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Tom Davis, Chairman
Henry A. Waxman, Ranking Member

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Executive Summary

In the wake of numerous guilty pleas by Jack Abramoff and his lobbying associates relating to defrauding his clients and his law firm and to public corruption charges, the Committee on Government Reform commenced an investigation into the nature and extent of their lobbying of White House officials. The Committee obtained billing records and e-mail communications of Abramoff and his associates at his lobbying firm, Greenberg Traurig L.L.P., relating to instances of lobbying officials at the White House. The e-mail and billing data provided to the Committee by Abramoff's firm spanned three years, included the dealings of approximately 20 lobbyists. In total, it amounted to more than 14,000 pages.

This review of more than three years of Abramoff/Greenberg Traurig, LLP billing records and e-mails offers an unusually detailed glimpse into a sordid subculture of fraud and attempted influence peddling. The questions of primary concern to the Committee in this review: To what extent were executive branch officials influenced by Abramoff's elaborate schemes? And, in view of Abramoff's admitted crimes, what reforms would better protect the integrity and increase the transparency of government processes and decisions?

Constitutionally protected freedoms of speech and association guarantee citizens and their paid advocates the right to petition their government in an effort to influence the outcome of public policy deliberations. At the same time, in recognition of the public trust bestowed by government service, federal employees are bound by statutory and regulatory prohibitions and affirmative disclosure requirements to ensure adherence to fundamental ethical principles in the conduct of public business. Those ethics laws and disclosure regimes operate to ensure that official acts are undertaken for public, not private, benefit and that influence exerted by citizens and their organized representatives is neither undue nor improper.

In this instance, those legal, regulatory and reporting requirements on lobbyists and the public officials they sought to influence proved inadequate to protect Abramoff's clients from fraudulent business practices and kickback schemes. The same safeguards also failed to protect public officials from the ethical undertow generated by Abramoff's claims of access to executive branch deliberations, particularly at the White House. And, to the extent Abramoff succeeded in exerting undue influence or corrupting public officials, current laws and regulations failed to protect the fundamental governmental integrity every citizen rightfully expects. In effect, Abramoff was selling information and entrée that shouldn't need to be bought while making his clients pay inflated fees for access and influence that shouldn't be for sale.

The principle that guided the preparation of this report was to let the facts speak for themselves and to avoid characterizations, inferences, and spin. In today's closely divided partisan environment, different parties may draw different conclusions from the billing records and e-mail exchanges described in this report. Indeed, in some instances,

Chairman Tom Davis and Ranking Member Henry A. Waxman may themselves have differing interpretations of the significance of what is described in the report.

What united Chairman Davis and Ranking Member Waxman and made this report possible were two convictions: (1) a shared belief that members of Congress and the public deserve an impartial presentation of what the billing records and e-mails have to say and (2) a mutual commitment to fundamental reform of the laws governing lobbying of the executive branch. They hope that readers of the report will come to share these convictions.

There are certain caveats that all readers of this report should bear in mind. This report is not intended to be viewed as the final word on Abramoff's efforts to lobby the White House. The documents on which the report is based are drawn from the records of Abramoff's former firm, Greenberg Traurig, and thus for the most part can tell only one side of the story. In many instances, there is little or no corroboration of the events described in the documents. In other instances, the documents are vague about who was lobbied and what was said. While the documents described in this report are authentic, that does not mean that the events actually transpired or that Abramoff and his associates did not exaggerate or misrepresent their actions.

I. Background

On January 3, 2006, lobbyist Jack Abramoff pleaded guilty in federal district court in the District of Columbia to four counts of conspiracy, one count of mail fraud, and one count of tax evasion. Under the conspiracy provisions of the plea agreement, he admitted to conspiracy to commit (1) honest services wire and mail fraud, (2) mail and wire fraud, (3) bribery and honest services fraud of a public official, and (4) violations of post-employment restrictions for former Congressional staff members.[1]

In an attachment to the plea agreement, he admitted that he had defrauded clients by concealing from them that payments to other organizations whose services he had recommended were shared with him, that he had defrauded his own law firm by accepting payments for services directly from clients, that payments to organizations controlled by him were diverted to his personal use, and that he conspired to offer and "provided things of value to public officials in exchange for a series of official acts and influence and agreements to provide official action and influence."[2] The disclosure in the plea agreement that these crimes had been committed as long ago as 1999[3] raised serious questions about the adequacy of lobbying and financial disclosure requirements.

Consequently, the Committee on Government Reform initiated an investigation into the effectiveness of laws governing executive branch lobbying and financial disclosure by examining the nature and extent of lobbying by Jack Abramoff and his associates of White House officials. To conduct this inquiry, the Committee obtained and reviewed billing records and e-mail communications since 2001 of Abramoff's former employer, the law and lobbying firm Greenberg Traurig, L.L.P.

A. Jack Abramoff's Lobbying Practice

Jack Abramoff maintained a federal and state governmental lobbying practice since at least 1994,[4] and from January 2001 through March of 2004, Jack Abramoff presided over a substantial lobbying practice from his position as a partner at Greenberg Traurig L.L.P. (Greenberg). Largely representing Indian tribes and insular territories, Abramoff's practice grew rapidly in the late 1990s following successful engagements

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[1] Plea Agreement at ¶3, *U.S. v. Jack A. Abramoff*, No. CR-06-001 (D.D.C. Jan. 3, 2006) [hereinafter Abramoff D.D.C. Plea Agreement].

[2] *Id.* at ¶3(A), Attachment A, ¶33.

[3] *Id.* at ¶6.

[4] *Id.* at Attachment A, ¶1.

with clients such as the Mississippi Band of Choctaw Indians (Choctaw) and the territory of the Commonwealth of Northern Mariana Islands (CNMI).

Abramoff's Choctaw and CNMI representations built a foundation for a significant lobbying practice. During the mid to late 1990s, Abramoff was responsible for a number of successful initiatives for the Choctaw. The tribe, which operates a large hotel and casino in Mississippi, found itself as the third-largest employer in Mississippi.[5] Given the sophisticated nature of the Choctaw's interests, they sought Abramoff's services as their federal lobbyist. One of Abramoff's early successes in representing the Choctaw was to arrange for support in the Congress to exempt the tribe from federal taxation on gambling revenues. With respect to the proposed taxes, Abramoff reportedly told then-Majority Whip Tom DeLay, "[r]egardless of what you feel about gaming, what you are creating here is a tax on these people, and conservatives should never be in favor of new taxes."[6]

Similarly, Abramoff achieved some early successes for the CNMI. In 1995, Abramoff achieved a major victory for the territory by working to retain the territory's exemption from U.S. minimum wage and immigration laws.[7] Avoiding the U.S. labor laws allows the territory to retain its competitive position in the low-cost textile industry.

On the heels of these successes, Abramoff became the steward of a fast growing lobbying practice. As has been well-chronicled in *The Washington Post*[8] and by the Senate Indian Affairs Committee, however, Abramoff began defrauding these clients as

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[5] David E. Rosenbaum, *At $500 an Hour, Lobbyist's Influence Rises with GOP*, N.Y. TIMES, Apr. 3, 2002, at A2; S. COMM. ON INDIAN AFFAIRS, 109TH CONG., "GIMME FIVE"— INVESTIGATION OF TRIBAL LOBBYING MATTERS, at 18 (Comm. Print 2006) [hereinafter "GIMME FIVE" S. COMM. Report].

[6] *Corporate Cronies, Bottomless Pockets, and the Republican Culture of Corruption*, U.S. FED. NEWS, June 22, 2005.

[7] Philip Shenon, *Ex-Delay Aide Pleads Guilty In Lobby Case*, N.Y. TIMES, Apr. 1, 2006, at A12.

[8] *See generally,* James V. Grimaldi & Susan Schmidt, *Logs Show 2 Abramoff Trips to White House: Secret Service Entries Indicate Visits by Former GOP Lobbyist in 2001, 2004*, WASH. POST, May 11, 2006, at A4; Susan Schmidt & James V. Grimaldi, *The Fast Rise and Steep Fall of Jack Abramoff: How a Well-Connected Lobbyist Became the Center of a Far-Reaching Corruption Scandal*, WASH. POST, Dec. 29, 2005, at A1; Susan Schmidt & James V. Grimaldi, *Lawmakers Under Scrutiny in Probe of Lobbyist: Ney and DeLay Among the Members of Congress Said to Be a Focus of Abramoff Investigation*, WASH. POST, Nov. 26, 2005, at A1; Susan Schmidt & James V. Grimaldi, *Witness May Have Pivotal Role in Probe of Alleged Corruption*, WASH. POST, Nov. 20, 2005, at A8. Susan Schmidt, *A Jackpot From Indian Gaming Tribes*, WASH. POST, Feb. 22, 2004, at A1.

early as 1999 using conduit service providers, excessively marking up fees for grassroots-related services, and receiving fees from those providers that were not disclosed to his clients.

A principal technique for Abramoff in winning and retaining clients was to convince clients that his contacts with relevant government policy-makers were so strong they would be foolish not to retain his firm. In the world of lobbying, perceived influence often carries just as much weight as actual influence.

B. Senate Report

The U.S. Senate Committee on Indian Affairs reports (Senate Report) in substantial detail the schemes employed by Abramoff and his business partner, "grassroots" political consultant Michael Scanlon, and some of their colleagues to defraud clients out of enormous amounts, nearing $70 million.[9]

The Senate Report describes the Abramoff-Scanlon scheme as follows:

> As a general proposition, the scheme involved the following: getting each of the Tribes to hire Scanlon as their grassroots specialist; dramatically overcharging them for grassroots and related activities; setting aside for themselves an unconscionable percentage of what the Tribes paid at a grossly inflated rate -- a rate wholly unrelated to the actual cost of services provided; and using the remaining fraction to reimburse scores of vendors that could help them maintain *vis-a-vis* the Tribes a continuing appearance of competence. One example of this fee-splitting arrangement arises from a payment of $1,900,000 from the Saginaw Chippewa Tribe of Michigan. On or about July 9, 2002, Scanlon assured Abramoff, "800 for you[,] 800 for me[,] 250 for the effort the other 50 went to the plane and misc expenses. We both have an additional 500 coming when they pay the next phasem [sic]."[10]

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[9] "GIMME FIVE" S. COMM. Report at 10 (The total cost of doing business with Abramoff was actually much higher than the amounts paid to the Scanlon entities. "To determine that cost, one must add to the $66,000,000 figure, payments made by the Tribes to the lobbying firms with which Abramoff was associated and payments made by the Tribes directly to [the Scanlon entities.]")

[10] "GIMME FIVE" S. COMM. Report at 9.

Indeed, on July 12, 2002, after that payment arrived, Scanlon made three payments to Abramoff, including a payment of $800,000.[11]

1. The Sales Pitch

Over a three-year period from 2001 through 2003, Abramoff and Scanlon collected $66 million from six tribal clients, the Mississippi Band of Choctaw Indians (Choctaw), the Coushatta Tribe of Louisiana (Coushatta), the Saginaw Chippewa Tribe of Michigan (Saginaw Chippewa), the Agua Caliente Band of Cahullia Indians (Agqua Caliente), the Ysleta del Sur Pueblo of Texas (Tigua), and the Pueblo of Sandia of New Mexico (Sandia Pueblo).[12]

In pitching his services to the Coushatta tribe, Abramoff traded on his ties to Rep. Delay.[13] In meeting with Coushatta officials, Abramoff described his background, political connections, and capabilities. In particular, he mentioned that he knew "how to get things passed through the legislature" and could get "line items" for the Tribe.[14]

Working to sign the Agua Caliente tribe, one tribal official reported to the Senate Committee staff that "Abramoff boasted that he was part of the lobbying team that had secured self-regulation of Class III gaming under the Indian Gaming Regulatory Act" for the Choctaw.[15] That tribal official stated that Abramoff's comments were the reason why she was interested in hiring him.[16] As the possibility of retaining Abramoff became more of a reality, Abramoff frequently exchanged correspondence with tribal officials promising political power for the tribe. He wrote, "I think what we have in mind is helping the tribe set up the kind of political strength we have done for others, but doing it very carefully so that you are the ultimate controller of the political power."[17]

When Abramoff first met with the Sandia Pueblo tribe in New Mexico, he "stressed his Republican connections, going back to his days working on grassroots activities for President Reagan."[18] One tribal representative recalled in an interview with

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[11] *Id.*

[12] *Id.* at 10.

[13] *Id.* at 46.

[14] *Id.* at 47.

[15] *Id.* at 105.

[16] *Id.*

[17] *Id.* at 115.

[18] *Id.* at 186.

Senate Committee staff that Abramoff "impressed the tribal leaders with his aggressive approach, specifically recalling Abramoff 'talk[ing] about breaking bones and busting kneecaps.'"[19]

In persuading the Tigua to hire him, Abramoff "told the Tigua how he planned anonymously to slip language into a legislative vehicle that would allow the Tigua to reopen its casino."[20] Abramoff's promise did not pan out. Despite his best efforts, the Tigua language he promised was never included in any legislation. On reporting this failure, Abramoff reportedly stated, "Congressman Ney had reported Senator Dodd had gone back on his word and stripped the measure from the committee report."[21]

The Abramoff-Scanlon scheme ordinarily began with Abramoff establishing a lobbying relationship with the client. As the federal and state lobbyist for the client, the firm performed traditional government relations services, such as advising the client on tax and environmental issues and obtaining earmarks through the federal appropriations process. With the tribal and territorial clients, Greenberg lobbied the federal government, both the legislative and executive branches, including specifically officials at the Department of Interior and at the White House Office of Intergovernmental Affairs, the two principal executive branch policy making entities for relations between the United States and the client tribes and territories.

In situations where Abramoff was not able to commence a lobbying engagement with a prospective tribal client, he, with the assistance of Scanlon, would agree to provide campaign-related services to prospective candidates in tribal elections.[22] The purpose of the free campaign assistance was to install a favorable slate of tribal leaders. With friends in high places within the tribe, the hope was for the tribe to commence a lucrative lobbying and grassroots political consulting engagement.[23] Sometimes Abramoff also obtained tribal lobbying clients by working both sides of an issue. In early 2002, for example, working through intermediaries, Abramoff urged the State of Texas to close Tigua casinos, while simultaneously appealing to the Tigua tribe that their only hope for survival is to hire him as their lobbyist.[24]

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[19] *Id.* at 187.

[20] *Id.* at 210.

[21] *Id.* at 178.

[22] *Id.* at 65 -74, 109-115.

[23] *Id.* at 9.

[24] *Id.* at 9, 140-141.

2. Kickbacks Paid to Abramoff

Any examination of Abramoff's billing records must be informed by the findings of the Senate Committee. Integral to the Abramoff fraud were the kickbacks he received after persuading his clients to hire Scanlon for his grassroots political services. According to the Senate Committee's findings, Scanlon's operation allowed Abramoff to wrongfully obtain tens of millions of dollars. The most expensive element of Scanlon's services related to what the Committee described as a "purportedly elaborate political database."[25] Scanlon's mark-up, according to the Committee was "unconscionable":[26]

> For example, while Scanlon told the Coushatta Tribe of Louisiana that their "political" database would cost $1,345,000, he ended up paying the vendor that actually developed, operated and maintained that database about $104,560. The dramatic mark-ups were intended to accommodate Scanlon's secret 50/50 split with Abramoff.[27]

After its two year investigation, the Senate Committee concluded Scanlon's services were "pathetic" and "incompetent."[28] The Senate Committee stated that, with respect to the Sandia Pueblo, their "experience with Scanlon gave them new meaning to the phrase 'take the money and run.'"[29] The Agua Caliente tribe did not believe that Scanlon actually performed any of the work they paid him, and unwittingly, as it turned out, Abramoff, for.[30]

The revelation that Abramoff was being paid under the table by Scanlon took his clients by surprise. When asked what she would say to Abramoff now that his scheme was revealed, Choctaw official Nell Rogers told the Senate Committee staff:

> I would tell them that – there are a lot of things that I could say about being angry or bitter. But I think the worst is that they betrayed the tribe. They betrayed the Chief who had a great deal of confidence in them. They betrayed me ... But I think at the end of the day, it's the betrayal that's worse. And I think of the people whose lives they've destroyed. I think of all those young kids who

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[25] *Id.* at 9.

[26] *Id.*

[27] *Id.*

[28] *Id.* at 193.

[29] *Id.*.

[30] *Id.* at 128-29.

> worked at Greenberg and Preston Gates with them, who, fairly or unfairly, are going to have to bear that burden. And I think about the other tribes. I mean, you know, let's face it. The tribes they dealt with were not the poorest of the poor tribes. Of all those tribes, Choctaw, though, probably has the greatest needs, the biggest tribe, was the poorest tribe. And they used the success they had with Choctaw to gain entrée with the other tribes. You know, not only did they betray Choctaw but they betrayed the tribe's good name and Chief's reputation. And, you know, Phillip Martin has spent his life working for not only this tribe but for Indian people. And for him to have to be smeared like this is intolerable. I've spent my whole life working. You know, it's the lack – it's the lack of care for people and just the personal greed. And who knows? I don't understand that point of view.[31]

In total, "having collected about $15,000,000 from the Choctaw during the relevant period, Scanlon secretly kicked back to Abramoff about $6,364,000—about 50 percent of his total profit from the Tribe."[32]

Even when asked directly, Abramoff lied to keep his Scanlon ties a secret from his clients.[33] A Tigua official observed, "A rattlesnake will warn you before it strikes. We had no warning. They did everything behind our back."[34]

With respect to his work for the Coushatta tribe, the Senate observed:

> In the course of their three-year business relationship with the Tribe, Abramoff and Scanlon were indifferent to the trust that the Louisiana Coushatta put in them as their paid representatives and advocates. At no time did they ever tell the Tribe that Abramoff had a financial interest in CCS [that is, Capitol Campaign Strategies, a Scanlon entity] or that Abramoff received a hefty percentage of the millions of dollars that the Tribe paid CCS or AIC. Similarly, the Tribe never knew that the cost of services charged by Scanlon was dramatically inflated so that Abramoff could get a big piece of a big pie. The Tribe likewise never knew most of the money it paid Scanlon actually went to finance

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[31] *Id.* at 15-16.

[32] *Id.* at 10.

[33] *Id.* at 151.

[34] *Id.* at 182.

> Scanlon's private investments and to float Abramoff's business ventures.[35]

The schemes were not limited to the Scanlon services. Problems surfaced with Abramoff's Greenberg invoices too. On November 12, 2002, Abramoff's associate Duane Gibson, who was responsible for the Agua Caliente account, discovered charges on the account with which he was unfamiliar. Gibson inquired of Abramoff:

> [O]n the Agua bill, there are two items – $10K for consulting from Michael Chapman and $5K for consulting for Sierra Dominion Financial Resources. These were part of the itemized expenses on the draft bill that I am reviewing. I do not know what the arrangements are for work by these people, and want to make sure that they are authorized. These items constitute $15K of the $25 K in expenses. Is this ok?
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> Abramoff replied, "One is the finders [sic] fee for Chapman and the other is one I will tell you about. they [sic] come out of our retainer, and should not be listed to the client ever. Please make sure they are never on the bill which goes to them." When Gibson alerted Abramoff to the possibility that Chapman's fees might have appeared on the previous bill, Abramoff panicked: "This is a disaster!!!!!!" Gibson subsequently allayed Abramoff's fears by assuring him Chapman's fees had only appeared on the draft bill. Just what was the nature of the payments to Chapman and Sierra Dominion, and why was Abramoff determined for them not to appear on the Agua Caliente's bill?[36]

The Chapman fee was not a consulting fee, but a finder's fee.[37]

C. Guilty Pleas

On November 22, 2005, Michael Scanlon pleaded guilty to corruption charges relating to his schemes with Abramoff. Shortly thereafter, on January 3, 2006, Abramoff pleaded guilty to charges of mail fraud, income tax evasion, and conspiracy to violate statutes concerning wire and mail fraud, bribery, and post-employment restrictions on congressional staff members.[38] The plea agreement included Abramoff's admissions

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[35] *Id.* at 41.

[36] *Id.* at 130-31.

[37] *Id.* at 134.

[38] Abramoff D.D.C. Plea Agreement.

that, among other crimes, he conspired to defraud his clients and his law firm and to offer public officials things of value in exchange for official acts.[39]

Several Abramoff associates have also pleaded guilty to public corruption charges. Tony Rudy, the former deputy chief of staff to House Majority Leader Tom DeLay, worked for Abramoff at Greenberg from 2001 to 2002. On March 31, 2006, Rudy pleaded guilty to multiple criminal acts, including conspiring to receive while a public official and to provide while a lobbyist things of value to influence official action.[40] Neil Volz, the former chief of staff to Rep. Bob Ney, worked for Abramoff at Greenberg from 2002 to 2004. On May 8, 2006, Volz pleaded guilty to conspiring to receive while a public official and to provide while a lobbyist things of value to influence official action, among other unlawful actions.[41]

On September 15, 2006, a plea agreement with Rep. Ney was announced by the Department of Justice. According to the Department, Rep. Ney agreed to plead guilty to a two-count criminal information charging him with conspiracy to commit multiple offenses – including honest services fraud, making false statements, and violations of his former chief of staff's one-year lobbying ban – and with making false statements to the U.S. House of Representatives."[42]

D. The Committee's Investigation

As these events unfolded, Government Reform Committee Chairman Tom Davis and Ranking Member Henry A. Waxman decided that an examination of Jack Abramoff's lobbying of White House officials could provide further insight into the schemes of the now convicted former lobbyist and his associates. Such insight could assist the Congress in evaluating the effectiveness of lobbying and financial disclosure laws in protecting the public against the corrupt influence of unscrupulous lobbyists.

