

January 30, 2024

Corey Amundson
Chief, Public Integrity Section
Department of Justice, Criminal Division
1301 New York Avenue, 10th Floor
Washington, DC 20005
Sent by e-mail to Criminal.Division@usdoj.gov

Re: Request for Investigation into Mazi Melesa Pilip’s Failure to File Complete and Accurate Financial Disclosure Reports

Dear Mr. Amundson,

We write to request that the Department of Justice (“**DOJ**”) undertake an immediate investigation into candidate Mazi Melesa Pilip (NY-03) for apparent violations of the Ethics in Government Act, as amended (the “**Act**”).¹ Despite filing an amended personal financial disclosure statement after *The New York Times* scrutinized her initial filing,² Pilip’s financial disclosure still appears to be missing critical information that was previously filed in nonpublic financial disclosure reports with the Nassau County, New York Board of Ethics. The people of New York’s Third Congressional District have a right to a complete and accurate picture of candidate Pilip’s financial interests and obligations, as well as a right to assess these interests before the February 13, 2024 special election. Given the time sensitivity of this matter, we request DOJ undertake an expedited investigation.

I. Factual Background

On December 15, 2023, Mazi Melesa Pilip filed paperwork with the Federal Election Commission to run in the special election for New York’s Third Congressional District.³

In November 2021, Pilip was elected to the Nassau County, New York Legislature, representing District 10.⁴ Nassau County legislators are required to file annual financial disclosure statements with the Nassau County Board of Ethics.⁵

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).

² See Nicolas Fandos, *In Race to Replace George Santos, Financial Questions Re-emerge*, N.Y. TIMES (Jan. 13, 2024), <https://www.nytimes.com/2024/01/13/nyregion/mazi-pilip-finances-santos-district.html>.

³ Fed. Election Comm’n, Mazi for Congress, Form 1 (Statement of Organization), (Dec. 15, 2023), <https://docquery.fec.gov/pdf/983/202312159599480983/202312159599480983.pdf>.

⁴ See Nia Prater, *Who Is Mazi Melesa Pilip, Republicans’ George Santos Replacement?*, INTELLIGENCER (Dec. 19, 2023); Nassau County, N.Y., District 10 – Mazi Melesa Pilip (last visited Jan. 23, 2024), <https://www.nassaucountyny.gov/506/District-10---Mazi-Melesa-Pilip>.

⁵ Nassau County Admin. Code § 22-4.3.

In 2022 and 2023 Pilip filed two annual financial disclosure statements with the Nassau County Board of Ethics, which collectively covered the period from January 1, 2022 to December 31, 2023 (the “*County PFDs*”).⁶

Pilip’s County PFDs disclosed the following assets and obligations:

- Pilip and her husband, Adalbert Pilip, each held investments in excess of \$5,000 in an E-Trade Securities Brokerage Account.⁷
- Adalbert Pilip earned income of more than \$2,500 from his medical practice.⁸
- Pilip and her husband held an investment property (“co-op”) worth over \$5,000.⁹

On January 10, 2024, Pilip filed a candidate financial disclosure report with the Clerk of the House of Representatives, reporting her financial interests between January 1, 2022 and December 31, 2023.¹⁰ According to reporting, “[a]fter inquiries from *The New York Times*, Pilip materially amended the [financial disclosure] statement.”¹¹ Pilip filed an amendment report on January 12, 2024 (the “*Federal PFD*”).¹²

Neither of Pilip’s federal financial disclosure statements reported investments in an E-Trade Securities Brokerage Account, a co-op investment property, nor reported any earned income for Adalbert Pilip.¹³

II. Legal Analysis

Candidate Pilip appears to have failed to file “full and complete” financial disclosure statements as required by the Act, when she did not fully disclose her and her spouse’s investments and earned income in her Federal PFD.¹⁴

⁶ See Nassau County Bd. of Ethics, Financial Disclosure Application (2022, 2023) for Mazi Melesa Pilip, *accessible at*: <https://static01.nyt.com/newsgraphics/documenttools/6e42eee4fcf70240/96ff0bd7-full.pdf>.

⁷ *Id.* at 3, 7.

⁸ *Id.* at 2, 6.

⁹ *Id.* at 3, 7.

¹⁰ U.S. House of Representatives, Mazi Melesa Pilip – Candidate Financial Disclosure Report (Jan. 10, 2024), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2023/10056565.pdf [*hereinafter* “Initial Financial Disclosure Report”].

¹¹ See Nicolas Fandos, *In Race to Replace George Santos, Financial Questions Re-emerge*, N.Y. TIMES (Jan. 13, 2024), <https://www.nytimes.com/2024/01/13/nyregion/mazi-pilip-finances-santos-district.html>.

¹² *Id.*; U.S. House of Representatives, Mazi Melesa Pilip – Candidate Financial Disclosure Report (Jan. 12, 2024), *accessible at*: <https://static01.nyt.com/newsgraphics/documenttools/c10dd1596c8b12af/2f5bfd9d-full.pdf> [*hereinafter* “Amended Financial Disclosure Report”].

¹³ See Initial Financial Disclosure Report; Amended Financial Disclosure Report.

¹⁴ 5 U.S.C. § 13104(a)(1)(A).

A. Failure to Fully and Completely Disclose Unearned Income

Under the Act, candidates for the U.S. House of Representatives must file a full and complete financial disclosure statement which includes unearned income for themselves and their spouse, exceeding \$1,000.¹⁵ House Committee on Ethics guidance clarifies that brokerage accounts are investment vehicles that must be disclosed as unearned income, and the underlying assets in these accounts must also be disclosed.¹⁶ Pilip's County PFDs covering the same period as her Federal PFD indicate that both Pilip and her husband each held more than \$5,000 of investments in an E-Trade Securities Brokerage Account. However, the E-Trade account and its underlying assets were not disclosed in Pilip's Federal PFD, in a seeming violation of the Act.

B. Failure to Fully and Completely Disclose Earned Income

The Act additionally requires a candidate to disclose their spouse's earned income totaling more than \$1,000 from a single source.¹⁷ Pilip's Nassau County financial disclosure statements indicate that Adalbert Pilip earned at least \$2,500 from his medical practice in 2022 and 2023. Pilip did not disclose this in her Federal PFD, and in so doing, appears to have violated the Act.

C. Failure to Report Investment Property

The House Committee on Ethics requires that a candidate report any interest in land held for investment or the production of income.¹⁸ Investment property that is not a personal residence must be disclosed regardless of whether it generated any income during the reporting period.¹⁹ Pilip's County PFDs indicate that she held an investment property worth more than \$5,000 during the reporting period. However, Pilip failed to report this property on her Federal PFD in apparent violation of the Act.

III. Conclusion

Congress passed the Act to preserve and promote the integrity of public officials and institutions. Compliance with the Act is not merely a perfunctory requirement for House candidates. The Act's disclosure provisions play a crucial role in the electoral process, allowing voters to assess prospective Members of Congress' fitness for public office. Candidate Pilip appears to have failed to disclose her financial interests fully and completely, as required by the Act, and the voters have thus been denied the opportunity to fully assess her fitness to serve. We request DOJ

¹⁵ *Id.*

¹⁶ H. Comm. On Ethics, 2023 Instruction Guide, Financial Disclosure Statements for Calendar Year 2022 Reporting Period and Periodic Transaction Reports at 15-16 [*hereinafter* "Financial Disclosure Reporting Guide"].

¹⁷ *Id.* at 29-30.

¹⁸ *Id.* at 15.

¹⁹ *Id.*

undertake a swift and thorough investigation and take all necessary steps to seek appropriate penalties and corrective action.

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.

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