

June 26, 2024

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 Congressional Candidate Mike Erickson

Dear Mr. Amundson:

I am writing to request that the Department of Justice immediately investigate Mr. Mike Erickson, a candidate for Congress in Oregon's sixth congressional district, for apparent violations of federal law through his failure to make the disclosures required by the Ethics in Government Act of 1978 (the "*Act*") on his 2022 and 2024 personal financial disclosure reports ("*PFDs*").

The Act was designed to "preserve and promote the integrity of public officials and institutions."¹ Mr. Erickson's failure to comply with the requirements of the Act spurns that important objective and is particularly alarming for someone who is running to become a Member of Congress. Oregon voters must have the opportunity to review *complete and accurate* reports in order to assess Mr. Erickson's fitness for elected office. I respectfully request that you immediately investigate this matter and take appropriate corrective action as soon as possible.

I. Factual Background

Mr. Erickson is currently running to represent Oregon's sixth congressional district in the United States House of Representatives.² This is not Mr. Erickson's first attempt to become a Member of Congress – he also ran unsuccessfully in 2022, 2008, and 2006.³ As required by the Act, Mr. Erickson filed a PFD in connection with his current campaign on April 3, 2024 (the "**2024**

¹ Ethics in Government Act, Pub. L. No. 95-521, 92 Stat. 1824, 1824 (1978).

² Mike Erickson, Statement of Candidacy, FEC Form 2 (filed Feb. 2, 2024), <https://docquery.fec.gov/pdf/925/202402029619673925/202402029619673925.pdf>.

³ Mike Erickson, Statement of Candidacy, FEC Form 2 (filed Mar. 15, 2022), <https://docquery.fec.gov/pdf/404/202203159493949404/202203159493949404.pdf>; Oregon Sec'y of State, 2008 General Election Official Results, <https://records.sos.state.or.us/ORSOSWebDrawer/Recordhtml/6873598>; Oregon Sec'y of State, 2006 General Election Official Results, <https://records.sos.state.or.us/ORSOSWebDrawer/Recordhtml/6873552>.

PFD”).⁴ He similarly filed a PFD in connection with his 2022 race on April 12, 2022 (the “*2022 PFD*”).⁵

Mr. Erickson’s 2024 PFD and his 2022 PFD are both riddled with blatant omissions that violate the Act and the clear instructions of the House Committee on Ethics (the “*Committee Instructions*”).⁶ Mr. Erickson’s failure to file complete and accurate PFDs is not only a violation of federal law, but it denies Oregon voters their right to assess whether Mr. Erickson’s personal financial interests conflict with the important duties and obligations of the office he seeks.

II. Legal Standards and Analysis

i. Mr. Erickson failed to disclose required information regarding at least \$105,000,000 worth of assets on his 2022 PFD and 2024 PFD.

The Act requires filers to disclose all assets held for investment or the production of income by themselves, their spouse, or their dependent children which (1) are valued at more than \$1,000 at the close of the reporting period or (2) generated more than \$200 in income during the reporting period.⁷

When reporting investment accounts, it is not sufficient to simply disclose the name and aggregate value of the portfolio or account.⁸ Instead, filers must report on Schedule A “**all underlying holdings (e.g., stocks, bonds, or mutual funds) in [brokerage-managed, 401(k), 403(b), IRA, and 529 accounts]** that meet the value and/or unearned income thresholds.”⁹ Committee Instructions reiterate this requirement repeatedly, noting that filers “must provide information about the specific holdings of the account in the same detail” as assets that are not held in an investment account.¹⁰ That information includes the name and value of the underlying asset as well as the type and amount of income it generated.

Committee Instructions also provide detailed guidance regarding the disclosure of ownership interests in privately-held companies formed for the purpose of holding investments. As with investment accounts, the filer must “disclose each asset held by the company in which the filer’s interest had a period-end value of more than \$1,000 or generated more than \$200 in income during the reporting period.”¹¹ As the Committee Instructions note, LLCs are frequently formed

⁴ Mike Erickson, Financial Disclosure Report (filed April 3, 2024), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2024/10056818.pdf (hereinafter, “2024 PFD”).

⁵ Mike Erickson, Financial Disclosure Report (filed April 12, 2022), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/10044732.pdf (hereinafter, “2022 PFD”).

⁶ Committee on Ethics, 2023 Instruction Guide, Financial Disclosure Reports for Calendar Year 2022 and Periodic Transaction Reports, <https://ethics.house.gov/sites/ethics.house.gov/files/documents/Updated%20Final%20Combined%202023%20Instruction%20Guide.pdf> (hereinafter, “Committee Instructions”).