On March 2, 2006, Chairman Davis and Ranking Member Waxman wrote a letter to Greenberg requesting all billing records of Abramoff and individuals working with him at the firm, as well as "all records relating to contacts between Abramoff, or individuals working with Abramoff at Greenberg, and officials in the White House."[43]

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[39] *Id.*

[40] Criminal Information, *U.S. v. Tony C. Rudy*, No. CR-06-082 (D.D.C. Mar. 31, 2006).

[41] Criminal Information, at ¶ 1, *U.S. v. Neil G. Volz,* No. 06-119 (D.D.C. May 8, 2006).

[42] Press Release, U.S. Dep't of Justice, Congressman Robert W. Ney Agrees to Plead Guilty to Charges Involving Corruption and False Statements (Sept. 15, 2006).

[43] Letter from Chairman Tom Davis and Ranking Minority Member Henry A. Waxman to Kevin M. Downey, Williams and Connolly L.L.P. (Mar. 2, 2006). Williams and Connolly represents Greenberg Traurig with respect to investigations of Abramoff.

They also sent a letter to Preston Gates & Ellis L.L.P. (Preston Gates), where Abramoff worked from 1994 to 2000, requesting similar information.[44] The Committee did not pursue the document request with Preston Gates after the firm responded that Abramoff had virtually no contacts with White House officials during his tenure at the firm.

E. Document Production

Greenberg Traurig has fully cooperated with the Committee. After the firm notified the Committee that many of the documents sought by the Committee implicated the attorney-client privilege and could not be produced without a subpoena, the Committee issued a subpoena to the firm on May 2, 2006.[45] In response to the document request and subpoena, Greenberg produced in excess of 14,300 pages of documents. This production included in excess of 6,600 pages of Greenberg billing records and more than 7,700 pages of e-mails relating to contacts with White House officials. The documents produced largely relate to Greenberg engagements with several tribal and territorial clients, namely the Mississippi Band of Choctaw Indians (Choctaw), the Coushatta Tribe of Louisiana (Coushatta), the Saginaw Chippewa Tribe of Michigan (Saginaw Chippewa), the Pueblo of Sandia of New Mexico, the Commonwealth of Northern Mariana Islands (CNMI), and Guam.[46]

As of the date of this report, document production is not complete. According to Greenberg Traurig's records, 13 of the 24 Abramoff clients with documents responsive to the Committee subpoena have produced documents, while the other clients are in discussions with Greenberg Traurig and the Committee regarding the Committee's subpoena.

F. Policy Objectives and Lobbying and Financial Disclosure Reform

The billing records and e-mails, whether they reflect events that happened or not, raise serious questions regarding the effectiveness of our lobbying and financial disclosure laws. The billing records and e-mails provide more information about Abramoff's lobbying efforts at the White House than is disclosed in the publicly

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[44] Letter from Chairman Tom Davis and Ranking Minority Member Henry A. Waxman to Emanuel L. Rouvelas, Chairman, Preston Gates & Ellis L.L.P. (Mar. 2, 2006).

[45] Subpoena to Custodian of Records, Greenberg Traurig, L.L.P., signed by Chairman Tom Davis, House Committee on Government Reform (May 2, 2006).

[46] Although the Committee received documents relating to Abramoff lobbying activities related to CNMI, the Committee has not received a full set of responsive documents from CNMI.

available lobby disclosure forms. If the billing records are fraudulent – claiming meetings, telephone calls, and meals or drinks with White House officials that did not happen – existing disclosure laws did nothing to protect clients from this fraud or public officials from false claims that they had such contacts that they did not have. If the billing records and e-mails accurately reflect events that happened, the fact that they are not publicly released and insufficiently detailed does not allow the public a full understanding in each instance which official was lobbied, what benefits, such as meals or entertainment, that official may have received, whether that official is permitted to receive those benefits without charge, and whether that official paid for any benefit. Likewise, the vagueness of the billing records and lobbying disclosure reports combined with their lack of corroboration and their relative infrequency, prevents public officials from disclaiming meetings on a real-time basis.

Lobbying and financial disclosure laws could work together to address these issues. Disclosure by public officials of lobbying efforts could give clients of lobbyists a way to verify the billings of their lobbyists. More detailed and real-time disclosure by both lobbyists and government officials of meals, drinks, and other entertainment could also act to ensure that the public is informed of those benefits received by public officials that are permitted or those benefits that, although provided by lobbyists, are paid for by recipient officials. Such disclosure could also ensure that government officials accept only those benefits that are permitted and, again, prevent lobbyists from billing clients for meals or entertainment that either were not provided or if provided, were paid for by officials. Legislation cosponsored by Chairman Davis and Ranking Member Waxman, H.R. 5112, the Executive Branch Reform Act of 2006, addresses some of these issues and was reported out of the Committee 32-0 on April 27, 2006.

II. The Lobbyists

A. Jack Abramoff

For ten years, from 1994 to 2004, Jack A. Abramoff was a Washington, D.C. lobbyist with a sizable practice. From 1994 through 2000, Abramoff was with Preston Gates, and from January 2001 until his ouster in March 2004, with the Greenberg firm.[47] Abramoff solicited and obtained lobbying business from groups and companies throughout the United States, focusing especially on Native American tribal government clients and the insular territories.[48]

[47] Criminal Information at ¶ 1, *U.S. v. Jack A. Abramoff*, No. CR-06-001 (D.D.C. Jan. 3, 2006).

[48] *Id.* at ¶ 2.

In 1999, Preston Gates was listed by *The National Journal* as the fifth largest Washington lobbying firm with $11.7 million in revenues.[49] More than 25 percent of which, or $3.1 million, was collected from the Mississippi Choctaw, according to the publication.[50] *The National Journal* observed that, after Abramoff moved to Greenberg, "three of [Preston Gates'] top seven clients in 2000 belonged to Abramoff," including the Choctaw and the Commonwealth of Northern Mariana Islands.[51]

The Senate Report describes Abramoff's lobbying practice in 2000, when he joined Greenberg, as being valued at $6 million annually.

> When he left the premier Washington, D.C. offices of the lobbying firm Preston Gates Ellis & Rouvelas Meed in December 2000 for a relatively new Washington lobbying group at Greenberg Traurig, Abramoff brought with him a book of business worth more than $6 million annually, according to Abramoff's own estimates. This helped Greenberg Traurig generate a 500 percent increase in lobbying fees over the previous year. With that increase, Greenberg Traurig reportedly vaulted into the top ten Washington lobbying firms—jumping from sixteenth place to fourth.[52]

In 2001, after a year with Greenberg, Abramoff was able to make significant inroads with the Coushatta Tribe of Louisiana. The Coushatta was Greenberg's second largest lobbying client, paying the firm $2.2 million.[53] In 2004, *The National Journal* described Abramoff's lobbying practice as

> the engine that transformed a midsize lobbying practice at the law firm Greenberg Traurig into one of K Street's top money machines. Since early 2001, when Abramoff joined Greenberg Traurig's Washington office -- bringing with him six colleagues and several high-paying clients -- the firm's annual lobbying revenues have soared, exceeding $25 million in 2003 and landing the firm at No. 4 in revenues among all K Street firms.[54]

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[49] Shawn Zeller, *Cassidy Keeps Its Crown*, NAT'L J., Apr. 20, 2000, at 1288.

[50] *Id.*

[51] Shawn Zeller, *For the Big 10, Income Keeps Rising*, NAT'L J., Apr. 14, 2002, at 1112.

[52] "GIMME FIVE" S. COMM. Report at 3.

[53] Shawn Zeller, *Top Lobbying Firms Got Richer in 2001*, NAT'L J., Apr. 13, 2002, Vol. 34, No. 15.

[54] Peter H. Stone, *K Street Stumble*, NAT'L J., Mar. 27, 2004, Vol. 36, No. 13.

In e-mails Abramoff had a tendency to describe his clients in a disparaging way and use foul language. In November 2002, for example, he wrote to Todd Boulanger about the Saginaw Chippewa tribe in Michigan, "I hate these f***ing ingrates. I told the Cherokee to come up with the dough or prepare for another trail of tears!!! :)"[55] In the same e-mail exchange with Todd Boulanger, Abramoff expresses his contempt for a potential client, Guam, and its newly elected Governor Felix Camacho.

> I met with [Camacho's] his staffer tonight (!!!). the f***ing mother f***er didn't even have the courtesy to call me or meet with me himself. I told the little twerp that they are off to a rip roaring start, with losers aplenty helping them. he basically told me that they too have concluded that everyone is a bullsh***ter here and that they want to hire us. I said 'I am not sure you can afford us and frankly, I am none too happy by this little parade.' He kept pushing, obviously having been given orders to tie up something. He is going to send me their wish list. I told him that we don't charge anything less than six figures per month and that I just got done telling the biggest indian tribe in the Midwest to f**k off since they wanted a slight discount. Let's see what these pieces of s**t say. I am f***ing pissed. What disrespect.[56]

B. Abramoff's Associates

1. Kevin Ring

According to one e-mail, Kevin Ring served as a "quasi-team leader" for the Abramoff lobbying practice.[57] In 2002 and 2003, [Ring] was named a "Top Rainmaker" by *The Hill* newspaper in its annual rankings of Washington's premier lobbyists."[58] In 1993, Ring began working for Rep. John T. Doolittle, and in 1998 Ring moved to the Senate. At the Senate, Ring served as counsel on the Senate Judiciary Committee's subcommittee on Constitution, Federalism and Property Rights, under the chairmanship of Senator John Ashcroft.[59] He returned to the House a year later to work as the

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[55] E-mail from Jack Abramoff to Todd Boulanger (Nov. 19, 2002) (GTG-R001022) (expletives deleted).

[56] E-mail from Jack Abramoff to Todd Boulanger (Nov. 19, 2002) (GTG-R001022) (expletives deleted).

[57] E-mail exchange between Jack Abramoff to Kevin Ring (May 6, 2003) (GTG-R001292) (Ring speaks of responsibilities of being a team leader).

[58] Kevin Ring-Barnes & Thornburg L.L.P. Biography, http://www.btlaw.com/Person.asp?Personnel_ID=385 (last visited Sept. 18, 2006).

[59] *Id.*

"executive director of the Conservative Action Team ... a caucus comprised of 70 House Republicans."[60] Ring published a book in November 2004 entitled, *Scalia Dissents: Writings of the Supreme Court's Wittiest, Most Outspoken Justice*.[61]

Kevin Ring did not escape criticism in the Senate Report. Ring was reportedly paid on the side by Abramoff and Scanlon for work on behalf of the Pueblo of Sandia client.[62] Fred Baggett, Managing Shareholder at Greenberg, told the Senate staff that the firm's internal investigation, "has found, and as we have informed Federal authorities and I believe this committee, we found a number of other instances where members of Mr. Abramoff's team had received compensation outside of the firm."[63] According to the Senate Report, "[o]ne of those Baggett named was Kevin Ring."[64] The Senate's investigation found, "Kevin Ring, who the [Pueblo of Sandia] trusted and respected, did not disclose his financial arrangement . . . to the Tribe until 2004, months after the publication of the *Washington Post* article that initially exposed the Abramoff" scandal.[65]

2. Todd Anthony Boulanger

Also a top aide to Abramoff, Todd Boulanger handled much of the day to day lobbying for the Greenberg team. After a short career as a congressional staff member, Boulanger joined the Preston Gates firm in 1999 to work as lobbyist with tribal and territorial clients.[66] Later he moved on to Greenberg with Abramoff in early 2001.[67] After the Abramoff scandal broke, Boulanger moved to Cassidy & Associates, where he

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[60] *Id.*

[61] *Id.*

[62] "GIMME FIVE" S. COMM. Report at 188-89.

[63] *Id.* at 189.

[64] *Id.*

[65] *Id.*

[66] Todd Anthony Boulanger-Cassidy & Associates Biography, http://www.cassidy.com/about/biodetail.asp?Id=103&Office=dc (last visited Sept. 18, 2006) [Boulanger Biography].

[67] Jonathan E. Kaplan, *The Lobbyist and the Lobsterman,* THE HILL, Mar. 15, 2005, at Business and Lobbying.

currently remains.[68] Recently, he was called a "rising star on K Street" by *The Hill* newspaper and a "powerful lobbyist" by *The National Journal*.[69]

3. Neil Volz

In February 2002, Neil Volz joined Abramoff's practice at Greenberg.[70] Prior to becoming a lobbyist, Volz had a career as a House staffer. Volz was named to *Roll Call's* "50 Most Powerful Capitol Hill Staffers" three times.[71] From 1995 through February 2002, Volz served as Communications Director and then (in 1998) Chief of Staff for Rep. Bob Ney.[72] In January 2001, Volz also became staff director of the House Administration Committee, when Rep. Bob Ney became the chairman.[73]

In May 2006, Volz pleaded guilty to public corruption charges stemming from the federal investigation examining the Abramoff lobbying scandal. Under the plea agreement:

> . . . Volz admitted that beginning in approximately 2000 and continuing throughout his time as the chief of staff in Representative [Ney]'s office and as Committee staff director, Volz corruptly accepted a stream of things of value from Abramoff and others while he took official action on their behalf. Volz concealed his receipt of this largesse, which was in excess of the limits established by the House of Representatives, by failing to disclose the gifts on his annual financial disclosure forms. Once Volz became a lobbyist with Abramoff, Volz's role in the conspiracy changed to providing a stream of things of value to other public officials, including Representative [Ney]. [74]

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[68] Boulanger Biography.

[69] *Id.*

[70] Press Release, U.S. Dep't of Justice, Former Lobbyist Neil Volz Pleads Guilty to Corruption and Fraud Conspiracy (May 8, 2006) [hereinafter Volz Press Release].

[71] Neil G. Volz- Barnes & Thornburg L.L.P. Biography, http://www.btlaw.com (Volz's biography has now been removed from this website).

[72] Criminal Information, Attachment *A* at ¶ 1, *U.S. v. Robert W. Ney,* No. CR-06-622 (D.D.C. Jan. 3, 2006).

[73] *Id.*

[74] Volz Press Release.

> Volz also admitted that, when he became a lobbyist, he, Abramoff, Scanlon, Rudy and others continued to engage in an honest services fraud scheme by providing a stream of things of value to other public officials with the intent to influence and reward official action. The plea agreement and information set forth examples of such conduct, namely the provision by Volz and his co-conspirators of a stream of things of value to Representative [Ney] and members of his staff in order to influence them to take official action. According to Volz's plea, the stream of benefits included foreign and domestic travel, numerous tickets to concerts and sporting events, regular meals and drinks at expensive restaurants, and unreported use of Abramoff's box suites at the MCI Center Arena and Camden Yards Stadium for political fund raisers.
>
> For example, Volz admitted that the co-conspirators provided Representative [Ney] and members of his staff with all-expenses-paid and reduced-price trips to Scotland and London in August 2002; to the Fiesta Bowl in Tempe, Arizona, in January 2003; to New Orleans, Louisiana, in May 2003; and to Lake George, New York, in 2004. In exchange for this stream of things of value, Volz and his co-conspirators sought and received Representative [Ney]'s agreement to perform a series of official acts, including Representative [Ney's] agreement to support and pass legislation, to support or oppose actions taken by other agencies and departments of government, and to assist Abramoff in securing additional clients. The plea papers allege that in March 2002, [Ney] agreed that, as the Co-Chairman of a Conference Committee of House and Senate Members of Congress, he would introduce and seek passage of legislation to lift a federal ban against gaming by a client of Abramoff, a Native American Tribe in Texas.[75]

Volz faces up to five years in prison and a $250,000 fine.[76]

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[75] *Id.*

[76] WASH. POST, "Unraveling Abramoff: Key Players in the Investigation of Lobbyist Jack Abramoff" *available at* http://www.washingtonpost.com/wp-dyn/content/custom/2005/12/23/CU2005122300939.html (last visited Sept. 16, 2006) [hereinafter WASH. POST Key Players].

4. Tony Rudy

From 1995 through December 2000, Tony Rudy worked in the leadership office of Rep. Tom DeLay.[77] He served in the office as press secretary until 1998 and then as deputy chief of staff until his departure.[78] According to *Washington Post* reports, Rudy played a major part in stopping an anti-gambling bill in July 2000 – the opposition to which was spearheaded by Abramoff: "Rudy e-mailed Abramoff internal congressional communications and advice, according to documents and the lobbyist's former associates."[79] In December 2000, Rudy left the leadership office and in early 2001 joined Abramoff's lobbying practice at Greenberg, where he worked until late July 2002.[80]

In March 2006, Rudy pleaded guilty in federal court to corruption charges stemming from the federal investigation of Abramoff.[81] In his plea agreement, Rudy "admitted that, as a lobbyist working for Abramoff, he violated the conflict of interest post-employment restrictions by lobbying staff members in the leadership office of [Rep. Tom DeLay] within one year of having left his position as Deputy Chief of Staff to that office."[82]

5. Shawn Vasell

Shawn Vasell worked at both Preston Gates and Greenberg with Abramoff where according to his resume he "directe[d] and manage[d] public policy agendas for firm clients."[83] During 2002, Vasell was on the staff of Senator Conrad Burns, as Burns's state director, in Billings, Montana.[84] He returned to Greenberg in January 2003. According to Vasell's resume which was produced to the Committee, other than his stint with Senator Burns in 2002, he was employed mostly as a lobbyist except for one year as a staff assistant to Senator Spencer Abraham from August 1995 to July 1996.[85]

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[77] Criminal Information, *U.S. v. Tony C. Rudy*, No. CR-06-082 (D.D.C. 2006).

[78] *Id.*

[79] WASH. POST Key Players.

[80] Press Release, U.S. Dep't of Justice, Former Lobbyist Tony Rudy Pleads Guilty to Corruption and Fraud Conspiracy (Mar. 31, 2006) [hereinafter Tony Rudy Press Release].

[81] WASH. POST Key Players.

[82] Tony Rudy Press Release.

[83] Shawn Michael Vasell, Resume (GTG-R004009).

[84] *Id.*

[85] *Id.*

6. Duane Gibson

Duane Gibson, before joining Greenberg, spent fifteen years as a staff member in both the House and Senate, working on the staffs of Rep. Don Young and Sen. Ted Stevens of Alaska, and several House Committees including the Committee on Transportation & Infrastructure and the Committee on Appropriations.[86] Gibson, currently of the Livingston Group, markets himself as someone with experience in issues ranging from "natural resources, defense/national security, transportation, Native Americans, tax, appropriations and education."[87]

7. Padgett Wilson

Padgett Wilson joined Greenberg after working as a House and Senate staff member for two members of the Georgia delegation, Rep. Nathan Deal and Sen. Paul Coverdell.[88] Wilson is currently the Federal Affairs Director in Washington, D.C. for Georgia Governor Sonny Perdue.[89]

8. Michael E. Williams

Michael E. Williams joined Greenberg in 2001 after eleven years as a lobbyist with the National Rifle Association.[90] He remains at Greenberg today.

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[86] Judy Sarasohn, *Berger's Firm to Aid Oil Interests in Iraq*, WASH. POST, Sept. 16, 2004, at A29; Duane R. Gibson-Livingston Group Biography, http://www.livingstongroupdc.com/corporateoverview/team.html (last visited Sept. 16, 2006).

[87] Duane R. Gibson-Livingston Group Biography, http://www.livingstongroupdc.com/corporateoverview/team.html (last visited Sept. 16, 2006).

[88] Press Release, Office of the Governor, Ga. State Capitol, Governor Perdue Announces Director of Federal Affairs (Feb. 1, 2005).

[89] *Id.*

[90] Michael E. Williams-Greenberg Traurig L.L.P. Biography, http://www.gtlaw.com/people/biography.aspx?id=1588&detail=1 (last visited Sept. 17, 2006).

9. Stephanie K. Leger Short

Stephanie K. Leger Short joined Greenberg in October 2001[91] after more than six years as legislative aide to Senator John Breaux.[92] Presently, Leger Short serves as Louisiana's Washington lobbyist for Governor Kathleen Babineaux Blanco in the state's Washington office.[93]

10. Abramoff's Executive Assistants

Susan Ralston was Abramoff's executive assistant at Preston Gates and Greenberg until she left to become Karl Rove's assistant in the White House in February 2001. Abramoff required his assistants, like Ralston, to perform mostly administrative and secretarial duties. His assistants, for example, were required to keep a running "wrap-up sheet" or "Daily Work Activities" list identifying every task performed during the day.[94] On January 21, 1999, Ralston's Daily Work Activities reflected she performed 28 tasks.[95] Among these were,

> 2. Called Linda at Ralph Reed's office re 4:30 conf call today. Confirmed that the e-mail address you had was correct instead of what she gave me before.
>
> * * *
>
> 7. Faxed order forms to Nextel for your new phone
>
> * * *
>
> 9. Called David Scavone to set up meeting today
>
> * * *

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[91] Press Release, Greenberg Traurig L.L.P., Greenberg Traurig L.L.P. Adds Associate in Washington, D.C., Governmental and Administrative Law Practice (Oct. 15, 2001).

