

December 15, 2023

Mr. Omar Ashmawy
Chief Counsel and Staff Director
Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, D.C. 20515

Re: Request for Investigation into Rep. Michael Garcia’s Potential Violation of Insider Trading Law and Failure to File Complete and Timely Financial Disclosure Reports

Dear Mr. Ashmawy,

We write to request an immediate investigation into Representative Michael Garcia (CA-27) for violations of the Ethics in Government Act, as amended by the STOCK Act (the “Act”).¹ In August 2020, Rep. Garcia sold up to \$50,000 worth of Boeing stock just weeks before his congressional committee released the results of a damning investigation into the company’s deadly plane crashes. But Rep. Garcia delayed disclosure until *after* his re-election, waiting more than two months to report the transaction in violation of the Act. Thus, Rep. Garcia may have violated insider trading laws, perpetuating the very harm that Congress designed the Act to prevent.

Additionally, Rep. Garcia appears to have filed inaccurate and incomplete financial disclosure reports for years—since his first filing as a candidate for Congress. Rep. Garcia failed to disclose the assets held in his brokerage and retirement accounts as well as his spouse’s assets and income, in clear violation of the Act and House Ethics Committee guidance. In turn, Rep. Garcia has consistently deprived the public of the ability to fully assess his financial assets and potential conflicts of interest. The available facts indicate that Rep. Garcia knew he was required to report timely, complete, and accurate financial disclosure reports yet repeatedly and egregiously failed to do so. Given the severity of the potential violations of insider trading law and Rep. Garcia’s years-long flouting of the Act’s mandatory reporting requirements, we respectfully request OCE undertake a swift and thorough investigation.

I. Factual Background

Michael Garcia first qualified as a federal candidate during the 2020 special election for California’s 25th Congressional District, filing his Statement of Candidacy with the Federal

¹ Ethics in Government Act, Pub. L. No. 95-521, 92 Stat. 1824, 1824 (1978), *codified at* 5 U.S.C. § 13101 *et seq.*; STOCK Act (Pub. L. 112-105, as amended by Pub. L. 112-173, Pub. L. 112-178 & Pub. L. 113-7).

Election Commission on April 3, 2019.² He was sworn into Congress as the representative of California's 25th Congressional District on May 19, 2020.³ Following redistricting, Rep. Garcia won re-election in 2022 to serve California's 27th Congressional District.⁴

During the periods in which he was a candidate for federal office, Rep. Garcia filed three personal financial disclosure reports ("PFDs"): one on July 29, 2019,⁵ another on June 17, 2020,⁶ and an amended report filed on August 10, 2021.⁷ As a Member of Congress, Rep. Garcia filed five PFDs: two reports and two subsequent amendments when he served as the Congressman from California's 25th Congressional District,⁸ and one PFD filed as a Member of Congress serving California's 27th Congressional District.⁹

In 2020, Rep. Garcia served on the Transportation and Infrastructure Committee ("Transportation Committee").¹⁰ During that time, the Transportation Committee investigated Boeing Company for deadly plane crashes involving Boeing's 737 MAX aircraft.¹¹ The

² Fed. Election Comm'n, Michael Garcia, Form 2 (Statement of Candidacy), (Apr. 3, 2019), <https://docquery.fec.gov/pdf/941/201904039145985941/201904039145985941.pdf>.

³ Arit John, *Republican Mike Garcia Sworn In To Serve Remainder of Former Representative Katie Hill's Term*, L.A. TIMES (May 19, 2020), <https://www.latimes.com/politics/story/2020-05-19/republican-mike-garcia-sworn-in>.

⁴ KCal-News Staff, *Mike Garcia Declares Victory in 27th Congressional District Race Encompassing Santa Clarita, Lancaster*, CBS L.A. (Nov. 13, 2022, 6:38 P.M. PST), <https://www.cbsnews.com/losangeles/news/mike-garcia-declares-victory-in-27th-congressional-district-race-encompassing-santa-clarita-lancaster>.

⁵ See U.S. House of Representatives, Michael Garcia – Financial Disclosure Report (July 29, 2019), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2019/10028865.pdf [*hereinafter* 2019 Candidate Financial Disclosure Report].