⁷ 5 U.S.C. § 13104(a)(3).

⁸ Committee Instructions at 16.

⁹ *Id.* at 15-16.

¹⁰ *Id.* at 16.

¹¹ *Id.* at 21.

for the purpose of holding real estate. In that instance, a filer with an ownership interest in the LLC “must separately disclose each property in which [the filer’s] interest exceeded \$1,000 or [their] rental income derived from that property exceeded \$200.”¹² Although the filer need not disclose exact street addresses for each property, they must provide the city and state and distinguishable description for each property (e.g., “Residential Rental Property located in Ithaca, New York.”).¹³

Further, when reporting an ownership interest in a privately-held company that is actively engaged in a business, the filer must provide “(1) the name of the business; (2) a brief description of the nature of its activities; and (3) its geographic location (city and state)[.]”¹⁴

Filers must also report the names of any financial institutions which hold deposits exceeding \$5,000 in interest-bearing savings or checking accounts. Filers may not simply list “Cash” when reporting these accounts.

However, on Schedule A of his 2022 PFD and 2024 PFD, Mr. Erickson did not disclose the underlying assets of his 401(k) account, the underlying properties held in “Erickson Properties,” the names of the institutions holding his deposits, or information related to his Fishing Charter “business” or AFMS LLC.¹⁵ The following chart details the assets for which Mr. Erickson failed to make adequate disclosures, as well as the specific details that are missing for each relevant asset entry:

Information Provided by Mr. Erickson on Schedule A					MISSING INFORMATION
PFD	Asset	Type of Asset	Value Of Asset	Income Type	
2022	401K	OT	\$1,000,001 - \$5,000,000	“401k Investment”	Underlying Assets
2024	401K	OT	\$1,000,001 - \$5,000,000	Dividends Interest	Underlying Assets
2022	Erickson Properties	RP	\$25,000,001 - \$50,000,000	Rent	Underlying Properties
2024	Erickson Properties	OT	\$25,000,001 - \$50,000,000	Rent	Underlying Properties
2022	Cash	OT	\$1,000,001 - \$5,000,000	Interest	Institution name(s)
2024	Cash	OT	\$500,001 - \$1,000,000	Interest	Institution name(s)
2022	AFMS LLC	OT	\$25,000,001 - \$50,000,000	Distributions	Description of Business Geographic Location
2024	AFMS LLC	OT	\$25,000,001 - \$50,000,000	“Income”	Description of Business Geographic Location Income Type

¹² *Id.* at 21.

¹³ *Id.* at 15, 21.

¹⁴ *Id.* at 21.

¹⁵ See 2022 PFD, Schedule A; 2024 PFD, Schedule A.

2022	Boat (Fishing Charter business)	OT	\$1,000,001 - \$5,000,000	Rent	Identity of Business
2024	Boat	OT	\$1,000,001 - \$5,000,000	Rent	Identity of Business

Rather than complying with the straightforward requirements in the law and Committee Instructions, Mr. Erickson provided—at best—a partially completed Schedule A that includes vague assets descriptions such as “401K” (without a list of the underlying holdings), “Erickson Properties” (without listing the underlying properties), and “Cash” (without the name of the financial institution).¹⁶ This is an obvious attempt to hide the exact information Mr. Erickson is required by law to disclose to the public.

With respect to his retirement account – which he merely reports as “401K” – Mr. Erickson’s decision not to disclose the underlying assets worth up to \$5,000,000 means that voters are kept from knowing what Mr. Erickson’s exact financial interests are and whether they could pose a conflict of interest should he be elected to Congress. The Act was specifically designed to provide the public with this type of transparency, and Mr. Erickson knows that. When Mr. Erickson ran for Congress in 2006 and 2008, he listed the underlying assets of his 401(k) account.¹⁷ The fact that Mr. Erickson knows about the requirement to list the underlying assets of his investment accounts – and even complied with it in the past – makes his violations of the Act even worse. Mr. Erickson’s deliberate obfuscation of his reporting requirements must be investigated immediately.

Likewise, the public is currently being shielded from information about the specific properties that Mr. Erickson owns – including the value of those properties, where they are located, and the amount and type of income he’s received from them. This, again, is crucial information that the public has a right to know.