[92] Press Release, Governor Announces Director of State/Federal Relations *available at* http://www.politicsla.com/press_releases/2004/December/121404_GOVERNOR_ANNOUNCES_DIRECTOR.htm (last visited Sept. 17, 2006).

[93] *Id.*

[94] *See, e.g.*, E-mail from Susan Ralston to Jack Abramoff (Jan. 21, 1999) (28 tasks on e-mail titled "1/21 Daily Work Activities") (GTG-R006622); E-mail from Rodney Lane to Jack Abramoff (Mar. 7, 2001) (48 tasks on "Wrap-up" e-mail) (GTG-R000682); Holly Bowers, Wrap-Up Sheet, June 20, 2003 (34 tasks) (GTG-R005072); Linsey Crisler, Wrap-Up Sheet, June 4, 2003 (29 tasks) (GTG-R005113); Holly Bowers, Wrap-Up Sheet, July 8, 2003 (40 tasks) (GTG-R005073).

[95] E-mail from Susan Ralston to Jack Abramoff (Jan. 21, 1999) ("1/21 Daily Work Activities") (GTG-R006622).

15. Faxed Bush for President press release to your dad

* * *

27. Updated Ed Buckham's office address[96]

After Ralston left Greenberg, Abramoff used several individuals as assistants, including Rodney Lane, Holly Bowers, and Allison Bozniak. Abramoff gave these assistants similar daily tasks. Daily task lists for Abramoff produced to the Committee include the following entries: "Called L'Etoile to make reservations at noon,"[97] "Changed golf on the 1st to Lowes Island with Williams, et al,"[98] "Order set of Seinfeld DVDs online,"[99] "Put through call from Ralph Reed,"[100] "Took message from your father and sent you e-mail,"[101] "Checked your voice-mail – no messages,"[102] and "Called Sigs to let them know your meal scheduled for today,"[103]

C. Americans for Tax Reform and Grover Norquist

Grover Norquist is the president of the anti-tax group, Americans for Tax Reform (ATR). An acquaintance of Abramoff for many years, the two men shared a long-time interest in conservative political causes. Both men knew each other in college and were involved with the College Republicans at the national level.[104] Norquist's ATR had successfully emerged as one of the leading Washington-based interest groups.[105] In describing Norquist and his group, *The National Journal* wrote:

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[96] E-mail from Susan Ralston to Jack Abramoff (Jan. 21, 1999) ("1/21 Daily Work Activities") (GTG-R006622).

[97] E-mail from Rodney Lane to Jack Abramoff (Mar. 7, 2001) (GTG-R000682).

[98] Holly Bowers, Wrap-Up Sheet, June 20, 2003 (34 tasks) (GTG-R005072).

[99] Linsey Crisler, Wrap-Up Sheet, June 4, 2003 (29 tasks) (GTG-R005113).

[100] *Id.*

[101] *Id.*

[102] Holly Bowers, Wrap-Up Sheet, July 8, 2003 (40 tasks) (GTG-R005073).

[103] *Id.*

[104] WASH. POST Key Players.

[105] Jeffrey H. Birnbaum, *Lobbyists Foresee Business as Usual*, WASH. POST, Mar. 19, 2006, at A1.

> About once a month since 2001, Grover Norquist has invited a top Bush administration official or a Republican congressional leader to dine with him and some 20 or 30 corporate lobbyists who help subsidize Americans for Tax Reform, the anti-tax group that Norquist heads.
>
> The dinners at Norquist's Washington, D.C., home aren't cheap: The lobbyists pay ATR between $10,000 and $25,000 a year for the privilege of attending several of the intimate get-togethers, which have featured the likes of White House political guru Karl Rove and Labor Secretary Elaine Chao, according to several lobbyists who have attended.
>
> Before things went sour for Abramoff, however, the lobbyist had steered nearly $1.8 million in donations to Norquist's ATR from Indian tribes and other clients, according to former colleagues of both men and to sources familiar with their financial dealings.
>
> "Grover gave Abramoff priceless credentials as a conservative lobbyist loyal to conservative Republican causes," said Michael Waller, a vice president of the right-leaning Center for Security Policy, who for several years was an occasional participant at Norquist's Wednesday meetings. In some cases, according to Waller, "ATR was acting as a front organization for some of Abramoff's clients and operations."[106]

From time to time, Abramoff had the opportunity to introduce a client to important officials such as Karl Rove by providing an invitation to a Grover Norquist-arranged dinner.

D. Ralph Reed

Ralph Reed is president of Century Strategies, a "public relations and public affairs firm" which he founded in 1997.[107] Reed and Abramoff have known each other since the early 1980s, when Reed was executive director and Abramoff was national chairman of the College Republicans, and Reed introduced Abramoff to the woman Abramoff married.[108] Reed also served as executive director of the Christian Coalition

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[106] Peter Stone, *Grover and Jack's Long Adventure*, NAT'L JOURNAL, Oct. 1, 2005, Vol. 37, No. 40.

[107] Century Strategies, http://www.censtrat.com/index.cfm?FuseAction=Team.Home (last visited Sept. 27, 2006).

[108] Adam Zagorin, Karen Tumulty, and Massimo Calabresi, *An Unholy Alliance?*, TIME Oct. 31, 2005.

from 1989 to 1997 and as chairman of the Georgia Republican Party in 2002.[109] After leaving the Christian Coalition, Reed reached out to Abramoff about business opportunities: "Hey, now that I'm done with electoral politics, I need to start humping in corporate accounts! I'm counting on you to help me with some contacts."[110] He waged an unsuccessful campaign to be the Republican nominee for Lieutenant Governor of Georgia in 2006.[111]

III. Description of the Documents Reviewed

A. The Billing Records

In response to the Committee's subpoena, nearly 6,600 pages of billing documents were produced, covering 13 clients from the beginning of 2001 to spring 2004.[112] Most of the records are copies of monthly bills sent to each client by Greenberg. While there are some variations, bills typically include several pages of brief descriptions of the lobbying work performed by the Abramoff team and the amount of time (in tenth-hour increments) each member spent on each assignment. An attachment notes any related expenses incurred by individual lobbyists. Other pages provide a summary and specify the balance due. There is also miscellaneous accounting paperwork (including canceled checks) and payment instructions, usually involving details for wiring funds directly into the firm's bank account.[113] A handful of bills note past-due balances.[114]

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[109] Century Strategies, http://www.censtrat.com/index.cfm?FuseAction=Team.Home (last visited Sept. 27, 2006); Thomas B. Edsall, *In Ga., Abramoff Scandal Threatens a Political Ascendency,* WASH. POST, Jan. 16, 2006, at A1.

[110] "GIMME FIVE" S. COMM. Report at 23.

[111] Chris Cillizza, *Republican Candidate Linked to Abramoff Loses in Ga. Primary,* WASH. POST, July 19, 2006, at A3.

[112] The clients were the American International Center, SunCruz Casino, Atlantic Coast Technologies, Inc., DH2, Howard Hills bills, Unisys, International Interactive Alliance, Mississippi Band of Choctaw Indians, Chitimacha Tribe of Louisiana, Sandia Pueblo, Agua Caliente Band of Cahuilla Indians, Coushatta Tribe of Louisiana, and the Saginaw Chippewa Indian Tribe of Louisiana.

[113] Miscellaneous accounting paper work: Saginaw Chippewa Billing Records (GTG000322-000359-ACCT-SG); Wiring Instructions: Saginaw Chippewa Billing Records (Nov. 10, 2003) (GTG000393-ACCT-SG).

[114] Saginaw Chippewa Billing Records (Bill Date: Mar. 12, 2003) (GTG000505-ACCT-SG); Saginaw Chippewa Billing Records (Bill Date: Dec. 11, 2002) (GTG000590-ACCT-SG).

The records also include draft versions of some bills, which allows comparisons to be made between proposed charges and those which were actually levied. A few drafts have handwritten notations about changes incorporated into the final versions.[115] Copies of a few engagement letters, outlining the services which Abramoff and associates were to undertake on behalf of each client, are also in the files.[116] In most instances, records address lobbying activities (or "Washington representation" in the lexicon of K Street) conducted by the team. However, legal work was also apparently performed, and there are some separate bills for these activities among the records.[117]

For their large clients, the Abramoff group typically charged a $150,000 monthly retainer for lobbying.[118] Expenses added as much as $10,000 to the fee.[119] According to the records, about twenty individuals worked approximately four hundred total hours on an account in each billing cycle.[120] Some devoted as many as 80 hours to the client, and others worked as little as 1.5 hours.[121] Significantly, however, it is nearly impossible to corroborate many of these details.[122]

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[115] Saginaw Chippewa Billing Records (Bill Date: Nov. 4, 2003) (GTG000060-ACCT-SG); Saginaw Chippewa Billing Records (Bill Date: Aug. 4, 2003) (GTG000170-ACCT-SG); Saginaw Chippewa Billing Records (Bill Date: Jul. 15, 2003) (GTG000207-ACCT-SG); Saginaw Chippewa Billing Records (Bill Date: June. 3, 2003) (GTG000237-ACCT-SG); Choctaw Billing Records (Bill Date: Dec. 2, 2003) (GTG002735-002754-ACCT-CW); Choctaw Billing Records (Bill Date: Oct. 7, 2003) (GTG002808-002828-ACCT-CW).

[116] Letter from Jack Abramoff to Chief Kahgegab, Saginaw Chippewa Indian Tribal Council (Dec. 6, 2001) (GTG000317-000319-ACCT-SG); Letter from Jack Abramoff to Chief Phillip Martin, Mississippi Band of Choctaw Indians (Jan. 5, 2001) (GTG003178-003180-ACCT-CW).

[117] Coushatta Billing Records: Blue Lake Transaction (Nov. 26, 2002) (GTG002078-ACCT-CS); Coushatta Billing Records: Legal Services (Dec. 18, 2002) (GTG002049-ACCT-CS).

[118] Three clients had an average of $165,768.40 per month. The Committee examined the Saginaw Chippewa engagement over 15 months; the Coushatta engagement over 17 months; and the Agua Caliente engagement over 14 months.

Client: Saginaw Chippewa		
Date	**Amount**	**Identifier**
Sept. 22, 2003	$187,949.99	GTG000325-ACCT-SG
Oct. 8, 2003	$186, 317.39	GTG000327-ACCT-SG
Aug. 14, 2003	$189,768.97	GTG000329-ACCT-SG
June. 13, 2003	$191,089.18	GTG000331-ACCT-SG
May 15, 2003	$190,004.69	GTG000333-ACCT-SG
Apr. 14, 2003	$190,096.00	GTG000335-ACCT-SG
Feb. 14, 2003	$190,000.00	GTG000337-ACCT-SG
Mar. 12, 2003	$191,971.08	GTG000339-ACCT-SG

Jan. 21, 2003	$161,630.82	GTG000341-ACCT-SG
Dec. 11, 2002	$326,389.24	GTG000343-ACCT-SG
Oct. 10, 2002	$164,138.21	GTG000345-ACCT-SG
Sept. 16, 2002	$163,480.19	GTG000345-ACCT-SG
Aug. 8, 2002	$157,332.13	GTG000347-ACCT-SG
July 10, 2002	$319,238.20	GTG000349-ACCT-SG
May 21, 2002	$158,668.41	GTG000351-ACCT-SG

Client: Coushatta		
Date	**Amount**	**Identifier**
Apr. 15, 2003	$120,340.30	GTG001293-ACCT-CS
Feb. 13, 2003	$261,140.81	GTG001405-ACCT-CS
Apr. 17, 2002	$127,906.03	GTG001509-ACCT-CS
Feb. 11, 2004	$125,000.00	GTG001688-ACCT-CS
Nov. 6, 2003	$250,000.00	GTG001748-ACCT-CS
June 4, 2003	$125,000.00	GTG001875-ACCT-CS
Apr. 16, 2003	$125,000.00	GTG001925-ACCT-CS
Feb. 24, 2003	$125,000.00	GTG001997-ACCT-CS
Jan. 23, 2003	$125,000.00	GTG002121-ACCT-CS
Dec. 16, 2002	$125,000.00	GTG002055-ACCT-CS
Nov. 18, 2002	$125,000.00	GTG002082-ACCT-CS
Oct. 28, 2002	$125,000.00	GTG002106-ACCT-CS
Sept. 11, 2002	$125,000.00	GTG002161-ACCT-CS
Aug. 12, 2002	$125,000.00	GTG002189-ACCT-CS
July 22, 2002	$125,000.00	GTG002215-ACCT-CS
June 12, 2002	$125,000.00	GTG002223-ACCT-CS
Apr. 17, 2002	$125,000.00	GTG002277-ACCT-CS

Client: Agua Caliente		
Date	**Amount**	**Identifier**
Sept. 17, 2002	$157,654.07	GTG004298-ACCT-AC
Oct. 8, 2002	$160,988.28	GTG004349-ACCT-AC
Jan. 21, 2003	$160,948.51	GTG004407-ACCT-AC
Feb. 4, 2003	$156,877.43	GTG004340-ACCT-AC
Apr. 29, 2003	$167,459.71	GTG004487-ACCT-AC
Apr. 29, 2003	$152,459.71	GTG004498-ACCT-AC
May 13, 2003	$165,717.13	GTG004527-ACCT-AC
June 3, 2003	$149,813.42	GTG-004559-ACCT-AC
July 2, 2003	$161,670.77	GTG004595-ACCT-AC
July 16, 2003	$161,670.77	GTG004606-ACCT-AC
Sept. 4, 2003	$156,967.83	GTG004516-ACCT-AC
Sept. 25, 2003	$168,564.73	GTG004649-ACCT-AC
Oct. 3, 2003	$158,767.16	GTG004763-ACCT-AC
Dec. 12, 2003	$148,897.58	GTG004704-ACCT-AC

[119] Three clients had average expenses of $4,438.71. The Committee examined expenses over a 15 month period for the Choctaw, for a 5 month period for SunCruz Casino L.L.C. and for a ten month period for Atlantic Coast Technologies, Inc. The average, however, does not fully convey the range of expenses in the universe of all bills provided. Some bills had relatively high expense amounts, while others did not. In general, expenses correlate to the fees levied for professional services in any given month.

Client: Choctaw Expenses		
Date	**Amount**	**Identifier**
Feb. 3, 2004	$3309.47	GTG002698-ACCT-CW
Jan. 6, 2004	$15,418.50	GTG002729-ACCT-CW
Dec. 2, 2003	$7,117.88	GTG002763-ACCT-CW
Nov. 4, 2003	$8,115.02	GTG002801-ACCT-CW
Oct. 7, 2003	$10,471.50	GTG002840-ACCT-CW
Sept. 4, 2003	$3,482.34	GTG002869-ACCT-CW
Aug. 4, 2003	$3,847.89	GTG002906-ACCT-CW
July 3, 2003	$4,993.88	GTG002944-ACCT-CW
June 16, 2003	$10,379.08	GTG002982-ACCT-CW
May 5, 2003	$19,983.32	GTG003073-ACCT-CW
Feb. 11, 2003	$10,520.90	GTG003076-ACCT-CW
Feb. 24, 2004	$12,983.11	GTG003250-ACCT-CW
Jan. 20, 2004	$16,844.65	GTG003275-ACCT-CW
Dec. 9, 2003	$12,928.06	GTG003295-ACCT-CW
Nov. 11, 2003	$13,252.03	GTG003319-ACCT-CW

Client: SunCruz Casino L.L.C. Expenses		
Date	**Amount**	**Identifier**
Mar. 22, 2001	$850.25	GTG025458-ACCT-SC
Apr. 24, 2001	$845.44	GTG025464-ACCT-SC
Apr. 26, 2001	$1,789.20	GTG025473-ACCT-SC
May 2, 2001	$1,061.71	GTG025482-ACCT-SC
Dec. 5, 2001	$200.52	GTG025509-ACCT-SC

Client: Atlantic Coast Technologies, Inc. Expenses		
Date	**Amount**	**Identifier**
Feb. 7, 2002	$102.55	GTG025521-ACCT-ACT
July 15, 2002	$1,767.50	GTG025529-ACCT-ACT
Sept. 25, 2002	$3,066.33	GTG025533-ACCT-ACT
June 11, 2003	$156.35	GTG025578-ACCT-ACT
July 15, 2003	$1,163.57	GTG025583-ACCT-ACT
Aug. 14, 2003	$3,650.57	GTG025588-ACCT-ACT
Sept. 12, 2003	$5,000	GTG025593-ACCT-ACT
Oct. 8, 2003	$2,788.55	GTG025598-ACCT-ACT
Nov. 13, 2003	$2,683.25	GTG025599-ACCT-ACT
Dec. 2, 2003	$3,157.85	GTG025604-ACCT-ACT

[120] Saginaw Chippewa Billing Records (July 3, 2003) (GTG000200-ACCT-SG).

In general, the billing records are characterized by relative brevity and vagueness, and a timekeeping methodology which aggregates many activities into a single listing, making it difficult to use these records to discern the specific events they describe.

The bills note various tasks performed by each lobbyist in the course of a work day and the total amount of time spent on these activities. But, in many cases, it is not possible to determine what portion of this total was spent on each discrete task. An April 2003 Greenberg document illustrates this difficulty. The firm billed the Saginaw Chippewa $725.90 for 2.1 hours of work performed by Shawn Vasell. Using the present tense to describe Vasell's activities, the document says:

> Meet with Breaux staff regarding tax bill, regional gaming issues and IGRA; meet with Tauzin staff regarding the same; meet with Rep. John staff regarding the same; discussion with White House staff regarding supplemental; discussion with Senate Appropriations staff regarding the same; review materials.[123]

This item covers six separate activities in five organizations across two branches of government. There is no indication if each action took approximately equal time (.35 hours) or if one or more accounted for a greater percentage.

The repeated use of the word "staff" also complicates the interpretation of the records. Because in common English usage it can be both singular and plural, in many cases it is not even possible to determine if an engagement involved one individual or a group. The meaning of "staff" is especially important in assessing expenditures. A $200 meal for a single person might be noteworthy; the same amount spent for a group of is not.

Also, in some cases the billing records use the word "office" without specifying whom in the office the meeting was with. For example, April 2002 documents note that

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[121] Saginaw Chippewa Billing Records (July 3, 2003) (GTG000200-ACCT-SG).

[122] For example, in May and June 2003 Saginaw bills include identical charges based on precisely the same description of the same four activities putatively undertaken by Shawn Vasell. ["Meeting with K. Gumerson (Senate GOP Policy Committee) regarding Sag. Chip.; meeting with Senate Leadership and WH Leg. Aff. Staff regarding tax bill; discussion with GR Chamber regarding Gun Lake; review materials."] *See* Saginaw Chippewa Billing Records (June 16, 2003) (GTG000213-ACCT-SG); Saginaw Chippewa Billing Records (May 15, 2003) (GTG000433-ACCT-SG). This begs the question: did Vasell repeat the same meetings in the exact order with the same individuals thirty days apart?

[123] Saginaw Chippewa Billing Records (Mar. 29, 2003) (GTG000498-ACCT-SG).

Tony Rudy had a "[m]eeting with Karl Rove's *office* [emphasis added] at the White House" but do not identify whom Rudy met.[124]

In at least one case, there is a discrepancy between the "prebill memo" and the final bill. In this instance, a Greenberg "prebill memo" indicated that Vasell had a "breakfast meeting with Bush-Cheney 2004 staff" while the final billing record was amended to read with a "White House official."[125]

In numerous instances, the brevity and vagueness of the entries raise questions about the nature of the contact with White House officials described in the billing records. For example, bills sent to the Coushatta and Saginaw Chippewa in November 2002 reflected the following activities (accounting for 1.9 hours) for Linsey Crisler in the previous month:

> Attend ATR meeting to discuss issues relevant to client representation; participate in conference call with K. Rove (White House) and K. Mellman (White House) concerning political landscape; review daily clips and publications for Indian Affairs developments and distribute same to GT Saginaw team.[126]

This description is insufficient to identify who participated in the conference call with White House officials. There is a significant difference between participating in a large conference call that is a component of the meeting of political activists convened by the Americans for Tax Reform and participating in a private conference call. The records do not make clear which type of call it was or the nature of Crisler's role in the call.

Another example involving the same two clients occurs the following month, when the clients were charged for Neil Volz's discussion of "tribal priorities" with "WH and Congressional contacts" at an "ARMPAC event."[127] It is impossible to discern from the description in the billing records whether Volz was billing the clients for little more than a social encounter or whether Volz used the opportunity to engage in a prolonged

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[124] Coushatta Billing Records (Apr. 17, 2002) (GTG002261-ACCT-CS).