⁶ See U.S. House of Representatives, Michael Garcia – Financial Disclosure Report (June 17, 2020), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2020/10036148.pdf [*hereinafter* 2020 Candidate Financial Disclosure Report].

⁷ See U.S. House of Representatives, Michael Garcia – Amended Financial Disclosure Report (Aug. 10, 2021), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2020/10036148.pdf [*hereinafter* Amended 2020 Candidate Financial Disclosure Report]. This report amended Representative Garcia's 2020 Candidate Report.

⁸ See U.S. House of Representatives, Michael Garcia – Financial Disclosure Report (August 10, 2021), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2020/10042895.pdf [*hereinafter* 2020 Member Financial Disclosure Report]; U.S. House of Representatives, Michael Garcia – Financial Disclosure Report (May 23, 2022), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2021/10049449.pdf [*hereinafter* 2021 Member Financial Disclosure Report]; U.S. House of Representatives, Michael Garcia – Amended Financial Disclosure Report (Aug. 10, 2021), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2020/10042945.pdf [*hereinafter* Amended 2020 Member Financial Disclosure Report]; U.S. House of Representatives, Michael Garcia – Amended Financial Disclosure Report (Aug. 11, 2021), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2020/10043047.pdf [*hereinafter* Second Amended 2020 Member Financial Disclosure Report].

⁹ See U.S. House of Representatives, Michael Garcia – Financial Disclosure Report (June 20, 2023), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/10052759.pdf [*hereinafter* 2022 Member Financial Disclosure Report].

¹⁰ Congressman Mike Garcia, *Press Release: Garcia Receives House Committee Assignments* (July 1, 2020), <https://mikegarcia.house.gov/news/documentsingle.aspx?DocumentID=33>.

¹¹ H. COMM. ON TRANSPORTATION AND INFRASTRUCTURE, *Committee Activity: Boeing 737 MAX Investigation* (last accessed Dec. 14, 2023), <https://democrats-transportation.house.gov/committee-activity/boeing-737-max-investigation>.

Transportation Committee released its report on the investigation’s findings on September 16, 2020.¹²

Although Rep. Garcia never reported owning Boeing stock on any of his PFDs,¹³ he sold Boeing stock valued at up to \$50,000 on August 10, 2020, just weeks before the Transportation Committee released its report.¹⁴ However, Rep. Garcia did not disclose the August 10, 2020 sale of Boeing stock until November 23, 2020—almost three weeks after the general election in which Rep. Garcia was a candidate.¹⁵

Representative Garcia is married to Rebecca Rollins Garcia, who owns an interior design firm in Valencia, California called “Rebecca Rollins Interiors.”¹⁶ According to the firm’s website, Rollins is the “Owner [and] Lead Designer” and appears to be one of four employees of the company.¹⁷ Representative Garcia’s campaign materials state that Rollins is “running her own booming small business as an interior designer.”¹⁸ The firm’s social media frequently features Rollins, showing that she plays an active role in the business.¹⁹ None of Garcia’s PFDs report any spousal income by Rebecca Rollins Garcia or ownership interest in Rebecca Rollins Interiors.²⁰

II. Legal Analysis

A. Potential Use of Nonpublic Information for Personal Financial Benefit in Violation of Insider Trading Laws

Rep. Garcia potentially used nonpublic information that he would have had access to given his position on the Transportation Committee for his own financial benefit, in violation of the STOCK Act’s prohibition on insider trading. The STOCK Act explicitly affirms that Members of

¹² See *Final House Committee Report on the Boeing 737 Max*, WASH. POST (Sept. 16, 2020), <https://democrats-transportation.house.gov/imo/media/doc/2020.09.15%20FINAL%20737%20MAX%20Report%20for%20Public%20Release.pdf>.

¹³ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

¹⁴ U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf.

¹⁵ *Id.*

¹⁶ Rebecca Rollins Interiors, *About RRI*, available at <https://rebeccarollinsinteriors.com/about>.

¹⁷ *Id.*

¹⁸ Mike Garcia for Congress, *Who is Mike Garcia?*, available at <https://www.electmikegarcia.com/who-is-mike-garcia-the-family-man/>.