Finally, Mr. Erickson likely has not disclosed all of the required information regarding a boat he reported owning with a value of up to \$5 million. On his 2022 PFD, Mr. Erickson added a description of the boat, stating “Description: Fishing Charter business.” However, Mr. Erickson does not otherwise disclose the identity of the fishing charter business, its location, the type of income it has generated, or the amount of income it has generated. If Mr. Erickson has an ownership interest in the unknown fishing charter business, he’s required under the Act to provide that information. Mr. Erickson’s failure to disclose this information on both his 2022 PFD and 2024 PFD are likely violations of the Act.

These errors, taken together, appear to have resulted in the improper or incomplete disclosure of at least \$105,000,000 worth of assets on his 2022 PFD and 2024 PFD.

¹⁶ Committee Instructions at 21.

¹⁷ See Exhibit A.

- ii. ***Mr. Erickson failed to disclose his interest in numerous LLCs, a revocable trust, and a vineyard, and as well as any assets held by his spouse or dependent children on his 2022 PFD and 2024 PFD.***

In addition to inadequately disclosing information related to numerous assets, Mr. Erickson also failed to list *any* information about i) various LLCs he owns or manages, ii) a trust of which he or his immediate family may have a vested beneficial interest; iii) a luxury vineyard he and his wife reportedly own; and iv) any interests held by his wife or dependent children.

As mentioned above, filers must disclose all assets held for investment or the production of income by themselves, their spouse, or their dependent children which (1) are valued at more than \$1,000 at the close of the reporting period or (2) generated more than \$200 in income during the reporting period.¹⁸ This includes interests in privately-held business entities.¹⁹ Public records indicate that Mr. Erickson is affiliated with at least eight different LLCs – none of which appear on his 2022 PFD or 2024 PFD.²⁰ If Mr. Erickson held a reportable interest in any of the LLCs during the reporting periods, his failure to disclose them would be another egregious violation of the Act.

The chart below details these LLCs:

Erickson Properties LLCs Affiliated With Mike Erickson			
Business Name	Status	Erickson Role (May 2022)	Erickson Role (April 2024)
<u>Erickson Properties, LLC</u>	Active	Registered Agent	Registered Agent
<u>Erickson Properties II, LLC</u>	Active	Member (Sole)	Member (Sole)
<u>Erickson Properties III, LLC</u>	Active	Member (Sole)	Member (Sole)
<u>Erickson Properties IV, LLC</u>	Active	Manager (Sole)	Manager (Sole)
<u>Erickson Vacation Homes, LLC</u>	Active	Registered Agent	Registered Agent
<u>Erickson Vacation Homes II, LLC</u>	Active	Registered Agent, Member (Sole)	Registered Agent
<u>Erickson Vacation Properties LLC</u>	Active	Registered Agent	Registered Agent
<u>Erickson Cellars Vineyard, LLC</u>	Active	Member (Sole)	Member (Sole)

¹⁸ 5 U.S.C. § 13104(a)(3).

¹⁹ Committee Instructions at 21.

²⁰ It is possible that the asset Mr. Erickson discloses on his 2022 PFD and 2024 PFD as “Erickson Properties” is referencing one or more of the LLCs, but it is impossible to confirm based on the inadequate information Mr. Erickson has provided. Regardless, that would be an inadequate method of disclosure.

Public records also indicate that several of the above LLCs are owned by a “Michael K. Erickson Revocable Trust.”²¹ This trust is listed nowhere on Mr. Erickson’s 2022 PFD or 2024 PFD. If Mr. Erickson, his spouse, or his dependent children have a vested beneficial interest in any assets held in the trust that exceed \$1,000 or that generated more than \$200 in income during the reporting period, he would be required to disclose those interests on his PFD.²² Accordingly, his failure to report the Michael K. Erickson Revocable Trust is likely another violation of the Act.

Next, it appears Mr. Erickson failed to report his ownership interest in a luxury vineyard. As an initial matter, Mr. Erickson did not report an ownership interest in Erickson Cellars Vineyard, LLC despite being the sole member of that entity in 2022 and 2024. Archived website content for “High Style Vacation Homes” details the Erickson Cellar Vineyards by noting it produces between 100-120 cases a year of “fine Pinot Noir.”²³ That profile lists the vineyard owners as “Mike and Katie Erickson.”²⁴ If he and his wife are, in fact, owners of the Erickson Cellar Vineyards, the vineyard should have been disclosed, along with the value of their interest in the vineyard and the amount and type of income it generated during the reporting periods.