[125] Choctaw Billing Records (Aug. 4, 2003) (GTG002849-ACCT-CW). Another Choctaw pre-bill memo originally noted that Gregory J. McDonald spent one hour on a "review of tribal funding opportunities." This phrase was scratched out and replaced with the handwritten statement: "meet with House Dem staff regarding client issues." *See* Choctaw Billing Records (Oct. 22, 2003) (GTG002783-ACCT-CW).

[126] Coushatta Billing Records (Oct. 30, 2002) (GTG002095-ACCT-CS); Saginaw Chippewa Billing Records (Oct. 30, 2002) (GTG000658-ACCT-SG).

[127] Saginaw Chippewa Billing Records (Nov. 5, 2002) (GTG000595-ACCT-SG); Coushatta Billing Records (Nov. 5, 2002) (GTG002058-ACCT-CS).

substantive conversation. Other Abramoff team members also billed clients for conversations with White House aides at various unspecified "events."[128]

This report is focused on the instances of lobbying by Abramoff and associates to White House officials. According to the billing records, these contacts represent only a fraction of the lobbying contacts for Abramoff billed his clients. An analysis of six months of billing records for the Saginaw Chippewa Tribe illustrates this point. Between May and October 2002, the Abramoff group billed nearly $1 million for more than 3,000 hours working on behalf of the Saginaw Chippewa. Of these 3,000 hours, only about 30 hours involved some sort of contact with White House officials.[129] Of the 158 entries on the May bill, for example, seven (for 14.7 hours) related to the White House. The lobbyists claimed to have spent the vast majority of their time, however, meeting with senators, representatives, and their staff and the party organizations of both parties.[130]

B. The E-mails

In response to the Committee's subpoena, over 7,000 pages of e-mails were produced. In the case of the billing records, the Committee requested all Abramoff billing records, including records for billings that did not involve White House contacts. In the case of the e-mails, however, the Committee requested only e-mails relating to "contacts between Mr. Abramoff, or individuals working with Mr. Abramoff, ... and officials in the White House."[131] To facilitate searches of Greenberg database of Abramoff e-mails, the Committee staff provided Greenberg with specific terms to search for, which included the names of multiple White House officials.

Most of the e-mails received by the Committee are internal e-mails sent by Abramoff or an Abramoff associate to someone else on the Abramoff team at Greenberg. The e-mails include, however, over two hundred e-mail exchanges between Abramoff and his associates and White House officials. Some of the e-mail exchanges address policy or political issues. Others are nonsubstantive e-mails related to social events or

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[128] Saginaw Chippewa Billing Records (Jan. 29, 2003) (GTG000559-ACCT-SG); Saginaw Chippewa Billing Records (Nov. 25, 2003) (GTG000049-ACCT-SG); Coushatta Billing Records (Nov. 25, 2003) (GTG001670-ACCT-CS).

[129] Because it is impossible to disaggregate entries with multiple activities aggregated into one description for a finite amount of time, this analysis attributed the full time noted in such cases to White House contact. It must be understood, however, that this likely exaggerates time spent communicating with the White House officials.

[130] Committee Document: *Six Month Billing Records Summary Chart, Saginaw Chippewa Tribe* (May-Oct. 2002).

[131] Letter from Chairman Tom Davis and Ranking Minority Member Henry A. Waxman to Kevin M. Downey, Williams and Connolly L.L.P. (Mar. 2, 2006).

planning for meetings. The nonsubstantive e-mails are not counted in this report as White House contacts.

Many of the e-mail exchanges between Abramoff and his associates and White House officials were sent to nongovernmental e-mail accounts. According to the e-mails, the Abramoff team and White House officials used these nongovernmental accounts, including accounts maintained by the Republican National Committee and Georgewbush.com, to discuss official business, including appointments and agency actions.[132]

IV. The Lobbying

According to the billing records and e-mails, Abramoff and his Greenberg associates had 485 lobbying contacts with White House officials between January 2001 and March 2004. Of these instances of lobbying, 405 are described in the billing records and were billed to Abramoff clients. An additional 80 are described in the e-mail records produced by the firm.

Of the 485 instances of lobbying, 345 (71 percent) are described in the documents as meetings or other in-person interactions; 71 (15 percent) are described as phone conversations, and 69 (14 percent) are e-mail exchanges. In counting e-mail exchanges as instances of lobbying, a series of back-and-forth e-mail exchanges addressing a single subject is counted as a single contact.[133]

More than half of the in-person interactions described in the documents (186) involved meals or drinks with White House officials. These meals and drinks with White House officials are discussed in more detail in part VI.

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[132] *See, e.g.,* E-mail from Susan Ralston to Jack Abramoff (Aug. 23, 2001) (GTG-R001233) (noting Clark Dean Horvath as a potential nominee for OIA); E-mail from Jack Abramoff to Susan Ralston (Feb. 6, 2003) (GTG-R002246) (regarding a gaming compact under consideration by the Department of Interior); E-mail from Barry Jackson to Neil Volz (March 12, 2003) (GTG-R004877) (asking about a recommendation for the medal of freedom).

[133] In counting instances of lobbying over e-mail with White House officials, a number of contacts identified in the Greenberg documents were excluded. Excluded were (1) e-mails that appear to involve purely social events such as happy hours or birthday parties, (2) phone calls described in the e-mails as being placed to White House officials that may not have been returned, (3) e-mails to White House officials that did not appear to garner a response, and (4) e-mails on subjects unrelated to client issues, such as White House tours for family and friends. The e-mails contain over 200 contacts that were excluded for these reasons.

Abramoff is identified in the documents as having 66 contacts with White House officials. Abramoff's contacts include 17 meeting or other in-person interactions with White House officials, 7 phone conversations, and 42 e-mail exchanges. More than half of Abramoff's White House contacts were with his former assistant, Susan Ralston.

Shawn Vasell, one of the Greenberg lobbyists associated with Abramoff, has the largest number of appearances in the billing records and e-mails. The billing records and e-mails identify 213 lobbying contacts between Vasell and White House officials, including 108 involving meals or drinks with White House officials.

Other Greenberg lobbyists with multiple instances of lobbying White House officials include Kevin Ring (86 instances), Padgett Wilson (36 instances), Neil Volz (24 instances), Todd Boulanger (31 instances), Brigham Pierce (16 instances), Tony Rudy (12 instances), and Michael Williams (6 instances).

In many cases, the descriptions of the instances of lobbying the White House are too vague to identify the subject matter of the lobbying. Of the 485 instances of lobbying described in the billing records and e-mails, 252 (52 percent) have no meaningful description to discern the subject matter of the lobbying.

A. Office of the Senior Advisor

1. Karl Rove

The documents describe ten contacts between Abramoff and Rove, seven of which were instances of lobbying. According to the documents, nine of the contacts occurred after the inauguration of President Bush, and one occurred before the inauguration. These ten instances are described below.

The documents also contain e-mails that Abramoff sent to Rove or that describe calls he said he placed to Rove, but for which there is no evidence that Rove responded by e-mail or spoke with Abramoff by phone. These communications are not counted as separate lobbying contacts, but are included in the chronology where relevant.

Rove's position in the White House after the inauguration of President Bush was Assistant to the President, Deputy Chief of Staff, and Senior Advisor. Rove's prolific web of outside contacts and advisors has been reported in *The Washington Post*: "Rove has developed a web of contacts in Washington and across the country to give him the latest intelligence on politics and policy . . . . With access to Rove's ear and e-mail, these advisors help fashion everything from abortion to tax policy, shape the content of

legislative initiatives, propose appointees to key boards and commissions and suggest political strategies and tactics."[134]

a) Pre-2001

On October 31, 2000, shortly before the 2000 election, Abramoff forwarded Rove an e-mail noting that the Redskins lost their last home game, which has historically predicted a change in party control of the White House. Rove responded: "Jack – I will rest much easier between this and the Halloweek mask test."[135]

In December 2000, one month before President Bush took office, Abramoff e-mailed Rove offering to be help where necessary:

> I know you are inundated with all sorts of craziness, but I just wanted let you know that, although I do not want to enter government, I am at your disposal for anything you need here in DC. I have a lot of resources at my disposal and am happy to place them at your service if need be. I am sure you are well covered with everything, but just in case, please do not hesitate to ask me for anything you might need. I hope we'll have a chance to see each other when you (finally!) arrive. Regards.[136]

No e-mails after October 31, 2000, from Rove to Abramoff have been identified in the documents.

b) March 6, 2001

On March 6, 2001, Abramoff wrote in an e-mail to Dennis Stephens that he had a "great meeting" with Karl Rove to discuss an appointment to the Department of Interior

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[134] Thomas B. Edsall and Dana Milbank, *White House's Roving Eye for Poltics; President's Most Powerful Advisor May Also Be the Most Connected*, WASH. POST, Mar. 10, 2003, at A1.

[135] E-mail from Karl Rove to Jack Abramoff (Oct. 31, 2000) (GTG-R000583). The earliest record of an attempted contact in documents occurs in February 1999, when e-mails reflect that Abramoff and Rove traded phone calls. E-mail exchange between Jack Abramoff and Ralph Reed (Feb. 3, 1999) (GTG-R000883).

[136] E-mail from Jack Abramoff to Karl Rove (Dec. 12, 2000) (GTG-R000585).

for Stephens.[137] The same day, Abramoff sent a similar e-mail to Glen Nager, who was seeking a judicial appointment.[138] Other e-mails indicate that this meeting took place in the White House.[139]

On February 21, 2001, in advance of the meeting with Rove, Abramoff sent an e-mail to his entire department at Greenberg, stating: "I have a meeting this Thursday with Karl Rove. I am going to restrict my discussion to things which are very important to us, but I wanted to solicit from you a list of items for the agenda. Please let me know if you have any such items."[140] The morning of the meeting with Rove, Abramoff sent an e-mail to his assistant asking the assistant to print the following agenda for the "Rove meeting":

1. OIA position – Zack
2. pro free market Indian agenda – Tim Martin
3. Norton – ANWR – CREA
4. Florida – Bush anti-cruise
5. Glen Nager
6. Miller/dodd proposals out of house/senate education bills – new federal mandates – anti local control
7. how can I help[141]

After the meeting, Abramoff drafted the following thank you note to Rove:

> Dear Karl, Thanks for taking the time to see me this week. Per our discussion, attached please find a paper on the Miller amendment to the Education bill.
>
> I appreciate anything you can do regarding the candidates we discussed.[142]

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[137] E-mail from Jack Abramoff to Dennis Stephens (Mar. 6, 2001) (GTG-R000694). Abramoff's efforts to secure an appointment for Stephens are discussed further in part V.B.4.

[138] E-Mail from Jack Abramoff to Glenn Nager (March 6, 2001) (GTG-R000697). Abramoff's efforts to secure an appointment for Nager are discussed further in part V.B.5.

[139] *See* E-Mail exchange between Jack Abramoff and Rodney Platt (March 1, 2001) (GTG-R000734) (with Abramoff noting that on March 6th, "I have a 4:30 at the WH with Karl Rove and must leave by no later than 4:10 to get through security there").

[140] E-mail from Jack Abramoff to Greenberg Washington, D.C. Government Affairs Dep't (Feb. 25, 2001) (GTG-R00630).

[141] E-mail from Jack Abramoff to Rodney Lane (Mar. 6, 2001) (GTG-R000709).

c) March 24, 2001

On March 25, 2001, Abramoff sent an e-mail with the subject "Re: Update on AS/IA position." In the e-mail, Abramoff wrote: "I saw Rove last night at the Gridiron dinner and told him he has to intervene in this if possible."[143]

d) April 10, 2001

On April 10, 2001, Abramoff sent an e-mail to Glen Nager, who was seeking a judicial appointment, about a phone conversation with Rove. In the e-mail, Abramoff wrote: "Got through to him (on his cell, I believe). He did not commit, but said he would call over and see where it was."[144]

e) May 3, 2001

On May 3, 2001, Abramoff sent an e-mail to Ben Fitial, who was at the time was running for Governor of the Commonwealth of Northern Marianas Islands against Juan Babauta. In the e-mail, Abramoff writes: "I met with Rove tonight. They are not going to allow Babauta to have his way and they are looking forward to your arrival."[145] An entry in an electronic calendar indicates that the event probably occurred at a "Tax Policy Dinner" at Grover Norquist's home.[146]

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[142] E-mail from Jack Abramoff to Rodney Lane (Mar. 8, 2001) (providing instructions to assistant regarding a thank you note following March 6, 2001, meeting) (GTG-R000659).

[143] E-mail from Jack Abramoff to Jana McKeag (Mar. 24, 2001) (GTG-R000847).

[144] E-mail from Jack Abramoff to Glen Nager (Apr. 10, 2001) (GTG-R000834). Abramoff's efforts to secure an appointment for Nager are discussed further in part V.B.5.

[145] E-mail from Jack Abramoff to Ben Fitial (May 3, 2001). On May 3, 2001, Fitial e-mailed Abramoff that Babauta was trying to claim credit for congressional earmarks that Abramoff had obtained for CNMI. E-mail exchange between Jack Abramoff and Benigno Fitial (May 3, 2001) (GTG-R001895) (Fitial's e-mail is dated May 4, but CNMI is one day ahead of the United States).

[146] Outlook Calendar Entry, *2001 Tax Policy Dinner with Karl Rove* (May 3, 2001) (GTG-R006243).

f) March 12, 2002

On March 12, 2002, Abramoff sent an e-mail to Susan Ralston describing his seeing Rove at an event and offering an invitation to Rove to join him at an NCAA tournament game:

> I just saw Karl at the KOMPAC reception and mentioned the NCAA opportunity, which he was really jazzed about it. If he wants to join us in the Pollin box, please let me know as soon as you can, since it's filling up. The invite is good for others who might want to come as well.[147]

g) March 17, 2002

On March 18, Abramoff wrote in an e-mail that he was "sitting yesterday with Karl Rove ... at the NCAA basketball game discussing Israel" when an e-mail about a suicide bomber attack came in.[148] When Tony Rudy inquired on March 17, 2002, whether Abramoff got "anything interesting" out of Rove, Abramoff replied "Not really," but that he "touched base on all issues," including "about Jena."[149] Abramoff added:

> he's set to help us when we need it. ... He's a great guy. Told me anytime we need something just let him know through susan.[150]

h) April 16, 2002

On April 5, 2002, Abramoff sent an e-mail to his assistant asking the assistant to add to his schedule "a Karl Rove/SagChip breakfast on the 16th at 8 am. Location tbd."[151]

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[147] E-mail from Jack Abramoff to Susan Ralston (Mar. 12, 2002) (GTG-R001104).

[148] E-Mail from Jack Abramoff to unknown recipient (March 18, 2002) (GTG-R001092); *see also* E-mail exchange between Jack Abramoff and Susan Ralston (Mar. 19, 2002) (GTG-R001091). Rove's attendance at this game and his offer to pay for the tickets are discussed further in part VI.C.

[149] E-mail exchange between Tony Rudy and Jack Abramoff (Mar. 17, 2002) (GTG-R001093). Abramoff's efforts on the Jena matter are discussed further in part V.A.3.

[150] E-mail exchange between Tony Rudy and Jack Abramoff (Mar. 17, 2002) (GTG-R001093).

[151] E-mail from Jack Abramoff to Ilisa Gertner (Apr. 5, 2002) (GTG-R005433).

According to the documents, this was an event with Karl Rove and "tribal representatives and leaders" from the Saginaw Chippewa tribe.[152]

i) May 6, 2003

On May 6, 2003, Abramoff e-mailed Kevin Ring that he had "the Rove dinner at Grover's tonight."[153]

j) December 5, 2003

On December 6, 2003, Abramoff e-mailed Michael Williams, a lobbying associate, about seeing Rove the day before. Abramoff writes about appointments to the Bureau of Alcohol, Tobacco, and Firearms.[154] In the e-mail, Abramoff wrote: "I saw Rove … and he asked if we could have LaPierre [head of the NRA] call him and confirm that Mike Bregman (our guy) is the guy he wants."[155]

k) Other E-mails About Rove

There are several e-mails in the documents in which Abramoff comments about Rove and his relationship with Rove. In a September 10, 2001, e-mail, Abramoff writes to Malaysian Ambassador Dennis Ignatius:

> just spoke on the phone with Rove's office. … I think we have a bit of a breakthrough. The Rove guys, as you know, are our friends, so they are trying to help make this happen, but getting

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[152] E-mail exchange between Jack Abramoff and Chris Petras (Mar. 27, 2002 to Apr. 5, 2002) (GTG-R005430-31).

[153] *See* E-mail from Jack Abramoff to Kevin Ring (May 6, 2003) (GTG-R001292). An electronic calendar entry described this as a "Dinner with Karl Rove" scheduled to begin at 5 pm on May 6, 2003. Outlook Calendar Entry, *Dinner with Karl Rove* (May 6, 2003) (GTG-R000189).

[154] E-mail from Jack Abramoff to Michael Williams (Dec. 5, 2003) (GTG-R004306). The documents are not clear whether Abramoff saw Rove at the White House or at an event in Baltimore, Maryland. *See* E-mail from Jack Abramoff to Michael Williams (December 5, 2003) (GTG-R004306); E-mail from Alan Slomowitz to Joanna Bianco (Dec. 7, 2003) (noting that the meeting occurred at the White House) (GTG-R006505-6506); *But cf.* E-mail from Susan Ralston to Jack Abramoff (Dec. 7, 2003) (indicating Abramoff saw Rove in Baltimore) (GTG-R001813).

[155] E-mail from Jack Abramoff to Michael Williams (Dec. 5, 2003) (GTG-R004306).

> control of this to the White House political guys, and away from State/NSC is critical.[156]

In one e-mail to a client, Abramoff expressed the view that Rove did not want to be perceived publicly as taking actions that benefited Abramoff. On December 13, 2002, Abramoff sent an e-mail to Saginaw Chippewa representative Chris Petras regarding the tribe's efforts to stop development of a rival tribe's casino at Gun Lake in Michigan. Abramoff told Petras about a recent report that a Michigan businessman planned to sue to block the rival casino, indicating that this report could provide "cover":

> This is so beautiful. It gives me a lot of cover, which is one of the things Karl was worried about. It does not benefit them to be doing stuff on this publicly for me, as you can imagine, and he was really worried that we would cause a NYT like piece (remember the stuff about Louisiana). Fantastic.[157]

A number of the e-mails discuss appearances by Rove at Abramoff's restaurant, Signatures. On learning in an e-mail that, "Karl Rove [i]s coming in [to Signatures] tonight with a party of 8-10," Abramoff responds, "I want him to be given a very nice bottle of wine and have Joseph whisper in his ear (only he should hear) that Abramoff wanted him to have this wine on the house."[158]

In one e-mail discussing where to have an event with Rove and representatives of the Sagninaw Chippewa tribe, Abramoff wrote: "Recommend to them to have the breakfast at Signatures. I am not kidding. Karl loves the restaurant (he's been there a lot) and we could do the back room. Clear it with Jacob and I'll get Karl on board."[159] On another occasion, when Abramoff learned that Rove was coming to Signatures, he wrote: "Please put Karl Rove in my usual table, and put me at the table on the other side of the coat rack in the corner."[160]

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[156] E-mail from Jack Abramoff to Ambassador Dennis J. Ignazias, Malaysia (Sept. 10, 2001) (GTG-R008105).

[157] E-mail from Karl Rove to Chris Petras (Dec. 13, 2002) (GTG-R005333). The reference to a "NYT like piece" may be a reference to an April 2002 article in the NEW YORK TIMES that connected Abramoff to an Administration decision that benefited the Louisiana Coushatta tribe, one of Abramoff's clients. *See* David E. Rosenbaum, *At $500 an Hour, Lobbyist's Influence Rises with GOP*, N.Y. TIMES, Apr. 3, 2002, at A2.

[158] E-mail exchange between Rodney Lane and Jack Abramoff (July 5, 2002) (GTG-R006323).

[159] E-Mail exchange between Jack Abramoff and Chris Petras (Apr. 8, 2002) (GTG-R005443).

[160] E-mail from Jack Abramoff to Joseph Hurst (Mar. 13, 2002) (GTG-R006305).

l) Use of Ralph Reed to Lobby Rove

In addition to making direct lobbying contacts with Rove, Abramoff also used Ralph Reed to communicate with Rove, according to the documents. The documents contain at least 14 references to Abramoff asking Reed to contact Rove. These include requests for assistance in securing including political appointments[161] and obtaining favorable actions on client matters.[162]

2. Susan Ralston

After the President was elected, Abramoff's executive assistant, Susan Ralston, left Greenberg to work in a similar position for Karl Rove.[163] Shortly after joining Rove's staff in the White House, she reported to Abramoff, "I'm trying to keep up w/barrage of calls, mail and work . . . . It isn't difficult work; in fact I tell everyone that this is kind of a vacation after w/ you!"[164]

The documents reflect that Abramoff and his associates often contacted Susan Ralston for assistance. The documents produced to the Committee reflect 69 lobbying contacts between Ralston and her former colleagues at Greenberg.[165] There are also a

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[161] *See, e.g.,* E-mail exchange between Glen Nager and Jack Abramoff (Feb. 1, 2001) (noting Abramoff will "ping [Reed] next week" to see if he had reached Karl Rove about a judicial appointment for Nager) (GTG-R006737); E-mail exchange between Jack Abramoff, Ralph Reed, and Kevin Ring (March 21, 2001) (asking Reed to "weigh in with Karl" regarding a rumor that a "DEMOCRAT from CA might be picked for Indian Affairs") (GTG-R005182); E-mail from Jack Abramoff to Elie Pieprz (Jan. 10, 2001) (offering to "get in contact with Rove through Ralph Reed") (GTG-R000600).

