congresswoman is subject to. The Met Gala is primarily an event for celebrities, who are not subject to any legal restrictions on acceptance of gifts and who are routinely given complimentary benefits in connection with their attendance. This led to multiple occasions where the Congresswoman and her team were met with responses from collaborators and involved companies to the effect of "Met Gala attendees don't normally pay for this."

Nonetheless, the Congresswoman's staff diligently educated vendors on her ethical requirements – compliance with House Rules was always at the forefront of planning.

Unfortunately, it is clear that the same cannot be said for vendors that the Congresswoman used for that evening. For nearly all of the vendors involved, it was their first time being exposed to House gift rules and ethical restrictions.

No one appeared to be thinking about the cost of anything, despite the fact that they were told to keep the costs down by the Congresswoman's staff because the Congresswoman had and has limited financial means, recognizing that she would have to pay for everything personally.

This is regrettably no clearer than with Brother Veilles and . In 2022, Brother Veilles retained Brian Svoboda of Perkins Coie, an extraordinarily accomplished and well-respected practitioner in the field of Political Law, to conduct a review of Brother Veilles' costs to ensure that it charged the Congresswoman the correct amount for the evening. 6 Mr. Svoboda wrote to me on April 15, 2022, in part as below:

Our clients, Cultural Brokerage Agency LLC d/b/a Brother Vellies and 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.

Mr. Svoboda's review found \$5,579.99 in new costs for the Congresswoman to pay, which she did from personal funds – these new costs were from invoices dated September 11, 12, 13, and a re-run invoice from March 16, 2022, and included *two* hotel rooms.<sup>7</sup>

As a part of its May 5, 2025 letter, the Committee attached additional dress costs charged to Brother Veilles for the creation of the Congresswoman's dress (a dress that was rented by the Congresswoman and returned to Brother Veilles after the event) which included a cover page indicating which costs were attributable to the Congresswoman.<sup>8</sup> In correspondence, Committee staff confirmed that "The Committee's understanding is that the first page of the exhibit was

<sup>&</sup>lt;sup>6</sup> See OCE Exhibit C at 129; 22-8546\_0349.

<sup>&</sup>lt;sup>7</sup> OCE Exhibit C at 132-142; 22-8546\_0352-0362.

<sup>&</sup>lt;sup>8</sup> May 5, 2025 Committee letter, Exhibit 1.

created by Brother Vellies' accountant at the time of the event." These invoices were dated to Brother Veilles on:

- August 31, 2021 (
- September 8, 2021 (
- September 13, 2021 ( ),
- September 15, 2021 (
- September 6, 2021 ( ), and
- September 17, 2021 (

To state the obvious – these dates for invoices fall far, far before Mr. Svoboda's review for Brother Veilles would have been conducted – and an accounting of costs was created "at the time of the event" – in September of 2021.

From this, how did these costs not come to light during Mr. Svoboda's review? These costs clearly fall into the scope of "goods, services or amenities which Representative Alexandria Ocasio-Cortez and Mr. Riley Roberts may have received from [Brother Veilles] in connection with the September 13, 2021, Met Gala, for which Representative Ocasio-Cortez and Mr. Roberts may not have yet paid" that Brother Veilles hired Mr. Svodoba to catalogue. These invoices were addressed to Brother Veilles – how were they not included? It is not a logical leap to say Brother Veilles did not provide these costs to their counsel, since if they had they would have been integrated into the above letter sent April 15, 2022, and the Congresswoman would have paid these amounts years ago.

So, here we are again: taking Brother Veilles' word that this is actually, truly all of the costs the Congresswoman owes them for their work at the 2021 Met Gala. While the Congresswoman *will* pay amounts directed and invoiced by Brother Veilles for services rendered – it is not her fault that Brother Veilles seemingly keeps "discovering" new costs – first on Mr. Svoboda's review, and second on Brother Veilles' accountant's ledger of costs sent with the Committee's May 5, 2025 letter.

The Congresswoman has paid Brother Veilles' invoices and will pay this one once received – but cannot and should not be held to verifying the accuracy of those invoices. She does not control Brother Veilles, does not have access to their internal systems to verify invoices, or anything of the sort. All she can do is pay an invoice when directed.

<sup>&</sup>lt;sup>9</sup> Email from Christine Gwinn to David Mitrani, May 14, 2025.

<sup>&</sup>lt;sup>10</sup> OCE Exhibit C at 129; 22-8546\_0349.

From this, the Committee should close this matter privately once the Congresswoman pays the new amounts Brother Veilles has discovered.

3. While the Congresswoman is happy to contribute towards the Met Gala's Costume Institute, the Committee's letter threatening a negative finding disregards that there are different definitions of "spouse" under different sets of law.

The Committee's May 5, 2025 letter states that there is "no legitimate basis" for the assertion that, as of September 13, 2021, the Congresswoman's now-fiancé Riley Roberts was a permissible guest at the event, and that the Committee is considering finding that the Congresswoman "impermissibly accepted a gift of free admission to the Met Gala for Mr. Roberts."

This is simply not correct and would be inconsistent with the law applicable at the time. For one, it is crucial to note that OCE found that Mr. Roberts <u>was</u> a permissible guest as a "spouse" – stating "Consistent with prior decisions, the OCE Board opted to treat a long-term significant other as synonymous with a spouse." This in and of itself is a legitimate basis for the Committee to do the same.