¹⁹ See e.g., RebeccaRollinsInteriors, INSTAGRAM (Oct. 11, 2022), available at https://www.instagram.com/p/Ck6KIORvgDL/?img_index=1 (feature Rollins working “a day in the life of an Interior Designer.”); RebeccaRollinsInteriors, INSTAGRAM (Nov. 13, 2022), available at https://www.instagram.com/p/Ck6KIORvgDL/?img_index=1.

²⁰ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

Congress are subject to the insider trading prohibitions under securities laws.²¹ Members of Congress may not use information gained in the performance of official duties “as a means for making a private profit.”²² House Committee on Ethics guidance clarifies that Members of Congress who choose to trade on material nonpublic information about a public company or economic sector that they learned during the course of their official duties may have engaged in insider trading.²³ Material nonpublic information is any information concerning a company, security, industry or economic sector, or real or personal property that is not available to the general public and which an investor would likely consider important in making an investment decision.²⁴

Rep. Garcia served on the Transportation Committee during the months in which the committee held private hearings on the culture and alleged failings of Boeing Company that led to the deadly 737 MAX plane crashes. Because of his committee membership, it is likely Rep. Garcia knew that the committee would release a report that was unfavorable to Boeing Company, and he also likely knew the committee intended to release the report in early September. Any information Rep. Garcia learned during private congressional hearings and committee meetings are material nonpublic information under House Ethics guidance because such information was not available to the general public and an investor would consider the contents and timing of a congressional report on Boeing’s deadly crashes important in making an investment decision concerning the company.

Rep. Garcia sold shares of Boeing stock valued at up to \$50,000 on August 10, 2020.²⁵ The timing of the sale and the release of the report suggest that Rep. Garcia intended to sell his Boeing shares before the report was released to avoid the likely prospect that a damning congressional report would depreciate the value of his Boeing shares. If Rep. Garcia in fact used material nonpublic information to avoid a loss on his Boeing stock, Rep. Garcia may have engaged in insider trading. Given the severity of this alleged violation, we request that the OCE

²¹ The Stop Trading on Congressional Knowledge Act of 2012, Pub. L. No. 112-105, 126 Stat. 291 (2012), P.L. 112-105 (“STOCK Act”). See also H. Comm. on Ethics, *Reminder of STOCK Act Requirements, Prohibition Against Insider Trading & New Certification Requirement* (June 11, 2020) at 1 [*hereinafter* STOCK Act Guidance].

²² STOCK Act, Sec. 3. The STOCK Act explains, “each Member of Congress or employee of Congress owes a duty arising from a relationship of trust and confidence to the Congress, the United States Government, and the citizens of the United States with respect to material, nonpublic information derived from such person’s position as a Member of Congress or employee of Congress or gained from the performance of such person’s official responsibilities.” *Id.*, Sec. 4.

²³ STOCK Act Guidance at 4.

²⁴ *Id.*

²⁵ U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf. Rep. Garcia indicated a gain from the sale of Boeing on his PTR, but failed to disclose either the sale of Boeing or any income from the sale of Boeing on his 2020 Member Financial Disclosure Report, as required. If there was net income from Boeing in 2020, it should have been disclosed on the 2020 Member Financial Disclosure Report. Rep. Garcia’s failure to disclose such income further deprives the public from understanding the full extent of the benefit he received by selling the Boeing shares when he did.

undertake an investigation into whether Rep. Garcia’s sale of Boeing stock was knowing and willful insider trading.

B. Failure to Timely Disclose Stock Transactions in Violation of the Act

Representative Garcia also did not timely report stock transactions on at least three separate occasions—including the sale of Boeing stock made *before* his 2020 re-election but disclosed months later—only *after* Election Day. The Act requires a Member of Congress to file a periodic transaction report within 30 days of receiving notice of a covered stock transaction, but no later than 45 days from the date of the transaction.²⁶

As mentioned, Rep. Garcia sold Boeing stock valued up to \$50,000 on August 10, 2023—the same time at which the Transportation Committee on which Rep. Garcia served was conducting hearings into Boeing’s deadly 737 MAX plane crashes.²⁷ The public had a right to know that Rep. Garcia disposed of Boeing stock during the same period in which his committee was investigating the company.