[162] *See, e.g.,* E-mail from Jack Abramoff to Ralph Reed (May 21, 2002) (asking Reed to get to Rove on an issue affecting the Northern Mariana Islands) (GTG-R001905); E-mail from Jack Abramoff to Ralph Reed (February 20, 2002) (regarding the need to get Rove's office to communicate a message about the "gambling compact" to Secretary Norton) (GTG-R001066); E-mail exchange between Jack Abramoff and Ralph Reed (Nov. 8, 2001) (Reed tells Abramoff that he would be "happy to help" in getting to Rove on a funding issue) (GTG-R005206).

[163] Peter H. Stone, *K Street Stumble,* NAT'L JOURNAL, Mar. 27, 2004, Vol. 36, No. 13.

[164] E-mail from Susan Ralston to Jack Abramoff (Feb. 21, 2001) (GTG-R000722).

[165] *See, e.g.,* E-mail from Susan Ralston to Jack Abramoff (Aug. 23, 2001) (alerting Abramoff that Clark Dean Horvath is a possible candidate for Office of Insular Affairs position) (GTG-R001233).

significant number of social contacts between Ralston and Abramoff and his associates that are described in the documents but not included in this count.

In some instances, according to the documents, Ralston passed communications or documents between Abramoff and his associates and Rove. On February 21, 2001, for example, Ralston e-mailed Abramoff lobbyist Todd Boulanger: "Thanks for breakfast. I showed KR the binder . . . . He gave the binder to Mehlman to read cover to cover and to be prepared. Mehlman will be at the meeting."[166]

In another example, Ralston e-mailed Abramoff on October 21, 2001, that Rove had read Abramoff's memo regarding a political endorsement and had follow-up questions.[167] Abramoff responded that he would provide another memo.[168] In an e-mail the next day on the same subject, Ralston reported back to Abramoff that Rove had agreed to the position advocated by Abramoff.[169]

The documents also indicate that she helped the team secure access to the White House and to obtain photo opportunities for clients.[170] On one occasion, when Abramoff was seeking an invitation to the White House Chanukah reception in 2001, he wrote Ralston:

> Hi Susan. I understand that they are doing a ceremony for Chanukah on Monday night. I was wondering if you could possibly arrange for Pam, the kids and me in to that?[171]

According to the documents, Abramoff did attend the Chanukah reception.[172]

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[166] E-mail from Susan Ralston to Jack Abramoff (Feb. 21, 2002) (GTG-R001055-56).

[167] E-mail exchange between Susan Ralston and Jack Abramoff (Oct. 30, 2001) (GTG-R001840).

[168] E-mail exchange between Susan Ralston and Jack Abramoff (Oct. 30, 2001) (GTG-R001840).

[169] E-mail from Susan Ralston to Jack Abramoff (Oct. 31, 2001) (GTG-R001836). The subject of this exchange of e-mails is discussed further in part V.A.5.

[170] *See e.g.,* E-mail exchange between Susan Ralston and Jack Abramoff (Apr. 2-3, 2001) (scheduling a meeting with White House staff and a send-off of the President at the White House for Ben Fitial) (GTG-R001912).

[171] E-mail from Jack Abramoff to Susan Ralston (Dec. 5, 2001) (GTG-R002371).

[172] E-mail from Jack Abramoff to Mark Zachares (Dec. 11, 2001) (GTG-R000558) (telling Zachares, "I was at the WH last night").

On other occasions, according to some e-mails, Ralston informed the Abramoff team about political appointees under consideration.[173] The documents do not indicate whether Rove approved of these actions or even knew about them.

The e-mails indicate that Abramoff and Ralston discussed future business plans on more than occasion.[174] In February 2002, for example, Ralston, Abramoff, and Ben Waldman had an e-mail exchange about a business opportunity involving leasing an aircraft.[175]

In November 2002, Ralston e-mailed about the possibility of forming a defense, or homeland security-oriented company, acknowledging, "I . . . lack the experience to run the day-to-day operations of a defense company."[176] She continued, "it would take a significant amount of money for me to be lured away [from the White House] so unless you're really serious and can make it worth my while, let's wait until 2005." Abramoff responded, "I am not in a position to offer you serious money for this right now."

The extent of Ralston's influence with Karl Rove is not definitively known. In discussing the strategy of getting Glen Nager an appointment to the federal bench, Abramoff told Nager, "Let me feel out Susan. She has been understandably reticent to advocate anything to Karl . . . ."[177] This e-mail was sent when Ralston had been with Rove for two months.

On some occasions, according to the documents, Ralston was not able to obtain the result sought by Abramoff. For example, in April 2001, Abramoff reached out to Ralston to seek a meeting for the Foreign Minister of the government of Qatar:

> Hi Susan. Per our discussion yesterday, Khalid Safuri saw Karl on a plane and asked if Karl would be willing to meet with the Foreign Minister of Qatar (who is the de facto ruler of the country)

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[173] *See, e.g.*, E-mail from Susan Ralston to Jack Abramoff (Aug. 23, 2001) (alerting Abramoff that Clark Dean Horvath is a possible candidate for Office of Insular Affairs position) (GTG-R001233).

[174] E-mail exchange between Susan Ralston, Jack Abramoff, and Ben Waldman (Feb. 19-23, 2002) (GTG-R001045); E-mail correspondence between Jack Abramoff and Susan Ralston (Nov. 24, 2002) (GTG-R001011).

[175] E-mail exchange between Susan Ralston, Jack Abramoff, and Ben Waldman (Feb. 19-23, 2002) (Ralston also discusses a business opportunity relating to the "patent industry," querying if "we've identified a hugely underserved market") (GTG-R001045).

[176] E-mail exchange between Jack Abramoff and Susan Ralston (Nov. 24, 2002) (GTG-R001011).

[177] E-mail from Jack Abramoff to Glen Nager (Apr. 4, 2001) (GTG-R000744).

> . . . . Please let me know, if you can, when this meeting would most likely take place. Thanks.[178]

This meeting never occurred, according to the documents. Abramoff wrote in an e-mail to Kevin Ring: "Rove said no. Thanks susan."[179]

In November 2003, Abramoff e-mailed Susan Ralston about Iraqi bonds apparently being issued by one of Abramoff's clients, American Bondholders Foundation. Abramoff sent her a follow-up e-mail about his inquiry on December 5, 2003. In response, Ralston indicated that the National Security Council had not "gotten back to me yet."[180] Six days later, she e-mailed him with additional information:

> The NSC is very suspect of this proposal particularly since Iraq does not owe anything near $100 billion to China. The White House will not support it. They cannot imagine any representative of the Iraqi GC being authorized to approve such a deal, so I would be suspicious of any contract they say is pending. The CPA will not agree to it either.[181]

3. Barry Jackson

Barry Jackson is the Deputy Assistant to the President, Deputy to the Senior Advisor and Director of Strategic Initiatives.[182] As Rove's deputy, Jackson joined the White House staff in 2001, after a career as a House staffer, which included a stint as the chief of staff for Rep. John Boehner.[183] In 1994 Jackson became the Director of "Contract with America," the campaign plan Republicans used to successfully recapture control of the U.S. House of Representatives.[184] From 1995 to 1998, Jackson also served

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[178] E-mail from Jack Abramoff to Susan Ralston (Apr. 24, 2001) (GTG-R000860).

[179] E-mail exchange between Jack Abramoff and Kevin Ring (Apr. 27, 2001) (GTG-R000849).

[180] E-mail from Susan Ralston to Jack Abramoff (Dec. 5, 2003) (GTG-R001813).

[181] E-mail from Susan Ralston to Jack Abramoff (Dec. 11, 2003) (GTG-R002131).

[182] *The U.S. Government Manual*, 2006-2007, at 87.

[183] 108TH CONGRESS (FIRST AND SECOND SESSION) OFFICIAL CONGRESSIONAL DIRECTORY: at 573, 573; Barry Jackson-White House Biography, http://www.whitehouse.gov/results/leadership/bio_228.html (last visited Sept. 17, 2006) [hereinafter Jackson Biography].

[184] Jackson Biography.

as Executive Director of the House Republican Conference (chaired by Rep. Boehner),[185] helping to craft legislative and communications activity for Republican Representatives of the Congress.[186]

According to the documents, Jackson met with or was contacted by Abramoff lobbyists six times as part of their lobbying activities. Five of these contacts were with Neil Volz, who had worked as a senior staff member for one Ohio congressman (Rep. Ney) at the same time that Jackson had worked in a similar position for another (Rep. Boehner). Of the six lobbying contacts reflected in the documents, two involved dinner at the Hawk and Dove.[187] Volz lobbied Jackson three times on behalf of the Mississippi Choctaw with regard to obtaining a Presidential Medal of Freedom for Choctaw Chief Phillip Martin.[188] Volz also saw Jackson on the weekend of October 18, 2003, in Columbus, Ohio at the Iowa v. Ohio State college football game.[189] In an e-mail prior to his trip to Ohio, Volz told his lobbying associate Kevin Ring: "I'm spending the weekend with Barry Jackson… if you want me to bring up LETN stuff per previous emails."[190]

In April 2002, Volz had an e-mail exchange with Jackson's secretary, Kimberly Ellison, about setting up a lunch with Jackson.[191] Although the lunch was scheduled for April 10 at 1:00 p.m., the documents do not confirm whether it occurred or, if it did, whether it included substantive lobbying efforts.

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[185] 106TH CONGRESSES OFFICIAL CONGRESSIONAL DIRECTORY, *at* 449; Jackson Biography.

[186] Jackson Biography.

[187] Choctaw Billing Records (Mar. 14, 2002) (GTG003864-ACCT-CW); Saginaw Chippewa Billing Records (Dec. 12, 20020 (GTG0000588-ACCT-SG).

[188] E-mail from Neil Volz to Kevin Ring (Dec. 16, 2002) (GTG-R005170); Choctaw Billing Records (Mar. 12, 2003) (GTG-003521-ACCT-CW); E-mail from Neil Volz to Jack Abramoff (Feb. 3, 2004) (GTG-R005252).

[189] E-mail from Neil Volz to Barry Jackson (Oct. 20, 2003) (GTG-R004931) (Volz tells Jackson it was good to see him over the weekend).

[190] E-mail from Neil Volz to Kevin Ring (Oct. 15, 2003) (GTG-R006420).

[191] E-mail exchange between Neil Volz and Kimberly Ellison (Apr. 3-5, 2002) (GTG-R004976-7).

B. Ken Mehlman and the Office of Political Affairs

The documents reflect Abramoff and his team claimed to have lobbied the White House Office of Political Affairs in 17 instances. In six of these instances, the documents describe a direct contact with Ken Mehlman, who was the office director from January 2001 to May 2003. Matt Schlapp replaced Mehlman as the office director from May 2003 through February 2005.

The lobbying of Mehlman described in the documents includes a dinner with Shawn Vasell, at Signatures Restaurant,[192] a discussion between Abramoff and Mehlman regarding political appointments at a White House reception,[193] and a meeting with Tony Rudy regarding efforts to secure federal funds for the Mississippi Band of the Choctaw Indians, an Abramoff client.[194] After this latter meeting with Mehlman, Rudy wrote Abramoff: "Mehlman said he would 'take care of this.' He was a rock star."[195]

The lobbying of Mehlman by Abramoff and his colleagues has also been examined by the Inspector General (IG) at the Department of Justice (DOJ). The DOJ IG reports that a relationship between Abramoff and Mehlman existed. According to the IG, an official in the White House Office of Political Affairs, Leonard Rodriguez, "kept Abramoff aware of information relevant to Guam ... at the behest of Ken Mehlman, the White House Political Director, who 'recommended or suggested that I reach out to make Jack aware' of issues related to Guam."[196]

C. Jennifer Farley and the Office of Intergovernmental Affairs

The White House office designated as the liaison with Indian tribes is the White House Office of Intergovernmental Affairs (OIA).[197] According to the billing records

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[192] Agua Caliente Billing Records (Apr. 22, 2003) (GTG004617-ACCT-AC) ("Vasell, Shawn M.; Signatures Restaurant with White House Political Director on 4-22-03").

[193] E-mail from Jack Abramoff to Mark Zachares (Dec. 11, 2001) (GTG-R000558).

[194] E-mail from Tony Rudy to Jack Abramoff (Nov. 8, 2001) (GTG-R006588); E-mail from Tony Rudy to Jack Abramoff (Nov. 8, 2001) (GTG-R007031).

[195] E-mail from Tony Rudy to Jack Abramoff (Nov. 9, 2001) (GTG-R006923).

[196] U.S. DEP'T OF JUSTICE, Office of the Inspector General, Report of Investigation into Allegations Relating to the Selection of the U.S. Attorney for Guam and the Northern Mariana Islands, at 13 (June 2006).

[197] White House Offices, http://www.whitehouse.gov/government/off-descrp.html (last viewed Sept 18, 2006).

and e-mails obtained by the Committee, Abramoff's team lobbied officials with this office on 35 occasions during the time period of January 2001 through March 2004. The documents reflect that the Abramoff lobbyists had four meetings with the director of the office, Ruben Barrales, and 27 lobbying contacts with the deputy associate director, Jennifer Farley. According to *The National Journal* directory of White House staff, the OIA consists of the following positions, one Director, three Special Assistants to the President, one Associate Director, and one Deputy Associate Director.[198]

The documents reflect Farley discussed possible candidates for political positions at the Department of the Interior with the Abramoff team,[199] met with Greenberg clients when they came to Washington,[200] and discussed potential employment at Greenberg.[201]

On one occasion, the documents reflect Farley may have expressed concerns about appearing to be too close to the Abramoff team. In a February 7, 2003, e-mail to Abramoff, Kevin Ring, wrote:

> Your e-mail to Susan was forwarded to Ruben Barrales and on to Jen Farley, who read it to me last night. I don't know what to think about this, but she said it is better not to put this stuff in writing in their e-mail system because it might actually limit what

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[198] THE NAT'L JOURNAL, White House Directory, Capital Source 2006, at 10.

[199] *See, e.g.*, E-mail from Kevin Ring to Duane Gibson and Jack Abramoff (Dec. 12, 2002) (GTG-R006113) (noting that Farley asked if a person named Milanovich would be interested in the Assistant Secretary position).

[200] *See, e.g.*, E-mail exchange between Kevin Ring and Jennifer Farley (Sept. 5, 2003) (GTG-R005881) (scheduling time for Chris Petras and a "few new councilmen" from the Saginaw Chippewa tribe to meet with Farley).

[201] In Feb. 2003, in an e-mail to Jack Abramoff, Kevin Ring wrote that Jennifer Farley "talked about possibly wanting to join our firm at some point too." E-mail exchange between Jack Abramoff and Kevin Ring (Feb. 6, 2003) (GTG-R004459); Later in the year, Ring told Abramoff that he was having lunch with Farley, and that "I believe she is going to reiterate interest in leaving – and I know she is interested in coming here." E-mail from Kevin Ring to Jack Abramoff and Todd Boulanger (Dec. 16, 2003) (GTG-R004817).

they can do to help us, especially since there could be lawsuits, etc. ... Just letting you know what she said.[202]

Abramoff responded, "Dammit. It was sent to Susan on her rnc pager and was not supposed to go into the WH system."[203]

D. Other White House Lobbying

The billing records reflect 159 instances of lobbying the White House Office of Legislative Affairs. Often, there is little detail about these contacts. The billing records frequently note time billed for a "meeting with White House Legislative Affairs staff," without elaboration.[204] In 157 of the total instances of lobbying, it is not possible from the documents to identify even the office in the White House the Abramoff team claimed to have contacted. For example, on October 17, 2003, Neil Volz billed the Choctaw tribe for 2.1 hours of his time in "Discussion with key White House staff regarding client issues," but does not identify the "key White House staff."[205]

E. Events and Meetings

According to the documents produced to the Committee, Abramoff's clients attended Americans for Tax Reform events at the White House where the President appeared and made remarks. One of these events occurred on May 9, 2001.[206] While the Committee does not have complete records of attendance at the May 9 event, it appears

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[202] E-mail from Kevin Ring to Jack Abramoff (Feb. 7, 2003) (GTG-R002245); One day earlier, Abramoff had sent Susan Ralston an e-mail entitled "Louisiana" stating: "I don't want to bother you guys with a meeting request, so I was hoping you could pass on to Karl that Interior is about to approve a gaming compact and land in trust for a tribe which is an anathema to all our supporters down there. It's called the Jena tribe, and the politicos (!) at Interior (low-mid level) are agreeing to this. It will cause a major backlash from our coalition and is something which they should not do on the merits. I believe that Steve Griles over there would be opposed, but it's important, if possible, to get some quiet message from WH that this is absurd." E-mail from Jack Abramoff to Susan Ralston (Feb. 6, 2003) (GTAG-R002246).

[203] E-mail from Jack Abramoff to Kevin Ring (Feb. 7, 2003) (GTG-R002245).

[204] Saginaw Chippewa Billing Records (May 23, 2003) (GTG-000436-ACCT-SG).

[205] Choctaw Billing Records (Oct. 17, 2003) (GTG003328-ACCT-CW).

[206] Coushatta Billing Records (May 9, 2001) (GTG002480-ACCT-CS); Choctaw Billing Records (May 9, 2001) (GTG005902-ACCT-CW); *see also* E-mail from Shawn Vasell to Terry Martin (June 22, 2001) (GTG-R005323).

that representatives of the Chitimacha and Coushatta tribes attended the event where the President appeared.[207] The documents reflect that Greenberg lobbyists were also in attendance.[208]

A second such event with the President occurred on October 11, 2002. It appears from the documents that Choctaw and Agua Caliente representatives were in attendance at this event.[209]

State legislators from states that had adopted resolutions supporting President Bush's agenda were also present at events of this type,[210] and Abramoff's tribal clients were urged by Abramoff and Norquist to pass similar resolutions.[211]

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[207] *Abramoff's Kodak Moment,* TIME, Feb. 20, 2006 (article includes photo of Raul Garza, then chairman of the Kickapoo tribe, participating in the meeting); E-mail correspondence from Shawn Vasell to Terry Martin (June 22, 2001) (describes photos of representatives of the Chitimacha tribe at the White House as "awesome") (GTG-R005323). Billing records reflect that Tony Rudy escorted Chief Poncho of the Coushatta tribe to the meeting and that Jack Abramoff was an attendee. Coushatta Billing Records (May 9, 2001) (GTG002480-ACCT-CS).

[208] E-mail from Jack Abramoff to Duane Gibson (Sept. 26, 2002) (GTG-R007924) (noting state legislators would be at the Oct. 11, 2002, meeting); E-mail from Jack Abramoff to Terry Martin (Sept. 27, 2002) (GTG-R005324) (noting that speakers of houses from across the country had participated in the previous year's meeting with the President); Draft invitation letter and surrounding e-mails between Jack Abramoff, Jennifer Kuhn, and Grover Norquist (Oct. 1, 2002) (GTG-R007940-43) (noting that legislators attending the previous year's meeting had passed tax resolutions).

[209] *See* E-mail from Jack Abramoff to Grover Norquist (Oct. 9, 2002) (GTG-R005963) (discussing the upcoming White House meeting and stating that "only Choctaw … and Agua Caliente … are going to be able to be there"); E-mail from Duane Gibson to Jack Abramoff (Oct. 11, 2002) (GTG-R006136); E-mail from Duane Gibson to Jack Abramoff (Oct. 11, 2002) (GTG-R007931) (Gibson sent Abramoff a draft press release "Agua Caliente Meeting with President Bush, October 11, 2002. A delegation of three Agua Caliente Tribal Council Members, met today with President Bush to discuss the war on terrorism and important tax issues related to the economy…").

[210] E-mail from Jack Abramoff to Duane Gibson (Sept. 26, 2002) (GTG-R007924) (noting state legislators would be at the Oct. 11, 2002, meeting); E-mail from Jack Abramoff to Terry Martin (Sept. 27, 2002) (GTG-R005324) (noting that speakers of houses from across the country had participated in the previous year's meeting with the President); Draft invitation letter and surrounding e-mails between Jack Abramoff, Jennifer Kuhn, and Grover Norquist (Oct. 1, 2002) (GTG-R007940-43) (noting that legislators attending the previous year's meeting had passed tax resolutions).

