

October 31, 2023

Corey Amundson
Chief, Public Integrity Section
Department of Justice, Criminal Division
1301 New York Avenue, 10th Floor
Washington, DC 20005

Re: Request for Investigation into Thomas Barrett

Dear Mr. Amundson:

I am writing to request that the Department of Justice immediately investigate Mr. Thomas Barrett, a candidate for Congress in Michigan's 7th district, for apparently violating federal law by failing to file a personal financial disclosure report ("**PFD**"), as required by the amended Ethics in Government Act of 1978 (the "**Act**").

The Act was designed to "preserve and promote the integrity of public officials and institutions." Mr. Barrett's seeming decision not to file a personal financial disclosure report violates those important objectives and is particularly alarming for someone who is running to become a member of Congress. I respectfully request that you investigate this matter and take appropriate action as soon as possible.

I. Factual Background

Mr. Barrett filed a statement of candidacy for the 7th Congressional District seat in Michigan on July 7, 2023.¹ His principal campaign committee, Tom Barrett for Congress, reported raising more than \$5,000 toward the primary election by July 10, 2023.² Mr. Barrett has continued to raise and spend money for his 2024 election, and appears to still be running for Congress.³

This campaign is not Mr. Barrett's first campaign for Congress – he also ran unsuccessfully in 2022. As a candidate in the 2022 election, he filed two PFDs. His first report was filed on March

¹ Thomas More Barrett, State of Candidacy, FEC Form 2 (July 7, 2023), available at <https://docquery.fec.gov/pdf/225/202307079582442225/202307079582442225.pdf>.

² See Tom Barrett for Congress, FEC Form 3 (filed October 15, 2023), available at <https://docquery.fec.gov/pdf/461/202310159598405461/202310159598405461.pdf> (showing contributions on July 10, 2023, totaling \$5,050).

³ See *id.* (showing significant campaign activity through September 27, 2023); Tom Barrett for Congress, <https://tombarrettforcongress.com/>; See also Tom Barrett Instagram Post (Oct. 19, 2023) https://www.instagram.com/p/CyjbnGuPh_L/?igshid=MzRIODBiNWFIZA== (post captioned "CALL TO ACTION: The Barrett Brigade is gearing up to begin collecting signatures for Tom. Click the link below and sign up today to help get Tom on the ballot! <https://tombarrettforcongress.com/get-involved>").

17, 2022, and his second report was filed on June 30, 2022.⁴ For each of these reports, Mr. Barrett also filed extensions.⁵

II. Legal Background and Analysis

The Act requires individuals to file a PFD within thirty days of becoming a candidate or by May 15, whichever is later.⁶ A candidate must file a subsequent PFD no later than May 15 of each year that they continue to be a candidate.⁷ Filers have the option to request an extension of up to ninety days.⁸ An individual becomes a candidate when they receive contributions or make expenditures aggregating more than \$5,000.⁹

Mr. Barrett's principal campaign committee reported receiving contributions aggregating more than \$5,000 by July 10, 2023.¹⁰ Thus, Mr. Barrett officially became a "candidate" for purposes of the Act on July 10, 2023. As mentioned above, once an individual qualifies as a "candidate," they must file a PFD within thirty days or by May 15, whichever date is later. Accordingly, Mr. Barrett was required to file a PFD no later than August 9, 2023. Yet, over two months later, Mr. Barrett still has not filed a PFD in connection with the 2024 election. Mr. Barrett could have requested a 90-day extension and pushed his deadline to November 7, 2023, but it does not appear he has done so.

Mr. Barrett's seemingly brazen contempt for his financial disclosure obligations is not only a violation of federal law but it deprives the public of critical information about his financial interests. It is especially egregious because Mr. Barrett has run for federal office before and is certainly familiar with the requirement to file PFDs and the process for requesting an extension. Yet, even with access to all the pertinent information, Mr. Barrett has not complied with the law.

To safeguard the integrity of the electoral process, I respectfully request that you immediately investigate this matter and promptly seek all appropriate penalties and corrective action. I understand that 18 U.S.C. § 1001 applies to the information I am providing. To the best of my knowledge and ability, all evidence submitted was not obtained in violation of any law, rule, or regulation.

⁴ Thomas Barrett, Financial Disclosure Report (filed March 17, 2022), available at https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2021/10044193.pdf; Thomas Barrett, Financial Disclosure Report (filed June 30, 2022), available at https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/10048964.pdf.

⁵ Thomas Barrett, Financial Disclosure Report Extension (filed December 10, 2021), available at https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2021/30015194.pdf; Thomas Barrett, Financial Disclosure Report Extension (filed June 15, 2022), available at https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/30017548.pdf.

⁶ 5 U.S.C.A. § 13103(c).

⁷ *Id.*

⁸ *Id.* § 13103(g)(1).

⁹ *See id.* § 13103(c); 52 U.S.C.A. § 30101(2).

¹⁰ *See* Tom Barrett for Congress, FEC Form 3 (filed October 15, 2023), available at <https://docquery.fec.gov/pdf/461/202310159598405461/202310159598405461.pdf> (showing contributions on July 10, 2023, totaling \$5,050).

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Kelly". The signature is written in a cursive style with a long horizontal flourish extending to the left.