Finally, Mr. Erickson failed to list a single asset held by his wife or dependent children.²⁵ As mentioned above, the Act requires Mr. Erickson to not only list assets he holds, but also assets held by his wife or dependent children.²⁶ It would be highly unusual for the spouse and dependent children of a filer like Mr. Erickson to not have disclosable assets or income – especially here where public information suggests his wife has an ownership interest in a vineyard. If Mr. Erickson’s wife or dependent children held any reportable assets or unearned income, his failure to disclose them would also be a violation of the Act.

iii. Despite appearing to hold multiple positions, Mr. Erickson did not disclose any “positions” on Schedule E of his 2022 PFD or 2024 PFD.

The Act broadly requires first-year candidates to disclose the identity of all positions held during the two preceding calendar years plus the current calendar year through the date of filing as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any corporation, company, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States.²⁷

²¹ See e.g., Oregon Sec’y of State, Business Entity Data – Erickson Vacation Properties, LLC, https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=1657596&p_srce=BR_INQ&p_print=FALSE; Oregon Sec’y of State, Business Entity Data – Erickson Vacation Homes, LLC, https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=1788312&p_srce=BR_INQ&p_print=FALSE.

²² Committee Instructions at 22.

²³ High Style Vacation Homes, Erickson Cellar Vineyards (archived June 30, 2022), available at <https://web.archive.org/web/20220630172136/https://www.highstylevacahomes.com/erickson-vineyards/>.

²⁴ *Id.*

²⁵ Mr. Erickson’s campaign website states that he is married and has two children. See Mike Erickson for Congress, About Mike, <https://mikeericksonforcongress.org/about/>.

²⁶ 5 U.S.C.A. § 13104(e).

²⁷ *Id.* § 13104(a)(6).

Accordingly, Mr. Erickson should have disclosed all positions held from January 2020 – April 2022 on his 2022 PFD and all positions held from January 2022 – April 2024 on his 2024 PFD.

Publicly available information indicates that Mr. Erickson has held numerous positions during these reporting periods – yet he failed to list a single position on either his 2022 PFD or his 2024 PFD.

First, according to Mr. Erickson’s own campaign website and LinkedIn profile, Mr. Erickson is the current CEO and President of AFMS, LLC and has held those positions for over 30 years.²⁸ Annual reports filed by AFMS, LLC with the Oregon Secretary of State also indicate he is a managing member of the entity.²⁹ Despite holding these reportable positions, none of them are listed on Schedule E.³⁰

Second, as indicated above, Mr. Erickson served as a managing member of multiple LLCs during the relevant reporting periods – including Erickson Properties II, LLC; Erickson Properties III, LLC; Erickson Properties IV, LLC; Erickson Vacation Homes II, LLC, and Erickson Cellars Vineyard, LLC. If these positions amounted to an officer or proprietor role with the LLCs, he was required to disclose them.³¹ His failure to list his position as a managing member of each of these LLCs appears to be another violation of the Act.

Third, Mr. Erickson is listed on the Maurice Lucas Foundation website as a Community Board Member.³² Mr. Erickson boasted about this position in a tweet during his 2022 campaign, and his campaign website also states that he is a “current” Community Board Member of the foundation.³³ Mr. Erickson’s failure to list his board position with the foundation seems to be yet another violation of the Act.

iv. Mr. Erickson likely omitted numerous sources of compensation in excess of \$5,000 on Schedule J.

Filers must report on Schedule J the identity of each source that paid more than \$5,000 for services personally performed by the filer during the two preceding calendar years.³⁴ This reporting requirement specifically applies when the filer has an ownership interest in the

²⁸ Mike Erickson for Congress, About Mike, <https://mikeericksonforcongress.org/about/>; Mike Erickson, LinkedIn Profile, <https://www.linkedin.com/in/mike-erickson-37767932/>.

²⁹ See e.g., Oregon Sec’y of State, Amended Annual Report – AFMS, LLC (filed Aug. 28, 2023), <https://records.sos.state.or.us/ORSOSWebDrawer/Recordhtml/9650457>.

³⁰ Although House Instructions provide that positions listed on Schedule C are exempt from disclosure on Schedule E, Mr. Erickson merely provides that he earned a salary from AFMS, LLC on Schedule E. Because he lists no information about his role with the company on Schedule C, he was likely required to still disclose the position(s) on Schedule E.

³¹ See Committee Instructions at 33-34.