According to the documents, Abramoff sought the payment of significant contributions to ATR, Grover Norquist's organization, to arrange these events. In a July 3, 2002, e-mail to Abramoff, Norquist wrote:

> Can the tribes contribute $100,000 for the effort to bring state legislators and those tribal leaders who have passed the Bush resolutions to Washington. When I know I have funding, I will ask Karl Rove for a date with the President. karl has already said yes in principle and knows that you organized this last year and hope to this year.[212]

Abramoff responded, "Got it. ... Let me make some calls and line up the $. ... I think I'll hit four tribes for $25K each. Ok with you?" Norquist replied, "That is fine."[213]

The documents indicate that at least some of the tribes paid the amount sought by Abramoff. In an April 10, 2003, e-mail to Kevin Ring, Chitimacha representative Terry Martin stated: "Chitimacha later made a contribution through ATR for us to have a small group meeting with Bush in the White House."[214] When the Agua Caliente tribe accepted the invitation to the meeting, their representative wrote: "Tribal Council approved participation with the October 11th meeting with President Bush. Please advise information for the $25,000.00 check so I can prepare a check request from accounting department."[215]

The documents reflect that Abramoff also worked with Norquist to arrange for a representative of the Congo to meet with Karl Rove at a July 9, 2002, dinner held by

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[211] E-mail exchange between Jack Abramoff and Grover Norquist (Apr. 27-30, 2001) (GTG-R007003-04) The subject of the 2001 resolutions appears to have been a tax bill supported by the President; The subject in 2002 appears to have been a mix of issues including, in Norquist's words, "the war on terrorism, supporting a missile defense system, to keep the 2001 tax cuts permanent, to permanently repeal the death tax, and to pass the economic stimulus package." Draft invitation letter and surrounding e-mails between Jack Abramoff, Jennifer Kuhn, and Grover Norquist (Oct. 1, 2002) (GTG-R007940-43).

[212] E-mail from Grover Norquist to Jack Abramoff (July 2, 2002) (GTG-R006137-39).

[213] E-mail exchange between Jack Abramoff and Grover Norquist (July 2, 2002) (GTG-R006137-39).

[214] E-mail from TMartincdc to Kevin Ring (Apr. 10, 2003) (GTG-R005326).

[215] E-mail exchange between Duane Gibson, Judi Simon, and Jack Abramoff (Sept. 24-25, 2002) (GTG-R007926-27).

Norquist. On July 5, 2002, Abramoff instructed his assistant to send the following letter "asap" to Joseph Kabila, the President of Congo:

> I want to take this opportunity to make an urgent request of Your Excellency to send your closest and most trusted advisor to a special meeting with the Honorable Karl Rove. ... This meeting is very restricted and has been set for a long time, however, I have been able to obtain one invitation to this meeting.[216]

According to the documents, Abramoff discussed soliciting funds from the Congo for ATR in connection with the Rove dinner. On July 9, 2002, Abramoff told Norquist:

> I think Holly from my office has been in touch with Jennifer about another possible attendee tonight. I am not sure we can pull it off on our end, but if we can, it will be a representative of the Congo. I have asked them for $100K for ATR. If they come, I think we'll get it.[217]

Norquist later replied, "I am assuming this is important and therefore we are making it happen."[218] The documents do not indicate whether Abramoff ever received the $100,000 payment he anticipated from the Congo.

An e-mail from the Saginaw Chippewa Legislative Affairs Director Chris Petras to Shawn Vasell shows that the purpose of some meetings was to obtain photos with government officials:

> Please try to arrange for a quick photo and greeting with Tom Delay and Bill Frist. These greetings do not have to be more than 5 minutes. Also I would like to introduce my new staff to Jennifer Farley at WH Intergovernmental Relations. I know these are major asks but I want to get these meet and greets in while everyone is in town. The Chief and Sub-chief will have less time to visit DC as the elections get closer. Also, my staff are working on major projects that will be greatly facilitated if I can get them on the web with a few key people. When I post the photos with officials it makes a significant difference. For example, one week after we posted the story and photos of the Chief with officials such as Inhofe, a major highway project we are working on was reinstated by the Governor's office. She originally took it off the list for completion. My intel explained that the Governor's office

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[216] E-mail from Jack Abramoff to Holly M. Bowers (July 5, 2002) (GTG-R008045).

[217] E-mail from Jack Abramoff to Grover Norquist (July 9, 2002) (GTG-R006649).

[218] E-mail from Grover Norquist to Jack Abramoff (July 9, 2002) (GTG-R006649).

saw the story and photos and made a last minute shift in her policy position on the project. Thanks Shawn.[219]

F. White House Initiative to Work Directly With Tribes

The documents point to a potential initiative by the White House to work with the Indian tribes directly, without using lobbyists as a go-between.[220] It began on March 1, 2003, when Kevin Ring reported to his associates "a disturbing problem" he had heard about from the White House:

> Just wanted to let everyone know of a disturbing problem I just learned about at the White House. The Intergovernmental Affairs Office just received their ethics briefing, and when all was said and done, they concluded that they should NEVER call lobbyists anymore – will call tribes directly – and will NEVER have lobbyists sit in meetings, EVEN WHEN the client is meeting with the IGA Office.
>
> * * *
>
> Finally, it is scary that the White House ethics advisor – a Nanette Everson – told the IGA folks that tribes shouldn't even need to have lobbyists, anyway – and that it is wrong for them to pay so much money for lobbyists when people in the government should be meeting with them as needed. Those are fighting words!!!![221]

Abramoff responded, "This is horrible. Why would they f**k us like this?"[222]

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[219] E-mail from Chris Petras to Shawn Vasell (Sept. 5, 2003) (GTG-R005930).

[220] This was not the first instance where Greenberg lobbyists wrote in e-mail about the status of their relationship with the White House. In May 2002, while considering whether to represent a client involved with the Crusader program, Kevin Ring discussed with Abramoff and Tony Rudy that the White House was not being as helpful as they were hoping in further the Greenberg business opportunities. Ring observed "I know they don't send us business, but shouldn't we verify that Rove, schlapp, Mehlman, et al are not going to make us personas non gratas for the next 6.5 years?" E-mail from Kevin Ring to Tony Rudy, Jack Abramoff *et al* (May 23, 2002) (GTG-R006310).

[221] E-mail from Kevin Ring to Greenberg Gov't Affairs Dep't (Mar. 1, 2003) (GTG-R002247).

[222] E-mail exchange between Kevin Ring, Jack Abramoff, Neil Volz, Michael Williams, and Shawn Vasell (Mar. 1, 2003) (GTG-R004670) (expletives omitted).

Over the weekend, the team developed a game plan in a series of e-mails to "straighten out" this matter:

Kevin Ring:	It's not about us, but we're included. … Neil, this is definitely something Barry Jackson needs to hear about.
Michael Williams:	WH folks are getting really arrogant lately. Not sure who is driving the train but they need to remember who there friends are ... or they risk the fate of Bush 1.
Shawn Vasell:	I will talk with Matt as well. This is bulls**t.
Neil Volz:	I will call Barry Jackson with this today. Unacceptable.[223]
Duane Gibson:	1) find out if there is any basis whatsoever in the advice from the ethics person. Get this in house if possible, not from the WH. 2) get everson fired, because I cqnnot imagine any basis for such advice. 3) act quickly to find out as much as possible about her. 4) start a phone bank and give everson 1000 calls a day from every tribe with a problem.[224]

V. The Results

In lobbying the White House, the results Abramoff and his associates achieved were mixed. In advocating for appropriations matters for the Choctaw and Saginaw Chippewa tribes, the team achieved the results they were seeking. Similarly, the team had successful advocacy projects for the Coushatta and Sandia Pueblo clients. The team was able to work with the White House in securing some endorsements for insular territorial officials. In other areas, such as presidential appointments and nominations, they were often not successful.

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[223] E-mail exchange between Kevin Ring, Jack Abramoff, Neil Volz, Michael Williams, and Shawn Vasell (Mar. 1, 2003) (GTG-R004670) (expletives omitted).

[224] E-mail from Duane Gibson to Kevin Ring (Mar. 2, 2003) (GTG-R004046).

A. Successes

1. Choctaw Jail

According to the documents, Abramoff and his team lobbied the White House on multiple occasions as part of an effort to secure $16.3 million in funding from the Department of Justice for the construction of a jail by the Mississippi Band of the Choctaw. In total, the billing records reflect 73 instances of lobbying between the Abramoff team and White House officials that were billed to the Choctaw in the six months between June 2001 and January 2002. Sixteen of those lobbying contacts were billed as specifically addressing the jail issue, and another 18 were on the topic of appropriations, which could also have involved the issue of jail funding.

In one e-mail to Ralph Reed, Abramoff explained the Choctaw issue and the importance of securing the jail funding, writing:

> They were supposed to get funds to build a jail facility. Justice has screwed them around for years during Clinton (they didn't want jails I guess) and there are people at Justice (holdovers) who have made it very tough on them to get the funding. ...
>
> I need to push to get this done because it is the main thing we are doing for them this year in DC. If we fail, while I don't think I'd lose the client, it would be a huge blow and make our efforts harder, if you know what I mean.[225]

According to the documents, some of the lobbying by the Abramoff team with the White House were part of an effort to obtain an earmark for the jail in the Commerce, Justice, State Appropriation for Fiscal Year 2002. On November 6, 2001, for example, Abramoff associate Todd Boulanger expressed concern to a Senate contact that the House was trying to strip out "all Senate earmarks from the conferenced bill" and informed him that Matt Kirk from the White House Office of Legislative Affairs "is weighing in" with James Morhard, the staff director of the Senate Commerce, Justice, State and the Judiciary Appropriations Subcommittee.[226]

In the final bill, the funding for the jail facility was included as a discretionary grant under the Office of Justice Programs at the Department of Justice. Specifically, the legislation provided that the Office of Justice Programs was to evaluate the proposal and

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[225] E-mail exchange between Jack Abramoff and Ralph Reed (Nov. 8, 2001) (GTG-R005206); Reed replied that he would be "happy to help." *Id.*

[226] E-mail from Todd Boulanger, Greenberg, to Jim Hirni, office of Senator Hutchinson (Nov. 6, 2001) (GTG-R007053).

make the grant "if warranted."[227] According to the documents, the Abramoff team then focused their efforts on ensuring that the Department of Justice made the full grant to the Choctaw.

The documents indicate that the Abramoff team learned that the senior Justice Department official responsible for the decision, Tracy Henke, the Principal Deputy Assistant Attorney General of the Office of Justice Programs, opposed providing full funding to the tribe. In an e-mail, Kevin Ring told his colleagues:

> Just got off the phone with Tracy Henke at DOJ. Geez! We are not there. She has seen letters and clearly is not impressed enough. … OJP is going to offer Choctaw $9 million again with understanding that Congress may push for remainder. Frustrating.[228]

Similarly, Todd Boulanger reported:

> Tracey Hanke was at [a Senate] staff retreat today. My friends over there weighed in with her pretty hard and told her [the Senator] was aware and supportive of the project – which wasn't true because he doesn't know what is going on, really – but he wanted to feel her out how adamant her position was. … They also played the political angle up with her … she didn't seem overly impressed.
>
> Trevor said that she is 100 percent not going to budge with what we've hit her with thus far. Her excuse was that they are already taking 1/3 of the budget – which isn't totally true because of the unobligated FY01 funds – and because "they're one the richest tribes in the country" yadda yadda yadda. …
>
> She knows that we're gonna go above her and Trevor didn't think that would bother her, but as long as the decision is hers and hers alone to make, you can be certain that $9 mill is all we're getting.[229]

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[227] Committee of Conference, Making Appropriations for the Dep'ts of Commerce, Justice, and State, the Judiciary, and Related Agencies for the Fiscal Year Ending Sept. 30, 2002, and for Other Purposes (Nov. 9, 2001) (H. Rept. 107-278).

[228] E-mail from Kevin Ring to Todd Boulanger, Jack Abramoff, and Tony Rudy (Jan. 16, 2002) (GTG-R005221).

[229] E-mail from Todd Boulanger to Jack Abramoff *et al.* (Jan. 17, 2002) (GTG-R007082-7083).

According to a report on Indian jails released by the Bureau of Justice Statistics in July 2000, the existing jail on the Choctaw reservation was one of the few Indian jails that was neither overcrowded nor understaffed.[230] A Justice Department spokesman commenting on the report after its release said that the jail was renovated as recently as 1996 and operated efficiently.[231]

As soon as it became clear that the earmark would be included in the bill as a "soft" earmark conditioned on the Department of Justice releasing the funds, Abramoff and his associates began to reach out to the White House and others to ensure the release of the funds. On November 8, Tony Rudy e-mailed Abramoff that he would be meeting with Ken Mehlman about the issue and would inform Mehlman about the tribe's Republican political contributions. According to FEC records, the Choctaw tribe had contributed $100,000 to Republicans by that time in the 2001-2002 election cycle.[232] Rudy wrote:

> The ask is to have the people who administer the tribal justice account release the money. That is what I am asking mehlman tomorrow with the list of dollars they give.[233]

After this meeting, Rudy reported to Abramoff: "Mehlman said he would 'take care of this.' He was a rock star."[234] Abramoff's reply: "He's great."[235]

In a subsequent memorandum, Rudy elaborated, writing:

> Late yesterday afternoon we had a great meeting with Karl Rove's office that will hopefully bear fruit shortly. Ken Mehlman, the Deputy Political Director at the Bush White House, promised to begin a campaign immediately to get Justice to release some of the Fiscal Year 2001 money that still remains unspent from the Tribal Justice Fund at the State Department.[236]

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[230] *See* Bureau of Justice Statistics, Jails in Indian Country, 1998-1999, *available at* http://www.ojp.usdoj.gov/bjs/abstract/jic99.htm (last visited Sept. 18, 2006).

[231] *Indian Jails Often Crowded, Understaffed Justice Dept. Says Choctaw Jail One of the Few with Room*, ASSOC. PRESS, July 11, 2000.

[232] Total based on analysis of Federal Election Commission Records maintained by PoliticalMoneyLine *available at,* www.tray.com.

[233] E-mail from Tony Rudy to Jack Abramoff (Nov. 8, 2001) (GTG-R007031).

[234] E-mail from Tony Rudy to Jack Abramoff (Nov. 9, 2001) (GTG-R006923).

[235] *Id.*

[236] E-mail from Tony Rudy to Jack Abramoff (Nov. 10, 2001) (GTG-R005229-5231).

In the same memorandum, Rudy suggested five steps that Abramoff's team should take in order to "turn the screws even further," including "Another Round of Donations."[237] Several days later, Rudy wrote to Abramoff suggesting $100,000 in end-of-the-year donations for the Choctaw to make to the Republican National Committee, various Republican candidates, and conservative causes. Of that $100,000, he recommended to "give to Mehlman" two checks totaling $20,000, including one to the RNC.[238]

While Tony Rudy was approaching Ken Mehlman, other members of the Abramoff team approached the White House from other angles. In a November 15, 2001, e-mail, Shawn Vasell tasked Abramoff lobbyists with coordinating calls and letters to the White House, including to the Office of Legislative Affairs and Ken Mehlman, from various congressional officials, Republican and Democrat.[239]

On January 17, 2002, Abramoff asked Karl Rove's executive assistant, Susan Ralston, if he could have five minutes of Rove's time regarding the Choctaw, stating that "they are getting screwed by a liberal R at Justice about funding for their jail project."[240] Abramoff wrote that the Choctaw have "been one of the party's best helpers, and this is totally incredible."[241] Ralston told Abramoff that Rove was unavailable due to preparation for the State of the Union address, but recommended that Abramoff meet with Ruben Barrales, the Director of the White House Office of Intergovernmental Affairs, who "works directly under karl."[242]

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[237] *Id.*

[238] Tony Rudy wrote to Jack Abramoff "Per Your Request" with a suggested "new end-of-year giving list of the Choctaws." Suggested donations total $100,000, including $15,000 to the Republican National Committee with the notation, "Lets give the check to Ken Mehlman at White House" and "[Senator] Soft Money PAC $5,000 (Give to Mehlman)." E-mail exchange between Tony Rudy and Jack Abramoff (Nov. 13, 2001) (GTG-R007079). Other suggested recipients included the National Republican Senatorial Committee, the National Republican Congressional Committee, and several congressional candidates. *Id.* Abramoff responded "Fine" and requested contact information for each recipient. *Id.*

[239] *See, e.g.*, E-mail from Shawn Vasell to Jack Abramoff *et al.* (Nov. 15, 2001) (GTG-R005254-5255); E-mail from Congressional Staffer to Tony Rudy (Nov. 29, 2001) (GTG-R005153).

[240] E-mail from Jack Abramoff to Susan Ralston (Jan. 17, 2002) (GTG-R005316).

[241] *Id.*

[242] E-mail from Susan Ralston to Jack Abramoff (Jan. 17, 2002) (GTG-R005316). Abramoff asked his associate Kevin Ring to hold this meeting, which took place on Jan.

When Abramoff learned on January 18, 2002, that Reed was at a luncheon with Rove, he asked Reed to bring up the "urgent matter" of the Choctaw jail funding with Rove.[243] Abramoff wrote that he needed "some serious swat from Karl" on the jail and that he had "asked Susan to get me in to see him on this, but if you could mention it, perhaps I could get him the materials and save the need to meet?"[244] Reed responded that he could not raise the issue at the luncheon due to the format, but was "following up."[245]

By early February 2002, the Department of Justice released the full $16.3 million earmark for the Choctaw jail.[246]

2. Sandia Pueblo Boundary Dispute

According to the Senate Report, the Pueblo of Sandia hired Abramoff to help them with the lobbying aspects of a dispute related to lands on the Sandia Mountain that the tribe considers sacred.[247] In discussing this engagement, the Senate Report states:

> In February 2002, the Pueblo of Sandia, a Tribe located on the northern boundary of Albuquerque, was facing perhaps the most significant legal challenge of its 700-year existence in New Mexico. In the late 1980's, with development beginning to encroach on the sacred Sandia Mountain, the Tribe appealed to the Department of the Interior to correct a survey conducted in 1859. The correction would designate the main ridge of the Sandia Mountain as the Pueblo's eastern boundary. Years of litigation ensued that involved the Pueblo of Sandia, government agencies, and area residents, culminating in a settlement agreement on April 4, 2000 that, by its terms, required Congressional ratification by November 15, 2002. The settlement agreement was of monumental

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28, 2002; E-mail from Jack Abramoff to Kevin Ring (Jan. 17, 2002) (GTG-R007084); E-mail from Kevin Ring to Jack Abramoff (Jan. 28, 2002) (GTG-R002173).

[243] E-mail exchange between Jack Abramoff and Ralph Reed (Jan. 18, 2002) (GTG-R005191).

[244] *Id.*

[245] *Id.*

[246] Dep't of Justice, *Mississippi FY 2002 Office of Justice Programs & Office of Community Oriented Policing Services Grants Listed Alphabetically by City* (undated) (online at: http://www.ojp.usdoj.gov/archive/topics/fy2002grants/map/ms.htm); E-mail from Kevin Ring to Padgett Wilson (Feb. 4, 2002) (GTG-R001253).

[247] "GIMME FIVE" S. COMM. Report at 12.

importance to the Tribe. Having the Sandia Mountain as its boundary signified more than a property settlement. The Mountain's significance is described on the Tribe's web site:

> For centuries, the people of Sandia Pueblo have lived in the shadow of the mountain. The mountain has served as our church and our spiritual sustenance for hundreds of years. The mountain is the highest priorityof the people of Sandia Pueblo, a sacred responsibility of every generation. This is not a question of ownership for the Pueblo, it is a question of preservation and protection of the mountain, and the ability to practice religious and culture traditions unrestricted by government edict.[248]

The documents produced reflect Abramoff and his colleagues lobbied the White House on behalf of the Pueblo of Sandia. In one e-mail, Kevin Ring reported:

> Jennifer Farley at White House Intergovernmental Affairs Office called Shelley in [a Senator's] office last week at our urging. Jennifer did not get a return call. She tried again today and Shelly wasn't taking the call, so Jennifer said that she would hold and told receptionist that it was an urgent matter. Receptionist came back on line and said that Shelly said the Chief of Staff was the person to talk to and that he would call her back.
>
> FYI: Jennifer is calling to tell [the Senator's] people that the President is planning to go to NM for Wilson again and wants to know if the mountain issue will be completed by time of visit. … Goal here obviously is to show NM delegation that there is some interest from parties other than Pueblo.[249]

Todd Boulanger replied to Ring, "Wow, that would be huge … and a nice, sly way to get the project jump started."[250]

On February 20, 2003, the President signed legislation that provided land protections sought by the Sandia tribe.[251]

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[248] *Id.* at 183-184.

[249] E-mail from Kevin Ring to Stuwart Paisano (July 17, 2002) (GTG-R008283).

[250] E-mail from Todd Boulanger to Kevin Ring *et al.* (July 17, 2003) (GTG-R008283).

[251] *It Took 255 Years, but Mountain Rift Comes to End,* ALBUQUERQUE TRIBUNE (Feb. 21, 2003).