Rep. Garcia’s failure to disclose his sale of Boeing stock by the mandatory deadline is particularly egregious because he waited until *after* his election to report the stock transactions. He also failed to disclose three additional stock transactions by the statutory deadline, ensuring the public would not know about the transactions until after the election: his purchase of American Airlines Group, Inc. and Direxion Financial Bull stock on July 9, 2020, and his purchase of Tesla, Inc. stock on September 4, 2020.²⁸

Congress passed the STOCK Act to address exactly this harm. By providing mandatory disclosure of congressional stock trades within 45 days of the transaction, Congress sought to provide constituents with the tools to assess their members’ potential conflicts of interest. If Rep. Garcia had timely disclosed the sale of his Boeing stock and the purchases of American Airlines Group, Direxion Financial Bull, and Tesla, as required, he would have disclosed the transactions well before the general election on November 3, 2020, thereby allowing the public to judge the transactions *before* casting their ballots for or against Rep. Garcia.

Instead, Rep. Garcia waited to disclose the transactions until *after* his election, meaning that voters were not aware of the transactions until after they cast their ballots, depriving them of the ability to assess Rep Garcia’s candidacy in light of his personal financial interests.

²⁶ STOCK Act (Pub. L. 112-105, as amended by Pub. L. 112-173, Pub. L. 112-178 & Pub. L. 113-7), *codified at* 5 U.S.C. § 13105(l).

²⁷ U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf; H. COMM. ON TRANSPORTATION AND INFRASTRUCTURE, *Committee Activity: Boeing 737 MAX Investigation* (last accessed Dec. 14, 2023), <https://democrats-transportation.house.gov/committee-activity/boeing-737-max-investigation>.

²⁸ U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf.

C. Failure to Disclose Stock Transactions on PFDs

Additionally, Rep. Garcia failed to disclose several stock transactions on his PFDs in violation of the Act. Under the Act, Members must disclose the purchases and sales of assets on Schedule B of their personal financial disclosure statements if the transaction amount exceeds \$1,000.²⁹ Members must also disclose on periodic transaction reports (“PTRs”) any transactions involving stocks and other securities when the amount of the transaction exceeds the \$1,000 threshold.³⁰

The House Ethics Committee makes clear that securities transactions, including the sale of stocks, “**must be reported twice: for the first time on a [PTR] no later than 45 days from the transaction, and then a second time on the annual [personal financial disclosure statement] covering that calendar year.**”³¹

Representative Garcia reported each of the following transactions on PTRs with a transaction amount of more than \$1,000.³² As such, these transactions met the \$1,000 reporting threshold to be included on Schedule B of Representative Garcia’s PFDs.³³ However, Representative Garcia failed to report each of these stock sales on his PFDs,³⁴ in evident violation of the Act:

	Asset Name ³⁵	Date Sold	Transaction Amount
1.	Tesla, Inc. (TSLA)	5/21/2020	\$1,001-\$15,000
2.	Boeing Company (BA)	6/3/2020	\$15,001-\$50,000
3.	Direxion Financial Bull 3X Shares (FAS)	6/3/2020	\$1,001-\$15,000
4.	Tesla, Inc. (TSLA)	6/3/2020	\$1,001-\$15,000
5.	Uber Technologies Inc. (UBER)	6/3/2020	\$1,001-\$15,000
6.	Boeing Company (BA)	6/5/2020	\$1,001-\$15,000
7.	Starbucks Corporation (SBUX)	6/16/2020	\$15,001-\$50,000
8.	Boeing Company (BA)	8/10/2020	\$15,001-\$50,000
9.	Uber Technologies Inc. (UBER)	11/5/2020	\$15,001-\$50,000
10.	UBS Group AG Registered Ordinary Shares (UBS)	11/9/2020	\$15,001-\$50,000
11.	Boeing Company (BA)	11/13/2020	\$15,001-\$50,000
12.	VanEck Vectors Oil Services ETF (OIH)	11/18/2020	\$1,001-\$15,000

²⁹ 5 U.S.C. § 13104(a)(5).

³⁰ *Id.* § 13105(l)(9); Reporting Guide at 6.

³¹ U.S. House Comm. on Ethics, “Reminder of STOCK Act Requirements, Prohibition Against Insider Trading & New Certification Requirement” (June 11, 2020), https://ethics.house.gov/sites/ethics.house.gov/files/wysiwyg_uploaded/STOCK%20Act%206.11.2020%20Final.pdf (emphasis added).

³² U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf; Periodic Transaction Report (June 17, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20016805.pdf.

