

1 1. Federal Office Candidate 1 was a candidate for a seat in the United States Congress in
2 elections held in the years 2010 and 2012.

3 2. Committee A was the federal campaign committee formed to receive campaign
4 contributions for the election of Federal Office Candidate 1. Committee A was located in Elk Grove,
5 California, and maintained a mailing address at Post Office Box 582496, Elk Grove, CA 95758.

6 3. The Federal Election Campaign Act of 1971, as amended, Title 52, United States Code,
7 Sections 30101 through 30145 ("Election Act"), regulated financial activity intended to influence the
8 election of candidates for federal office. In order to limit the influence that any one person could have
9 on the outcome of a federal election, the Election Act established limits on the amounts individuals
10 could contribute to an individual candidate's political campaign committee. The Federal Election
11 Commission ("FEC") was an agency and department of the United States with jurisdiction to enforce the
12 limits and prohibitions of the Election Act.

13 4. Pursuant to the Election Act, the FEC required campaign committees, including
14 Committee A, to file periodic reports of receipts and disbursements, identifying, among other things,
15 each person who made a contribution to such committee during the relevant reporting period whose
16 contribution or contributions had an aggregate amount or value in excess of \$200 within the calendar
17 year, together with the date and the amount of any such contribution. In preparing these reports, federal
18 candidates and political committees relied on the information provided by the donor, including the
19 individual's name, address, and occupation. These periodic reports, which were filed with the FEC and
20 made publicly available, were intended to provide citizens with a transparent record of contributions to
21 candidates for federal office.

22 5. In 2009, the Election Act limited both primary and general election campaign
23 contributions to \$2,400, for a total of \$4,800 from any individual to any one candidate. In 2011, the
24 Election Act limited both primary and general election campaign contributions to \$2,500, for a total of
25 \$5,000 from any individual to any one candidate.

26 6. On or about April 4, 2009, and May 4, 2009, defendant and his spouse each made
27 contributions totaling \$4,800 to Committee A thereby reaching their individual contribution limits
28 allowed by the Election Act to Committee A for the 2010 election.

1 7. Beginning on a date no later than May 11, 2009, and continuing through at least July 4,
2 2010, the defendant directly and indirectly solicited relatives, friends, and acquaintances to make the
3 maximum allowable federal campaign contributions to Committee A, knowing that his personal money
4 would be used to advance funds to, or reimburse these individuals for the contributions they made.

5 8. Beginning on a date no later than May 11, 2009, and continuing through at least August
6 20, 2010, these individuals contributed a total of at least \$225,326 to Committee A. In some instances,
7 these contributors mailed their contributions directly to Committee A in Elk Grove, California.

8 9. Beginning on a date no later than May 11, 2009, and continuing through at least July 4,
9 2010, these contributors received full or partial reimbursements for their contributions in the form of
10 funds that originated from the defendant, either from the defendant directly or through third parties
11 working at the defendant's behest.

12 10. On or about January 5, 2011, defendant and his spouse each contributed \$5,000 to
13 Committee A thereby reaching their individual contribution limits allowed by the Election Act to
14 Committee A for the 2012 election.

15 11. Beginning on a date no later than January 31, 2011, and continuing through at least
16 November 14, 2011, the defendant directly and indirectly solicited relatives, friends and acquaintances
17 to make the maximum allowable federal campaign contributions to Committee A, knowing that his
18 personal money would be used to advance funds to, or reimburse these individuals for the contributions
19 they made.

20 12. Beginning on a date no later than January 31, 2011, and continuing through at least
21 December 5, 2011, these individuals contributed a total of approximately \$43,400 to Committee A. In
22 some instances, these contributors mailed their contributions directly to Committee A in Elk Grove,
23 California.

24 13. Beginning on a date no later than April 26, 2011, and continuing through at least June 9,
25 2012, these contributors received full or partial reimbursements for their contributions in the form of
26 funds that originated from the defendant, either from the defendant directly or through third parties
27 working at the defendant's behest.

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THE CHARGE

14. The United States Attorney incorporates paragraphs 1 through 13 of this Information, as if set forth fully herein.

15. Beginning on or about January 5, 2011, and continuing through at least December 5, 2011, in the State and Eastern District of California and elsewhere, defendant BABULAL BERA did knowingly and willfully make, and cause to be made, contributions to Committee A, the official federal campaign committee of Federal Office Candidate 1, a candidate for a seat in the United States Congress, which contributions exceeded the limitations contained in the Election Act, and which violation aggregated \$25,000 and more during the 2011 calendar year, all in violation of Title 52, United States Code, Sections 30116(a)(1)(A) and 30109(d)(1)(A)(i).

COUNT TWO: [52 U.S.C. §§ 30122 and 30109(d)(1)(D) – Making Contributions in the Name of Another]

The United States Attorney further charges:

BABULAL BERA,


Defendant herein, as follows:

16. The United States Attorney incorporates paragraphs 1 through 13 of this Information, as if set forth fully herein.

17. Beginning on or about January 31, 2011, and continuing through at least December 5, 2011, in the State and Eastern District of California and elsewhere, defendant BABULAL BERA did knowingly and willfully make, and cause to be made, contributions of money, aggregating \$25,000 and more during the 2011 calendar year, in the names of others, to Committee A, the official federal campaign committee of Federal Office Candidate 1, a candidate for a seat in the United States Congress, all in violation of Title 52, United States Code, Sections 30122 and 30109(d)(1)(D).

Dated: *MAY 6, 2016*

PHILLIP A. TALBERT
Acting United States Attorney

By: 
JOHN K. VINCENT
Assistant United States Attorney

United States v. Bera
Penalties for Information

COUNT 1:

VIOLATION: 52 U.S.C. § 30116(a)(1)(A) – Making Excessive Campaign Contributions

PENALTIES: Up to 5 years in prison; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to 3 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 2:

VIOLATION: 52 U.S.C. § 30122 – Making Contributions in the Name of Another

PENALTIES: Up to 5 years in prison; or
Fine in an amount of not less than 300 percent of the amount involved in the violation, and not more than the greater of either \$50,000 or 1,000 percent of the amount involved in the violation; or both fine and imprisonment
Supervised release of up to 3 years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)