The Committee now saying that Mr. Roberts' attendance was impermissible *nearly four years later* would not only be inconsistent – two ethics bodies interpreting the same laws making opposite findings – it would bring Mr. Roberts, a private figure, back into the public eye for no fault of his own. The Committee – which it correctly notes has expanded its guidance *beyond* a broader view of "spouse" to allow "any guest" under the charitable event exemption – would be saying that *the Congresswoman was right in premise* that the Committee adopted a year later, but the Committee had not yet caught up to the reasoning as to *why*.

That would be an illogical result. Mr. Roberts accepted complimentary attendance to the Met Gala under the "charity event" exception of at the time House Rule 25(5)(a)(4)(C)-(D), which allows a Member of Congress to bring a "spouse or dependent" to an event meeting the exception.<sup>12</sup>

Mr. Roberts and the Congresswoman have been together since 2014, and have lived together since 2016. Mr. Roberts has had a spouse pin since the Congresswoman entered Congress in 2019. It is clear that the term "spouse" – as utilized in this former rule and as seemingly accepted by the Committee by expanding "spouse or dependent" to *any guest* – was intended to allow a Member of Congress to bring the individual that they've decided to share their lives with to a charity event, regardless of whether they had taken steps to bring the law or religion into their relationship.

<sup>&</sup>lt;sup>11</sup> OCE Report at 12, fn 47.

<sup>&</sup>lt;sup>12</sup> House Rule 25(5)(a)(4)(C)-(D).

"Spouse" had and has many meanings under different sets of law applicable to the Congresswoman's actions. OCE correctly found that Mr. Roberts was considered a "spouse" under the rules at issue in this matter, "[c]onsistent with [their] prior decisions" – OCE found in this matter that "a long-term significant other [is] synonymous with a spouse" for the purposes of the House rules involved. In addition, under campaign finance law, Mr. Roberts is considered a "spouse." For the purposes of campaign finance law and the Federal Election Commission, a person "who has a committed relationship with the candidate, such as sharing a household and mutual responsibility for each other's welfare or living expenses" is treated "as the equivalent of the candidate's spouse" for the purposes of the personal use rules. In the candidate of the candidate of the candidate of the purposes of the personal use rules.

It is true that under the Committee's Travel Rules and financial disclosure guidance, Mr. Roberts is not considered a spouse. Under the Travel Rules – inapplicable to this matter because there was not a private sponsor – the Committee is correct that "fiancés/fiancées and unmarried significant others are not "relatives." \*\*Ibowever\*\*, this clause limits the definition's reach to "for purposes of these regulations" – solely the travel rules. The Committee's financial disclosure guide provides that only individuals who are "legally married" are "spouses" solely for the purposes of the financial disclosure report. \*\*Ibowever\*\* \*Ibowever\*\* \*Ibowever\*

It also makes policy sense to treat people in committed long term relationships as spouses. Many states recognize common law marriage, and the law also contemplates that some couples in long term relationships may not have been able to marry due to outdated prohibitions on same-sex marriage. The law and religion shouldn't be required to be involved in a Member's personal relationships to determine who can receive these exemptions – reasoning the Committee has clearly adopted in its September 19, 2022 Pink Sheet.

So, at the time in September of 2021, left with multiple sets of law with multiple meanings for the same word ("spouse") – which should the Congresswoman have followed in the moment? The Congresswoman chose to follow campaign finance laws where definitions are commonly used throughout to guide the Committee's guidance (especially under personal use rules), opposed to definitions that were inapplicable in the Committee's rules on other topics. This was and is a reasonable and logical conclusion to make, and the Committee should not so brazenly apply guidance limited to other sets of rules in other contexts.

From this, the Committee should <u>not</u> find that the Congresswoman impermissibly accepted a gift of Mr. Roberts' admission to the 2021 Met Gala. Acceptance of Mr. Roberts'

<sup>&</sup>lt;sup>13</sup> OCE Report at 12, fn 47.

<sup>&</sup>lt;sup>14</sup> Federal Election Commission, Federal Register Volume 60, No. 27 at 7872, <u>at https://www.fec.gov/resources/cms-content/documents/notice1995-05-020995.pdf</u> (last accessed May 14, 2025); 11 CFR 113.1(g)(7) (now (g)(8)); also applicable to 11 CFR 113.2(a)(1).

<sup>&</sup>lt;sup>15</sup> Committee on Ethics, Travel Regulations § 104(z).

<sup>&</sup>lt;sup>16</sup> Committee on Ethics, 2025 Instruction Guide, Financial Disclosure Reports for Calendar Year 2024 and Periodic Transaction Reports at 24, <u>at https://ethics.house.gov/wp-content/uploads/2025/04/2024-Final-Instruction-Guide-4-15-2025.pdf</u> (last accessed May 14, 2025).

admission was permissible. Regardless, the Congresswoman would be happy to contribute \$250 to the Met's Costume Institute, but insists that a finding of wrongdoing not be made.

If there are any questions, I can be reached at <u>@sandlerreiff.com</u>.

Sincerely,

David Mitrani

Counsel to Congresswoman Ocasio-Cortez