³² Maurice Lucas Foundation, Leadership, <https://ml20.org/about-us/leadership/>.

³³ Mike Erickson for Congress, Twitter (Oct. 5, 2022), https://twitter.com/MikeErickson_OR/status/1577689832993718272; Mike Erickson for Congress, About Mike, <https://mikeericksonforcongress.org/about/>.

³⁴ 5 U.S.C.A. § 13104(a)(6)(B); see also Committee Instructions at 39.

employer (e.g., a partner of a firm).³⁵ In other words, if a filer provided services to a client during the preceding two calendar years and that client paid the filer’s employer more than \$5,000 for those services, the filer must disclose the client’s name and a description of the filer’s services if the filer has an ownership interest in the company providing the services.

Mr. Erickson reports an ownership interest in AFMS, LLC on his 2022 PFD and 2024 PFD. According to AFMS’s website, AFMS has worked with “1000s” of clients, including Honda, Sony, Under Armour, Starbucks, John Deere, Dell, McKesson, Disney, Johnson & Johnson, Guess, American Eagle, Best Buy, Fred Meyer, Bose, and Toyota.³⁶ In 2022, public reporting stated that Mr. Erickson says “*he* advises some of the world’s biggest brands including Starbucks, John Deere, and Under Armour.”³⁷ If Mr. Erickson performed services for any of AFMS’s clients that resulted in \$5,000 or more in fees to AFMS during the relevant reporting periods, he was required to list them on Schedule J. Instead, Mr. Erickson merely lists “AFMS, LLC.” This, again, blinds the public to information they have a right to know – here, Mr. Erickson’s clients whose financial ties to him may very well create conflicts of interest should Mr. Erickson be elected to Congress.

III. Request for Action

As detailed above, Mr. Erickson’s 2022 PFD and 2024 are filled with countless glaring omissions. As a candidate for federal office, Mr. Erickson has a duty to provide the public with the transparency that the Act demands.

I respectfully request that you immediately investigate this matter and promptly seek all appropriate penalties and corrective action. Oregon voters have the right to full disclosure of Mr. Erickson’s finances and potential conflicts of interest. Further, it is critical to the objectives of the Act that leaders who violate the disclosure requirements are held accountable.

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.

Thank you for your prompt attention to this matter.

Sincerely,



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

³⁵ Committee Instructions at 39.

³⁶ AFMS, About Us, <https://www.afms.com/about-us.html>.

³⁷ Oregon Live, Lawmaker Andrea Salinas, businessman Mike Erickson tout differing backgrounds in tight 6th Congressional District race (Oct. 15, 2022), <https://www.oregonlive.com/politics/2022/10/lawmaker-andrea-salinas-businessman-mike-erickson-tout-differing-backgrounds-in-tight-6th-congressional-district-race.html>.

Exhibit A

SCHEDULE II — ASSETS AND "UNEARNED" INCOME													Name <u>Mike Erickson</u>		Page <u>2 of 4</u>																																	
BLOCK A Asset and/or Income Source <small>Identify (a) each asset held for investment or production of income with a fair market value exceeding \$1,000 at the end of the reporting period, and (b) any other asset or source of income which generated more than \$200 in "unearned" income during the year. For rental property or land, provide an address. Provide full names of any mutual funds. For a self-directed IRA (i.e., one where you have the power to select the specific investments), provide information on each asset in the account that exceeds the reporting threshold, and the income earned for the account. For an IRA or retirement plan that is not self-directed, name the institution holding the account and provide its value at the end of the reporting period. For an active business that is not publicly traded, in Block A state the nature of the business and its geographic location. For additional information, see the instruction booklet for the reporting year.</small>	BLOCK B Value of Asset <small>at close of reporting period. If you use a valuation method other than fair market value, please specify the method used. If an asset was sold and is included only because it generated income, the value should be "None."</small>												BLOCK C Type of Income <small>Indicate type of income earned. Check all columns that apply. Check "None" if the asset did not earn any income during the reporting period.</small>												BLOCK D Amount of Income <small>For retirement plans or accounts that do not allow you to choose specific investments, you may write "NA" for income. For all other assets, indicate the category of income by checking the appropriate box below. Dividends, even if reinvested, should be listed as income. Check "None" if the asset did not earn any income during a reporting year; do not leave blank.</small>																							
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[Mike Erickson 2008 House Candidate Personal Financial Disclosure, filed 9/12/07]

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[Mike Erickson 2006 House Candidate Personal Financial Disclosure, filed 4/14/06]