According to the Senate Report, Abramoff's role in resolution of the boundary dispute was ineffectual. After an analysis of the lobbying relating to the boundary dispute, the Report concludes: "[i]n the end, the combination of support from the New Mexico Delegation and a homegrown grassroots effort was the key to Congressional approval. Success was achieved, but for reasons wholly unrelated to the extraordinarily expensive pretensions of Abramoff."[252]

According to an e-mail from Kevin Ring to Jennifer Farley before Farley's calls, however, a member of the New Mexico delegation was "leaning on the agencies to oppose it" and the agencies were acting "strange."[253]

3. Jena Casino in Louisiana

According to the documents, Abramoff and his colleagues lobbied the White House over decisions involving a casino to be operated in Louisiana by the Jena Band of the Choctaw (Jena). This casino, which was opposed by two of Abramoff's clients, the Louisiana Coushatta tribe and the Mississippi Band of the Choctaw, required approval from the Department of Interior.

On February 19, 2002, Abramoff and Ralph Reed had the following exchange on this matter:

> Abramoff: Ralph, any updates on the national Christian leaders contacting Rove, Norton et al?
>
> Reed: [T]the calls have been or are being placed as we speak. Will provide info as we get reports back. we're in overdrive.
>
> Abramoff: Checks are being cut today.[254]

Two days later, Susan Ralston e-mailed Abramoff lobbyist Todd Boulanger to report what she had done with briefing materials prepared by the Abramoff team for an upcoming meeting between Mehlman and an official, who was opposing the Jena casino. Ralston wrote: "Thanks for breakfast. I showed KR the binder and gave him a quick brief so he is aware. He gave the binder to Mehlman to read cover to cover and to be

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[252] "GIMME FIVE" S. COMM. Report at 194.

[253] E-mail from Kevin Ring to Jennifer Farley (Apr. 15, 2002) (GTG-R008282).

[254] E-mail exchange between Jack Abramoff and Ralph Reed (Feb. 19, 2002) (GTG-R001069).

prepared."[255] Boulanger forwarded this e-mail to his colleagues, noting there "is meeting with Rove on Tuesday. This meeting is confirmed. ... If there are any ways to 'bolster' Mehlman before that time then we should do it."[256]

On March 7, 2002, the Department of Interior announced that it was opposing the Jena casino compact.[257]

Following the Department's decision, the Jena tribe developed a new proposal to develop a casino at a different location in Louisiana, and the Abramoff team launched a campaign to oppose it.

According to the documents, it does not appear that this second Abramoff effort was successful. On February 6, 2003, Abramoff e-mailed Susan Ralston to alert her to the issue, asking her to "pass on to Karl" that the Department of the Interior was about to approve the casino and requesting "some quiet message from WH that this is absurd." Ralston responded, "Karl and others are aware, but the WH is not going to get involved."[258] In a subsequent e-mail to Reed, Abramoff ascribed the White House position to the influence of one of Jena's lobbyists, writing "I think [the lobbyist] got to them."[259]

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[255] E-mail from Susan Ralston to Todd Boulanger (Feb. 21, 2002) (GTG-R001483).

[256] E-mail from Todd Boulanger to Jack Abramoff *et al.* (Feb. 21, 2002) (GTG-R001483).

[257] Susan Schmidt, *Casino Bid Prompted High-Stakes Lobbying*, WASH. POST (Mar. 13, 2005), at A1.

[258] E-mail exchange between Jack Abramoff and Susan Ralston (Feb. 6 and Feb. 11, 2003) (GTG-R002264-65); In addition, in a November 7, 2003, e-mail, Kevin Ring noted that Farley "told me her shop was staying out of this." E-mail from Kevin Ring to Neil Volz (Nov. 7, 2003) (GTG-R004069-72).

[259] E-mail exchange between Ralph Reed and Jack Abramoff (Feb. 11, 2003) (GTG-R002264-65). Contacts between the Abramoff team and the White House on this issue continued throughout 2003. For example, on November 17, 2003, Neil Volz reported to Abramoff and other colleagues:

> I talked with senior staff at WH Political Affairs about the Jena issue today. Though I was told they will not be able to send an official notice to Interior, it was also mentioned that 'Interior is aware of the political implications of the Jena issue.' This is good. When I was asked what else could be done, it was suggested that a phone call from Mike Stokke to Brian Waidman, ... would be very helpful.

The Department of the Interior approved the new Jena proposal in late December 2003.[260]

4. School Funds for Saginaw Chippewa

In another effort, the Abramoff lobbyists worked on behalf of the Saginaw Chippewa tribe in Michigan to secure a $3 million federal grant for school construction.

The documents indicate that this earmark was contentious. According to an internal Greenberg memorandum, the earmark "would defy nearly two decades of BIA efforts to prohibit schools not on the BIA Replacement Priority List from receiving Federal construction dollars."[261] Moreover, the e-mails reflect that it was adamantly opposed by Joel Kaplan, the Republican appropriations staffer on the House side. In one e-mail, Abramoff lobbyist Kevin Ring complained about "the jackassedness of the people we are dealing with at the subcommittee; namely, Joel."[262]

In a June 19, 2002, e-mail, Ring reported on the likelihood of White House intervention: "Just talked to White House Intergovernmental. I am pretty sure they will weigh in – just trying to figure out if they should call Joel or some other player in this drama."[263] This prompted Todd Boulanger to advise: "They should go higher so he hears it from Dyer. I think she should call: leadership, Dyer for sure."[264] At the time Jim Dyer was the Republican staff director of the Appropriations Committee.

E-mail from Neil Volz to Jack Abramoff *et al.* (Nov. 17, 2003) (GTG-R006936). *See also,* E-mail exchange between Kevin Ring and Jack Abramoff (July 10, 2003) (GTG-R007125) (in which Ring informs Abramoff that "Friend at White House Intergovernmental said that Concerned Women for America sent a letter to Rove that was very anti-Indian gaming and specifically referenced Jena," and Abramoff responded, "Can you call me asap?").

[260] Susan Schmidt, *Casino Bid Prompted High-Stakes Lobbying*, WASH. POST (Mar. 13, 2005), at A1.

[261] Saginaw Chippewa Work Summary (FY 03 & 04) (GTG-R005365-87, at 5372).

[262] E-mail from Kevin Ring to Tony Rudy *et al.* (June 19, 2002) (GTG-R006140-42).

[263] E-mail from Kevin Ring to Jack Abramoff, Tony Rudy, *et al.* (June 19, 2002) (GTG-R006140-42).

[264] E-mail from Todd Boulanger to Kevin Ring *et al.* (June 19, 2002) (GTG-R006140-42).

On February 20, 2003, a consolidated appropriations measure was signed into law that included $3 million for a tribal school construction demonstration program.[265] This measure permitted, but did not require the release of funds specifically to the Saginaw Chippewa. According to a report by Abramoff's team, after the process of trying to get the Department of Interior to award the money for the school "dragged on too long," Abramoff's associates "were forced to insert a $3 million 'hard' earmark in the FY 04 Interior Appropriations bill."[266] On November 10, 2003, President Bush signed the Department of the Interior and Related Agencies Act, which specifically earmarked the $3 million for school construction sought by the Saginaw Chippewa tribe.[267]

5. Political Endorsements for Insular Candidates

The documents reflect several successful efforts by Abramoff to urge White House action – or inaction – regarding political endorsements.

On October 9, 2002, Abramoff e-mailed Ken Mehlman to seek an endorsement from President Bush for Republican candidates running in Guam.[268] Within two weeks, Susan Ralston e-mailed Abramoff: "Ken asked me to let you know that he has the quote to be approved for your Guam candidates."[269] On the same day, Abramoff received an e-mail from Leonard Rodriguez, who worked in the Office of Political Affairs under Mehlman, transmitting an endorsement from President Bush. The endorsement called the candidates "strong, effective leaders" and promised that "[m]y Administration will work closely with them to see Guam remains a trusted friend."[270]

The documents reflect the Abramoff team lobbied the administration to withhold support for Juan Babauta, the Republican candidate for governor in the Commonwealth of the Northern Mariana Islands in 2001. According to the documents, Babauta was seeking an endorsement from President Bush, but was opposed by Abramoff, who was backing candidate Benigno Fitial for governor. Fitial, then speaker of the House in the Commonwealth, was running under the banner of a third party known as the "Covenant

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[265] *See* U.S. House of Representatives, Conference Report to Accompany H.J. Res. 2, *Making Further Continuing Appropriations for the Fiscal Year 2003, and for Other Purposes*, 108th Cong., 1st Sess. (H. Rept. 108-010) (Feb. 13, 2003).

[266] Saginaw Chippewa Work Summary (FY 03 & 04) (GTG-R005365-87, at 5373).

[267] Dept. of Interior and Related Agencies Appropriations Act, Pub. L. No. 108-108, 117 Stat. 1241 (2004).

[268] E-mail from Jack Abramoff to Ken Mehlman (Oct. 9, 2002) (GTG-R000984).

[269] E-mail from Susan Ralston to Jack Abramoff (Oct. 23, 2002) (GTG-R001001).

[270] E-mail from Leonard Rodriguez to Jack Abramoff (Oct. 23, 2002) (GTG-R002142).

Party."[271] An e-mail from Kevin Ring described Babauta as "a snake running for Governor of the Commonwealth."[272]

On October 26, 2001, Abramoff sent a memorandum to Mehlman arguing that Juan Babauta has "undercut Congressional Republicans at every turn" and stating that an "endorsement would be a mistake, in light of Babauta's record."[273] On October 30, 2001, in an e-mail with the subject header "Babauta," Rove's executive assistant Susan Ralston reported to Abramoff that Rove had "read your memo."[274] After further e-mail communications with Ralston, and a phone conversation with Mehlman, Abramoff received an e-mail on October 31, 2001, from Ralston stating: "You win :). KR said no endorsement."[275] By all accounts Babauta was not endorsed.

Republican Juan Babauta was elected Governor of the Commonwealth in 2001. After the election, Abramoff's representation of the Commonwealth was terminated.[276]

6. Abramoff's Transition Team Appointment

One of Abramoff's earliest successes was in securing from the Administration an appointment for himself. On January 2, 2001, Abramoff wrote to Ralph Reed, "Grover was kind enough to contact Karl Rove to suggest that I be put on the Bureau of Indian Affairs transition team. ... Do you think you might be able to contact Karl, as I am sure you have more weight there. If possible, could I also be included on the Insular Affairs

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[271] E-mail from Jack Abramoff to Susan Ralston (Oct. 30, 2001) (GTG-R001840).

[272] E-mail from Kevin Ring to Jack Oliver, Deputy Chairman of the Republican National Committee (Oct. 17, 2001) (GTG-R001811).

[273] E-mail from Jack Abramoff to Ken Mehlman (Oct. 26, 2001) (GTG-R001854).

[274] E-mail from Susan Ralston to Jack Abramoff (Oct. 30, 2001) (GTG-R001840).

[275] E-mail exchange between Susan Ralston to Jack Abramoff (Oct. 31, 2001) (GTG-R001836); E-mail from Jack Abramoff to Susan Ralston (Oct. 26, 2001) (GTG-R001851) (phone conversation between Abramoff and Mehlman noted within this e-mail exchange).

[276] Shawn Zeller, *For K Street, Good Times in a Bad Year*, NAT'L JOURNAL, Oct. 19, 2002, Vol. 34, No. 42. (Abramoff loses longtime client, CNMI, when they elected a new government and decided against retaining Abramoff.)

transition team at Interior?"[277] Reed replied, "be happy to."[278] Abramoff received the appointment to the transition team for the Department of the Interior that he sought.[279]

7. Juan Carlos Benitez's DOJ Appointment

On one occasion, the White House made a permanent appointment advocated by the Abramoff team. According to the e-mail documents, Abramoff sought the appointment of Juan Carlos Benitez to be Special Counsel for Immigration-Related Unfair Employment Practices at the Department of Justice, and the President appointed Benitez to that position. On March 21, 2001, Abramoff wrote that he was "able to get . . . to Rove" the resume of Juan Carlos Benitez.[280] Three months later, President Bush announced he would appoint Benitez to be the Special Counsel for Immigration-Related Unfair Employment Practices at the Justice Department.[281] This position gave Benitez authority over enforcing provisions of the Immigration and Nationality Act and conducting investigations relating to alleged unfair employment practices,[282] issues of importance to Abramoff clients such as the Commonwealth of the Northern Mariana Islands.

8. Appointments Allegedly Quashed

The documents also describe efforts by the Abramoff team to urge the White House to block appointments they opposed. In one instance, documents reflect that Abramoff enlisted Ralph Reed to advocate against the nomination of Angela Williams to be the head of the Office of Insular Affairs in the Department of the Interior, which has authority over decisions affecting the Commonwealth of the Northern Mariana Islands. On February 21, 2001, after learning that Williams was interviewing for the OIA position, Abramoff wrote to Ralph Reed, "We need to stop her. She is anti-CNMI."[283]

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[277] E-mail from Jack Abramoff to Ralph Reed (Jan. 2, 2001) (GTG-R00587).

[278] E-mail from Ralph Reed to Jack Abramoff (Jan. 2, 2001) (GTG-R00587).

[279] Susan Schmidt and James V. Grimaldi, *The Fast Rise and Steep Fall of Jack Abramoff,* WASH. POST, at A1 (Dec. 29, 2005).

[280] E-mail from Jack Abramoff to Juan Carlos Benitez (Mar. 21, 2001) (GTG-R000831).

[281] Press Release, White House Office of the Press Secretary, *President Bush to Nominate Three Individuals to Serve in His Administration* (June 1, 2001) (stating the President's intention to nominate Juan Carlos Benitez).

[282] *See* Office of Special Counsel for Immigration-Related Unfair Employment Practices, *Overview of the Office of Special Counsel for Immigration-Related Unfair Employment Practices* (online at http://www.usdoj.gov/crt/osc/htm/WebOverview2005.htm).

[283] E-mail from Jack Abramoff to Ralph Reed (Feb. 21, 2001) (GTG-R006628).

Abramoff followed up on March 1, 2001, writing: "Just had a meeting with the guy [who] is going in as Asst Sec for Interior. He said that we need to get to Jody Arrington to knock out Angie Williams and fast. Can you get to him?"[284] At the time, Arrington was the Associate Director of the White House Office of Presidential Personnel. Reed responded: "have a call into him this a.m. will report back."[285]

In a December 7, 2001, e-mail to Abramoff, Reed reported: "talked to rove about this and i think i killed it. he's on it. keep this between us, don't want to raise expectations, but i banged on this one hard."[286] Williams was not nominated to the position.

In another example, Abramoff e-mailed his team on December 4, 2002, that the appointment of Keller George to the position of Assistant Secretary-Indian Affairs at the Department of the Interior "would be a disaster."[287] Later that day, Abramoff sent a follow-up e-mail to his team, announcing: "Just killed it."[288] Greenberg's Michael Williams replied: "Casinojack strikes again!!"[289]

9. Removal of State Department Official Allen Stayman

The documents also reflect that the Abramoff team urged White House officials, including Karl Rove and Ken Mehlman, to intervene to remove from office a State Department employee, Allen Stayman, who opposed their efforts in the Commonwealth of the Northern Mariana Islands. Todd Boulanger wrote, "It will be a great day when stayman is whacked."[290] Stayman was let go from his State Department post.

Stayman was an official in the Department of the Interior's Office of Insular Affairs during the 1990s who advocated labor reforms for the Commonwealth of the Northern Mariana Islands that Abramoff opposed on behalf of his client, which was the

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[284] E-mail from Jack Abramoff to Ralph Reed (Mar. 1, 2001) (GTG-R006628).

[285] *Id.*

[286] E-mail from Ralph Reed to Jack Abramoff (Dec. 7, 2001) (GTG-R000504).

[287] E-mail from Jack Abramoff to Kevin Ring, Todd Boulanger, and DCCasino group (Dec. 4, 2002) (GTG-R005897A).

[288] *Id.*

[289] E-mail from Michael Williams to Jack Abramoff (Dec. 4, 2002) (GTG-R005897A).

[290] E-mail from Todd Boulanger to Kevin Ring, Jack Abramoff, *et al.* (June 14, 2001) (GTG-R006369).

Commonwealth.[291] Beginning in 1999, Stayman served in the State Department as chief negotiator for the compacts of free association then under negotiation regarding the Marshall Islands and the Federated States of Micronesia.[292] Stayman was serving in a position known as a "term SES appointment," in which government officials are hired for renewable one-year terms to focus on a particular task. Stayman submitted the required paperwork for a third term in early 2001 with the support of his superiors at the State Department. According to Stayman, the compact negotiations for which he had been hired were expected to be completed within the next two years.[293]

In an e-mail exchange on January 29, 2001, Tony Rudy informed Kevin Ring: "We need to get the background material on stayman to ken mehlman," adding "He said he would kill him."[294] When Ring responded, "What???" Rudy said, "Mehlman said he would get him fired."[295]

On March 12, 2001, Abramoff received an e-mail from his associate Kevin Ring laying out the "core issues for CNMI."[296] Among them was the "Stayman project," of which Ring said he had "made political affairs at WH aware."[297] Two months later, Ring reported to Abramoff that Matt Schlapp in the White House Office of Political Affairs had told a mutual friend that "obviously, this guy can't stay."[298]

Stayman says that in May or June 2001, sometime after he had filed his paperwork to extend his tenure, his superior at the Department of State, who was among those who had approved Stayman's application for an extension, informed Stayman that politics had been brought into the decision, which Stayman took to mean White House involvement, and as a result Stayman's appointment would not be renewed.[299] He said

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[291] William Branigin, *U.S. Territory's Lobbyist Detailed Plans Against Interior Dept. Office*, WASH. POST, Mar. 31, 1998, at A15.

[292] Interview with Allen Stayman by Staff of H. Comm. on Gov. Reform, 109th Cong. (Sept. 28, 2006) [hereinafter Stayman Interview].

[293] Stayman Interview; *see also Marshalls Compact Negotiations Set for Aug.*, Agence France Press, July 6, 2001.

[294] E-mail exchange between Tony Rudy and Kevin Ring (Jan. 29, 2001) (GTG-R00606).

[295] *Id.*

[296] E-mail from Kevin Ring to Jack Abramoff (Mar. 12, 2001) (GTG-R006230).

[297] *Id.*

[298] E-mail from Kevin Ring to Jack Abramoff (May 4, 2001) (GTG-R006278) (with the subject heading "Stayman").

[299] Stayman Interview.

that the State Department then negotiated a transition period of four months to enable him to train a replacement.[300]

Consistent with this account, in a July 9, 2001, e-mail exchange, Susan Ralston reported to Abramoff that the Office of Presidential Personnel and the State Department had "worked out a deal" and that Stayman would "be out in 4 months."[301]

B. Failures

According to the documents produced to the Committee, a significant part of the lobbying Abramoff and his associates engaged in was in relation to presidential appointments. There are 20 or more instances where Abramoff or one of his colleagues claimed to have weighed in with administration officials on appointments, nominations, or awards – or told applicants that they were going to weigh in – and were not successful. In 12 of these cases, the documents provide evidence that Abramoff or his colleagues were in contact with the White House regarding the applicants. In eight cases, the documents demonstrate that Abramoff or his colleagues offered to help the applicants in their efforts to reach the White House, but do not indicate whether they followed through on these offers.

According to the documents, the individuals for whom Abramoff advocated appointment or nomination include:

- Tim Martin, executive director of the United South and Eastern Tribes, to the Bureau of Indian Affairs in the Department of Justice;
- Mark Zachares, a former official with the Commonwealth of the Northern Mariana Islands, to the Office of Insular Affairs in the Department of Justice;
- Glen Nager, a lawyer, to a federal judgeship;
- Harvey Sherzer to be a federal judge on the United States Court of Claims;[302]
- Brad Keena to be a compact negotiator;[303]

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[300] *Id.*

[301] E-mail from Susan Ralston to Jack Abramoff (July 9, 2001) (GTG-R000208); E-mail from Susan Ralston to Jack Abramoff (July 9, 2001) (GTG-R000207).

[302] E-mail exchange between Jack Abramoff and Harvey Sherzer (Nov. 20-25, 2002) (GTG-R001041-1042).

- John Ring for a Department of Labor position;[304]
- Lee Forsgren to be Assistant Secretary of the Army;[305]
- Peter Ferrara to the Insular Affairs post at Interior;[306]
- Arnold Leibowitz to be a compact negotiator;[307]
- Duane Gibson for a White House position;[308] and
- Dennis Stephens to be chief of staff to Secretary of the Interior Gale Norton.[309]

None of these individuals appear to have received the positions advocated by Abramoff.

1. Mark Zachares – Office of Insular Affairs

According to the documents, Abramoff lobbied hard for Mark Zachares, a former secretary of labor for the Northern Mariana government, to be appointed director of the Office of Insular Affairs within the Department of Interior. Given Abramoff's insular territorial clients and potential clients, such as the Northern Mariana Islands and Guam, the appointment of the director of the Office of Insular Affairs would greatly affect his

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[303] E-mail exchange between Jack Abramoff, Brad Keena, and Susan Ralston (Jan. 25, 2002) (GTG-R000065).

[304] E-mail exchange between Jack Abramoff and Kevin Ring (Jan. 16-17, 2001) (GTG-R000597); E-mail exchange between Jack Abramoff and Kevin Ring (Mar. 7, 2001) (GTG-R000681).