³³ Reporting Guide at 27.

³⁴ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

³⁵ U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf; Periodic Transaction Report (June 17, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20016805.pdf.

D. Failure to File Complete and Accurate Financial Disclosure Reports

Lastly, Rep. Garcia appears to have repeatedly filed inaccurate and incomplete PFDs for years. The Act requires that candidates for federal office and Members of Congress file annual personal financial disclosure reports with the Clerk of the House of Representatives.³⁶ In relevant part, on Schedule A of these reports, the candidate or Member must report their real and personal property valued at more than \$1,000 at the close of the reporting period, which could include corporate securities like stocks, bonds, and stock options, underlying assets held in brokerage accounts, underlying assets in IRAs, 401(k) plans and other non-federal retirement accounts, ownership interests in privately-held companies, as well as the year-end market value of publicly-traded securities (*e.g.*, stocks and mutual funds). In addition, filers must disclose any assets that generated more than \$200 in income during the calendar year, even if the year-end value of the asset is less than \$1,001.

When reporting underlying assets held in brokerage accounts, IRAs, 401(k) plans and other non-federal retirement accounts, House Committee on Ethics (the “Committee”) guidance provides that “filers must disclose all underlying holdings (*e.g.*, stocks, bonds, or mutual funds) and transactions in these accounts above \$1,000.”³⁷ The Committee’s guidance is clear: “[i]t is not sufficient to disclose [only] the aggregate value of the portfolio or account.”³⁸

Filers are also required to report stock options on Schedule A, including those held in Employee Stock Option Plans.³⁹ The specific stock name should be listed, if applicable, along with whether the option is a call or put, the purchase price under the option, and the date on which the option will expire.⁴⁰

It appears that Representative Garcia failed to disclose or incompletely disclosed the following assets and income on his annual personal financial disclosure reports, in violation of the Act:

- ***Raytheon Stock Options.*** On his first personal financial disclosure report filed with the Clerk of the House of Representatives, Representative Garcia disclosed that he had an agreement with his then-employer, Raytheon, to take a leave of absence. In detailing that agreement on Schedule F, he noted that “[Raytheon] stock options will mature while on LOA [leave of absence].”⁴¹ Representative Garcia’s Amended 2020 Candidate Report likewise mentioned his Raytheon stock options, indicating that they had matured during

³⁶ 5 U.S.C. § 13103(c), (f)(9).

³⁷ House Comm. on Ethics, *2023 Instruction Guide: Financial Disclosure Statements for Calendar Year 2022 Reporting Period and Periodic Transaction Reports* at 16, <https://ethics.house.gov/sites/ethics.house.gov/files/documents/Updated%20Final%20Combined%202023%20Instruction%20Guide.pdf> [hereinafter Reporting Guide].

³⁸ *Id.*

³⁹ *Id.* at 19.

⁴⁰ *Id.*

⁴¹ See 2019 Candidate Financial Disclosure Report.

his leave of absence.⁴² Despite this, none of Representative Garcia’s PFDs disclosed on Schedule A, as required, that Representative Garcia held Raytheon stock options.⁴³ Assuming the stock options were valued at more than \$1,000, Representative Garcia was required to disclose them.⁴⁴ Furthermore, even if the stock options were *not* valued at more than \$1,000, if Representative Garcia sold the stock to generate more than \$200 of income, he was required to report it on his personal financial disclosure reports. Representative Garcia did not report the Raytheon stock options in either capacity, in apparent violation of the Act.

- ***Underlying Assets in Brokerage and 401(k) Accounts.*** On his 2019 Candidate Report and 2020 Candidate Report (and subsequent amendment), Representative Garcia listed the asset “Etrade Brokerage Account.”⁴⁵ The value of the account exceeded \$100,001 and the description refers to it as “ettrade stock brokerage account” in both reports.⁴⁶ Because the asset appears to be a brokerage account, Representative Garcia was required to itemize each underlying holding within the account that meets the reporting threshold.⁴⁷ However, he did not report any underlying assets for the Etrade Brokerage Account on either report, in apparent violation of the Act. Additionally, in both his 2019 Candidate Report and 2020 Candidate Report, Representative Garcia disclosed a “Fidelity 401k” as an asset.⁴⁸ Based on the description, this appears to be a retirement account through Representative Garcia’s former employer, Raytheon. In both reports, the value of the account exceeded \$100,001.⁴⁹ Because the asset appears to be a retirement account, Representative Garcia was required to itemize each underlying holding within the account that meets the reporting threshold.⁵⁰ However, it appears he failed to report such underlying assets for the Fidelity 401(k) on either report, in apparent violation of the Act.⁵¹
- ***Income from Assets No Longer Held.*** As mentioned above, not only did Rep. Garcia fail to disclose transactions on Schedule B of his annual Financial Disclosure Reports, he also

⁴² See Amended 2020 Candidate Financial Disclosure Report.

