



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 23, 2022

VIA ELECTRONIC MAIL ONLY

reiff@sandlerreiff.com

mitrani@sandlerreiff.com

Neil Reiff, Esq.
David Mitrani, Esq.
Sandler Reiff Lamb Rosenstein
& Birkenstock, P.C.
1090 Vermont Avenue, NW
Suite 750
Washington, DC 20005

RE: MURs 7575, 7580, 7592, & 7626
Brand New Congress and Hosseh Enad
in his official capacity as treasurer;
Brand New Congress, LLC;
Justice Democrats and Natalie Trent in
her official capacity as treasurer;
Alexandria Ocasio-Cortez;
Kamilka Malwatte,
Saikat Chakrabarti;
Adrienne Bell 2018 and Andret Rayford
in her official capacity as treasurer;
Alexandria Ocasio-Cortez for Congress
and Frank Llewellyn in his official
capacity as treasurer;
Chardo Richardson for Congress and
Chardo Richardson in his official
capacity as treasurer;
Cori Bush for Congress and Ami Vilela
in her official capacity as treasurer;
Hector Morales for Congress and Hector
Morales in his official capacity as
treasurer;
Letitia Plummer 2018 and Letitia
Plummer in her official capacity as
treasurer;

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Paula Swearengin 2018 and Paula Swearengin in her official capacity as treasurer;
Perry for Pennsylvania and Paul-David Perry, II, in his official capacity as treasurer;
Robert Ryerse 2018 and Robert Ryerse in his official capacity as treasurer; and
Sarah Smith 2018 and Andy Lo in his official capacity as treasurer

Dear Messrs. Reiff and Mitrani:

On March 7, March 21, April 11, and August 2, 2019, the Federal Election Commission notified your clients of complaints alleging violations of the Federal Election Campaign Act of 1971, as amended. Copies of the complaints were forwarded to your clients at that time.

Upon further review of the allegations contained in the complaints and information supplied by you, the Commission, on January 27, 2022, voted to (1) dismiss the allegations that Alexandria Ocasio-Cortez for Congress, Adrienne Bell 2018, Chardo Richardson for Congress, Hector Morales for Congress, Letitia Plummer 2018, Perry for Pennsylvania, Robert Ryerse 2018, and Sarah Smith 2018 violated 52 U.S.C. § 30104(b)(5) and (b)(6) and 11 C.F.R. § 104.3(b)(3) and (b)(4) by failing to include sufficient descriptions showing the purposes for, and misreporting the payee of, disbursements to Brand New Congress, LLC; (2) dismiss the allegation that Kamilka Malwatte violated 52 U.S.C. § 30116(a) by making excessive contributions; (3) dismiss the allegations that Alexandria Ocasio-Cortez for Congress and Justice Democrats PAC violated 52 U.S.C. § 30116(f) for knowingly accepting excessive contributions from Arden Buck, Kamilka Malwatte, and Natalie Elsberg; and (4) close the file as to Kamilka Malwatte.

Additionally, on January 27, 2022, the Commission was equally divided on (1) whether to find reason to believe, and whether to dismiss pursuant to *Heckler v. Chaney*, the allegations that Justice Democrats PAC, Brand New Congress, Brand New Congress, LLC, and Saikat Chakrabarti violated 52 U.S.C. § 30116(a) by making excessive in-kind contributions to the Respondent candidate committees; (2) whether to take no action at this time, and whether to dismiss pursuant to *Heckler v. Chaney*, the allegations that Alexandria Ocasio-Cortez, Alexandria Ocasio-Cortez for Congress, Adrienne Bell 2018, Chardo Richardson for Congress, Cori Bush for Congress, Hector Morales for Congress, Letitia Plummer 2018, Paula Swearengin 2018, Perry for Pennsylvania, Robert Ryerse 2018, and Sarah Smith 2018 violated 52 U.S.C. § 30116(f) by knowingly accepting excessive in-kind contributions from Justice Democrats PAC, Brand New Congress, Brand New Congress, LLC, or Saikat Chakrabarti; (3) whether to take no action at this time, and whether to dismiss, the allegations that Brand New Congress, LLC, violated 52 U.S.C. §§ 30102, 30103, and 30104 by failing to register and report as a political committee, and that Alexandria Ocasio-Cortez or Justice Democrats PAC violated the Act by Justice Democrats PAC's failure to register and report as an authorized committee or leadership PAC; and (4) whether to find reason to believe, and whether to dismiss, the

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allegations that Brand New Congress, Justice Democrats PAC, Cori Bush for Congress, and Paula Swearengin 2018 violated 52 U.S.C. § 30104(b)(5) and (b)(6) and 11 C.F.R. § 104.3(b)(3) and (b)(4) by failing to include sufficient descriptions showing the purposes for and misreporting the payee of, disbursements to Brand New Congress, LLC. Accordingly, on February 15, 2022, the Commission closed the file in these matters.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). The Factual and Legal Analysis, which more fully explains the Commission's decision as to Kamilka Malwatte, is enclosed for your information. A Statement of Reasons providing a basis for the Commission's decision regarding the other respondents will follow.

If you have any questions, please contact Thaddeus H. Ewald, the attorney assigned to these matters, at (202) 694-1650 or tewald@fec.gov.

Sincerely,

Mark Shonkwiler

Mark Shonkwiler
Assistant General Counsel

Enclosure:
Factual and Legal Analysis for Kamilka Malwatte