⁴³ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

⁴⁴ Reporting Guide at 14, 19.

⁴⁵ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report.

⁴⁶ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report.

⁴⁷ Reporting Guide at 16.

⁴⁸ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report.

⁴⁹ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report.

⁵⁰ Reporting Guide at 16.

⁵¹ There additionally appears to be a discrepancy in how Representative Garcia categorized these accounts. In his 2019 and 2020 Candidate Financial Disclosure Report, the ETrade account was disclosed in a way that suggested they consisted of stocks (*i.e.*, the filing indicated the account accrued capital gains as the income type). See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report. In later PFDs, it appears Representative Garcia reported that the same ETrade account now consists of cash. See 2021 Member Financial Disclosure Report. No transactions were reported on Schedule B to indicate a sale of assets that would convert stocks held in the ETrade account to cash. *Id.*

failed to disclose income from assets that were sold on Schedule A. According to his PTR, Rep. Garcia sold the following assets for a gain of more than \$200: American Airlines Group, Inc., Boeing Company, Direxion Financial Bull 3X Shares, Tesla, Inc., Uber Technologies, Inc., UBS Group AG Registered, VanEck Vectors Oil Services ETF.⁵² Yet Schedule A of his 2020 PFD does not disclose any income from any of these assets.⁵³ If he received more than \$200 in income from these assets during the calendar year, the income should have been reported on Schedule A of his Financial Disclosure Report – even if the assets themselves were no longer held.

- ***Spousal Income from Rebecca Rollins Interiors.*** As mentioned above, filers must report the source and type of any income earned by the filer *or their spouse*. Based on the above facts, it is highly likely that Representative Garcia’s spouse has been earning a salary at Rebecca Rollins Interiors, yet Representative Garcia failed to report any such income on any of his personal financial disclosure statements in apparent violation of the Act.⁵⁴
- ***Interest in Privately-Held Companies.*** Filers must also disclose any interests in privately-held companies that are held by them, their spouse, or their dependent children. According to multiple sources, Representative Garcia’s spouse *owns* Rebecca Rollins Interiors.⁵⁵ Yet again, Representative Garcia failed to report any such interest on Schedule A of any of his personal financial disclosure statements.⁵⁶

III. Requested Action

We request that you investigate Representative Michael Garcia’s apparent failure to file complete, timely, and accurate financial disclosure reports and examine whether Rep. Garcia violated the STOCK Act and insider trading law based on the timing of his sale of Boeing stock and the Transportation Committee’s official report. We further request that the OCE take all necessary steps to seek appropriate penalties and corrective action in this matter.

We understand that 18 U.S.C. § 1001 applies to the information we are providing. To the best of our knowledge and ability, all evidence submitted was not obtained in violation of any law, rule, or regulation.

⁵² U.S. House of Representatives, Michael Garcia – Periodic Transaction Report (Nov. 23, 2020), https://disclosures-clerk.house.gov/public_disc/ptr-pdfs/2020/20017738.pdf.

⁵³ Second Amended 2020 Member Financial Disclosure Report.

⁵⁴ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

⁵⁵ See, e.g., Rebecca Rollins Interiors, *About RRI*, available at <https://rebeccarollinsinteriors.com/about>.

⁵⁶ See 2019 Candidate Financial Disclosure Report; Amended 2020 Candidate Financial Disclosure Report; Second Amended 2020 Member Financial Disclosure Report; 2021 Member Financial Disclosure Report; 2022 Member Financial Disclosure Report.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tiffany Muller". The signature is written in a cursive style with a large initial "T" and "M".

Tiffany Muller
President
End Citizens United
PO Box 66005
Washington, DC 20035