[305] E-mail from Duane Gibson to Matt Schlapp (June 25, 2002) (GTG-R001781).

[306] E-mail exchange between Peter Ferrara, Jack Abramoff, and Ilisa Gertner (Jan. 8, 2002) (GTG-R002174).

[307] E-mail exchange between Jack Abramoff, Tony Rudy, and Arnold Leibowitz (June 15, 2001) (GTG-R000770); E-mail from Jack Abramoff to Susan Ralston (June 26, 2001) (GTG-R002407-2411).

[308] E-mail exchange between Jack Abramoff and Duane Gibson (Dec. 28, 2000) (GTG-R000586).

[309] E-mail exchange between Dennis Stephens and Jack Abramoff (Dec. 19, 2000); E-mail from Jack Abramoff to Dennis Stephens (Jan. 17, 2001) (GTG-R000592); E-mail from Jack Abramoff to Ralph Reed (Feb. 1, 2001) (GTG-R000633); E-mail from Ralph Reed to Jack Abramoff (Feb. 2, 2001) (GTG-R000672).

business. In an e-mail to his associates, Abramoff, describes the Zachares appointment as "critical. We must get him this job if possible."[310]

The documents indicate that Abramoff vigorously pressed Zachares's case. In 2001, the efforts included a March 6, 2001, meeting with Karl Rove,[311] a "ten-minute" conversation on August 28, 2001, between Kevin Ring and Associate Director of the Office of Presidential Personnel Jodey Arrington,[312] and a December 10, 2001, discussion of the issue with Ken Mehlman at the White House.[313]

In a November 28, 2001 e-mail to Ralston, Abramoff wrote:

> Any use to my trying to get a meeting or quick phone call with Karl to ask his intervention in getting Zachares hired? They want to hire him . . . . They just need to move forward and would do so if Karl would push them. Not having him in this position is starting to really kill us.[314]

Ralston responded: "I don't think it is necessary. PPO knows Zach is a push already for KR. Let me chk something and get back to you."[315]

Kevin Ring prepared a briefing memorandum on the position. Ring states the OIA director

> is responsible for coordinating federal policy for the territories, e.g., Commonwealth of Northern Mariana Islands (CNMI) . . . . The OIA is a place that has the potential to be a beacon of compassionate conservatism . . . . Of the candidates currently under consideration for OIA Director, only one can implement that vision: Mark Zachares. . . . His knowledge and empathy earned him such respect and support in his adopted home of the CNMI

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[310] E-mail from Jack Abramoff to Kevin Ring *et al.* (Feb. 23, 2001) (GTG-R000632).

[311] E-mail from Jack Abramoff to Dennis Stephens (Mar. 6, 2001) (reporting on the meeting with Rove) (GTG-R000694).

[312] E-mail from Kevin Ring to Jack Abramoff (Aug. 28, 2001) (GTG-R001829).

[313] E-mail from Jack Abramoff to Mark Zachares (Dec. 11, 2001) (GTG-R000004-5) (reporting "I was at the WH last night and the political director came up to me and said 'we are going to get your guy the position no matter what'").

[314] E-mail from Jack Abramoff to Susan Ralston (Nov. 28, 2001) (GTG-R000540).

[315] *Id.*

that he was chosen to be the first non-indigenous Director of Labor and Immigration in the CNMI.[316]

In January 2002, one year and two months after the Greenberg team began lobbying for the appointment of Zachares, the OIA position had yet to be filled. Abramoff wrote to Kevin Ring, "I am really pissed at this point. They are positioning this to get it to Radewagen. A-holes."[317]

Zachares was not appointed.

2. Peter Ferrara – Office of Insular Affairs

In December 2001, Susan Ralston e-mailed Jack Abramoff that while Zachares was still "in the mix" for the Office of Insular Affairs position, "red flags" remained for his candidacy.[318] Abramoff responded by suggesting Peter Ferrara, a veteran of various conservative think tank organizations, as an alternative candidate. In pushing for Ferrara, Abramoff told Ralston, "my [replacement] candidate would be Peter Ferrara. He feels very badly that he did not get anything in the administration . . . . My thought was that this could be a great compromise for OIA, and we would find something else for Mark [Zachares] . . . ."[319]

It was later reported that Abramoff had paid Ferrara to write op-eds favoring his lobbying clients.[320]

Ferrara was not appointed.

3. Tim Martin – Bureau of Indian Affairs

According to the documents, Abramoff repeatedly advocated the appointment of Tim Martin, executive director of the United South and Eastern Tribes, as Assistant Secretary, Bureau of Indian Affairs within the Department of Interior.[321]

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[316] E-mail from Kevin Ring to Jack Abramoff and Tony Rudy (Feb. 26, 2001) (GTG-R001820).

[317] E-mail from Jack Abramoff to Kevin Ring and Tony Rudy (Jan. 30, 2002) (GTG-R000045).

[318] E-mail from Susan Ralston to Jack Abramoff (Dec. 19, 2001) (GTG-R000550-551).

[319] *Id.*

[320] Eamon Javers, *Op-Eds for Sale*, BUS. WK., Dec. 16, 2005, *available at,* http://www.businessweek.com/bwdaily/dnflash/dec2005/nf20051216_1037_db016.htm.

In a February 6, 2001, e-mail to several of the firm's lobbyists, Shawn Vasell wrote, "Other assignments from meeting: J. Abramoff/S. Ralston can get Tim's name to Rove (Jack, I believe you have already given it to Rove and Reed); Jim Miller to get Tim's materials to Norton . . . . Tony will contact Mehlman regarding Tim."[322] Later that month, Vasell wrote to Abramoff, "Tim can be in DC on Thursday if we think it is necessary. . . . This is why we need to know his status at the WH."[323]

Martin was not named Assistant Secretary. He remained at his post as executive director of United South and Eastern Tribes Inc. until August of this year. He is now serving as president of Creek Indian Enterprises.

4. Dennis Stephens – Dep't of Interior Posts (various)

The documents reflect that Abramoff pushed for the appointment of Dennis Stephens to a post at the Department of Interior. Stephens, a former staffer to Majority Leader Armey and former Abramoff colleague at the Preston Gates law firm, asked for help with the White House. He wrote, "I am starting to get a good feeling about this effort…I think we still need a Rove contact to Sec Norton to finalize it and assure her that she will get credit with the White House for hiring me."[324]

In March, 2001, one month later, Stephens wrote Abramoff asking, "Is this the big day? The day you talk to Rove and with the incoming Asst Sec? I would be pleased to serve as a Dep Asst Sec and assist him in his efforts. Let me know how your meetings go. Obviously, I am available at any time to meet this Asst Sec guy to pitch myself."[325] Stephens followed up in a subsequent e-mail:

> If the Asst Sec can be reasoned with and persuaded that I am the perfect guy to be his right hand DAS, then Rove would just be

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[321] *See, e.g.*, E-mail exchange between Shawn Vasell, Kevin Ring, Padgett Wilson, *et al.* (Feb. 6, 2001) (discussing strategy for advancing Tim Martin nomination) (GTG-R001231-32); E-mail from Jack Abramoff to Shawn Vasell *et al.* (Feb. 27, 2001) (noting that he will see Rove soon and indicating he will ask about the status of Tim Martin) (GTG-R001264); E-mail from Jack Abramoff to Rodney Lane (Mar. 6, 2001) (asking Lane to print out an agenda for Abramoff's meeting with Rove that includes the item "pro free market Indian agenda – Tim Martin") (GTG-R000709).

[322] E-mail from Shawn Vasell to Tony Rudy, Todd Boulanger, Alan Slomowitz, Padgett Wilson, Kevin Ring, and Jack Abramoff (Feb. 6, 2001) (GTG-R001531).

[323] E-mail from Shawn Vassell to Jack Abramoff (Feb. 26, 2001) (GTG-R001264).

[324] E-mail from Dennis Stephens to Jack Abramoff (Feb. 1, 2001) (GTG-R000637).

[325] E-mail from Dennis Stephens to Jack Abramoff (Mar. 1, 2001) (GTG-R000732).

> icing on the cake and grease it through the White House. That is the key. We don't want me to be jammed into the office of this guy against his will. Probably wouldn't work anyway. But if I am the guys choice . . . and then his choice is ratified by the White House/Rove, then this would be the smoothest personnel move made this year. It is a small thing, but I think you are the perfect person to convince this guy. My confidence in you knows no bounds.[326]

Abramoff colorfully responded, "I just hope I don't have to put a horse head in his bed! Good thinking on this by the way."[327]

Stephens updated Abramoff on April 30, 2001, about three positions he is "currently in the mix," writing:

> Chief of Staff to the Deputy Secretary (Steve Griles –Intent, but not formally nominated)
> Deputy Assistant Secretary for Policy and International Affairs
> Deputy Assistant Secretary for Human Resources (both of these DAS's report to the Asst Sec for Policy Management and Budget (Lynn Scarlet, Intent, but not formally nominated).[328]

Evidently, Stephens was not selected for any of these administration posts. He has remained at Preston Gates from 1995 to the present.[329]

5. Glen Nager – Federal Judgeship (D.C.)

The documents indicate that Jack Abramoff also approached the White House in support of attorney Glen Nager's efforts to secure a position as a federal judge. Nager was a frequent e-mailer to Abramoff. His e-mail was sometimes lengthy. On March 8, 2001, Nager wrote to Abramoff saying, "it seems to me that the goal here is to make the case that I should be the next court of appeals nominee."[330]

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[326] *Id.*

[327] *Id.*

[328] E-mail from Dennis Stephens to Jack Abramoff (Apr. 30, 20010 (GTG-R006808).

[329] Dennis Stephens-Preston Gates & Ellis L.L.P. Biography, http://www.prestongates.com/people/profile.asp?id=92, (last viewed Sept. 18, 2006). According to his Preston Gates law firm, he has been with the firm since 1995.

[330] E-mail from Glen Nager cc'd to Jack Abramoff (Mar. 8, 2001) (GTG-R000662).

Two days earlier, Nager had also written him saying, "I talked to Viet [Dinh]. He was very supportive. He was glad to be briefed on the situation." Three paragraphs later, Nager reported, "[i]nterestingly, after we had talked for a while, he insisted upon cutting the conversation off. . . . I indicated that I agreed with him completely."[331] Abramoff responded to Nager claiming that he had just had a "Great meeting with Karl. . . . I told him that you should be on the Court of Appeals and that you would be perfect to move up to the Supreme Court in the second term."[332]

Nine months later, after being passed over for the United States Court of Appeals for the D.C. Circuit, Nager wrote to Abramoff:

> they will make a selection to fill the opening created by Judge Jackson's retirement in the second week of January. I have it on very solid source that I am the DOJ candidate and that Ashcroft is firmly behind me. I also have it on somewhat less certain source that Gonzales is arguing for a female, since the first three district court nominees have been male. (As you recall, they added a black male to bump me in the first go round).[333]

Glen Nager was not nominated to serve on the federal bench. Nager remains at the Jones Day law firm where he heads the appellate practice.[334]

6. Arnold Leibowitz – Negotiator, Micronesian Compacts

On June 26, 2001, Abramoff e-mailed Susan Ralston to suggest Arnold Leibowitz for the position of Lead Negotiator for the Micronesian Compacts.[335] Including his resume, Abramoff described Leibowitz as someone he had worked with for a "number of years," "in connection with the applicability of various federal laws to the Northern Marianas."[336]

Leibowitz was not selected.

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[331] E-mail from Glen Nager to Jack Abramoff (Mar. 6. 2001) (GTG-R000697).

[332] *Id.*

[333] E-mail from Glen Nager to Jack Abramoff (Dec. 22, 2001) (GTG-R000524).

[334] Glen Nager – Jones Day Biography, http://www.jonesday.com/gdnager/ (last visited Sept. 27, 2006).

[335] E-mail from Jack Abramoff to Susan Ralston (June 26, 2001) (GTG-R002405).

[336] *Id.*

7. Choctaw Chief Phillip Martin – Presidential Medal of Freedom

In January 2003, Abramoff wrote to Jack Oliver, Deputy Chairman of the Republican National Committee, about "the possibility of having Chief Phillip Martin of the Choctaws receive the Presidential Medal of Freedom. As I am sure you know, he has been a HUGE supporter financially, politically, and philosophically. It would be a great act for the President, recognizing the nation's leading tribal chief."[337]

Chief Martin was not among the 2003 recipients.

According to the documents, the Abramoff team tried again in 2004 to secure the Presidential Medal of Freedom for Chief Martin. On February 3, 2004, Todd Boulanger e-mailed Susan Ralston, "I believe Chief Martin is seriously being considered for a Presidential Medal given all that he has done for the Choctaw people . . . . I wouldn't ask you to mention something to Barry [Jackson, a Rove staffer] if it was anyone else other than the chief, but in this case, I wish you would."[338]

Chief Martin was not among the recipients in 2004.

8. Joseph Lynch – Federal Housing Authority

On January 27, 2001, Abramoff told his Greenberg colleague, Edward Wallace, that he would forward the resume of Joseph Lynch to Karl Rove for consideration.[339] Lynch was Commissioner of the New York State Division of Housing and Community Renewal (DHCR) at the time, and he was seeking a position with the Federal Housing Authority. Abramoff responded that, upon receipt of Lynch's resume, "I'll get it to Karl Rove."[340]

Lynch was not named to lead the Federal Housing Authority. He retired from his position with the State of New York in June of that year, and is currently the Senior Vice President for a real estate development and management company.[341]

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[337] E-mail from Jack Abramoff to Jack Oliver (Jan. 10, 2003) (GTG-R005130).

[338] E-mail from Todd Boulanger to Susan Ralston (Feb. 3, 2004) (GTG-R005272).

[339] E-mail from Jack Abramoff to Edward Wallace (Jan. 27, 2001) (GTG-R000629).

[340] *Id.*

[341] Joseph B. Lynch – Millennial Housing Commission Biography, http://govinfo.library.unt.edu/mhc/commish.html (last viewed on Sept. 15, 2006).

9. Lynn Drake – Commissioner, FDA

According to the documents, Abramoff pushed for Lynn A. Drake, M.D., to be named to the Food and Drug Administration (FDA). Jack Abramoff wrote to Susan Ralston on October 4, 2001 to inquire about the status of this "possible FDA Commissioner nominee," attaching Drake's resume and supporting materials.[342] The next day, Ralston informed Abramoff that Drake was "not under serious consideration."[343]

Dr. Drake was not nominated for the position of Commissioner.

10. Duane Gibson – White House Staff

In December 2000, Duane Gibson, who would later join Greenberg's lobbying practice, was seeking a position at the White House. On December 28, 2000, Abramoff told Gibson, "your resume must have been placed in a dozen hands at or near the top by now . . . I have a call into Karl Rove. We are turning up the juice."[344]

Gibson was not named to the White House staff. He remained at Greenberg for a number of years, and now lobbies for the Livingston Group.[345]

11. Erin Hass – White House Staff

Todd Boulanger apparently offered advice and support to Erin Hass in her efforts to obtain a White House staff job. Hass, a staffer at the Senate Committee on Environment and Public Works, notified Boulanger and others that she was not selected. She expressed her thanks for their help and thanked her "peeps" for their "support/advice."[346] Boulanger replied, "I hoped they'd offer it to you.[347]

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[342] E-mail from Jack Abramoff to Susan Ralston (Oct 4, 2001) (GTG-R000305).

[343] *Id.*

[344] E-mail from Jack Abramoff to Duane Gibson (Dec. 28, 2000) (GTG-R-000586).

[345] Duane Gibson-Livingston Group Biography, http://www.livingstongroupdc.com/corporateoverview/team.html.

[346] E-mail from Erin Hass to Todd Boulanger *et al.* (Oct 10, 2001) (GTG-R003940-41).

[347] E-mail from Todd Boulanger to Erin Hass (Oct 10, 2001) (GTG-R003940).

12. George Lowe – Assistant Secretary, Financial Institutions, Treas. Dep't

On March 22, 2002 Abramoff told George Lowe that he would be "delighted" to press Lowe's case for a Department of Treasury slot, Assistant Secretary of Financial Institutions, saying, "I would be delighted to raise this with Karl Rove and Ken Mehlman. Get me the info and your resume and I'll take care of it."[348]

Lowe was not named Assistant Secretary.

13. Lee Forsgren – Assistant Secretary for the Army

On June 25, 2002, Duane Gibson wrote Matt Schlapp at the White House about Lee Forsgren saying Forsgren, "is up for the Assistant Secretary of the Army having responsibility over the civil works program at the Corps of Engineers." Further he states, "you guys would be wise to select Lee."[349]

Forsgren was not nominated.

14. Patricia Staiano – U.S. Trustee, 3d Cir. (reappointment)

On September 25, 2001 Abramoff sent an e-mail in which he committed to push for Patricia Staiano's re-appointment as United States Trustee for the Third Circuit, writing, "I'll try to put another call into Karl . . . ."[350]

Staiano was not re-appointed.

15. Harvey Sherzer – Judge, U.S. Court of Claims

On November 20, 2002, Abramoff wrote Susan Ralston about Greenberg partner Harvey Sherzer, who was seeking an appointment to the United States Court of Federal Claims. Abramoff said, "Harvey Sherzer from our office is close to Shelly Kamins and me and an activist Jewish Republican. He is one of the finalists for the open slot on the

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[348] E-mail from Jack Abramoff to George Lowe, Van Scoyoc Associates (Mar. 22, 2002) (GTG-R001086).

[349] E-mail from Duane Gibson to Matt Schlapp (June 25, 2002) (GTG-R001781).

[350] E-mail from Jack Abramoff to Keith Shapio, Greenberg Traurig (Sept. 25, 2001) (GTG-R000327).

US Court of Federal Claims. . . . "[C]an you pass on to [Karl Rove] that both of us hope Harvey would be considered."[351]

Sherzer was not appointed and now practices law at the Dickstein Shapiro law firm.[352]

16. Donald Carr – Environmental Protection Agency

On December 18, 2002, Abramoff sent an e-mail in which he committed to "call over to Karl's office" in order to push for an appointment for Donald Carr at the Environmental Protection Agency.[353]

Carr was not named to an EPA post. Carr was, and still is, a partner in the Environmental Law and Land Use practice group at the Pillsbury Winthrop law firm.[354]

17. John Ring – Federal Salary Council

According to the documents, Kevin Ring inquired on behalf of his brother, John Ring, about an appointment to the Federal Salary Council at the Department of Labor. Kevin Ring e-mailed Ralston in January 2003, writing, "Turns out my brother isn't sure Karl signed off on his appointment as Chairman of the Federal Salary Council or not. I am trying to figure out where it stands. Can you ask around when you get a moment?"[355] Ralston replied: "According to Matt Schlapp, they've 'pushed back' on your brother, but we're still pressing on it."[356]

One year later, Kevin Ring e-mailed Jack Oliver, an official with Bush-Cheney 2004. Oliver informed Ring that his brother's appointment was stalled. "We are getting

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[351] E-mail from Jack Abramoff to Susan Ralston (Nov. 20, 2002) (GTG-R001020).

[352] Harvey Sherzer – Dickstein Shapiro L.L.P. Biography, http://www.dicksteinshapiro.com/sherzerh/ (last visited Sept. 28, 2006).

[353] E-mail from Jack Abramoff to Peter Gillon, Greenberg Traurig (Dec. 18, 2002) (GTG-R000144).

[354] Donald Carr-Pillsbury Winthrop Shaw Pittman L.L.P. Biography, http://www.pillsburylaw.com/donald.carr (last visited 9/18/06).

[355] E-mail from Kevin Ring to Susan Ralston (Jan. 27, 2003) (GTG-R001595).

[356] *Id.*

push back," Oliver reports.[357] John Ring was a lawyer with the Morgan Lewis law firm at the time of both of these e-mails, and he remains there today as a partner of the firm.[358]

Ring was not named to the Federal Salary Council, or any other position at the Department of Labor.

18. Chuck Brooks – Director, Export-Import Bank

On January 9, 2003, Abramoff was advised by Chuck Brooks that he was "on the short list for the appointment to the Board of Directors at Export Import Bank." Responding, Abramoff committed, "I'll weigh in with Karl as soon as I can get him."[359]

Chuck Brooks was not named to the Export-Import Bank's board.

19. Mike Bregman – ATF Director

The documents indicate that Abramoff supported Mike Bregman to head the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). E-mailing colleague Michael Williams in December 2001, Abramoff reported "I saw Rove on Friday and he asked if we could have LaPierre call him and confirm that Mike Bregman (our guy) is the guy he wants."[360] Abramoff asked Williams if he could arrange for Wayne LaPierre of the NRA to contact the White House on Bregman's behalf.

Bregman was not named to lead ATF.

20. David Baker – Federal Judgeship (Jacksonville)

In a February 18, 2004, e-mail, Kevin Ring offered to help Magistrate Judge David Baker attain the position of District Judge for the United States District Court for the Middle District of Florida. He told Baker he would "talk to Karl Rove's assistant

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[357] E-mail from Jack Oliver, Bush-Cheney 2004 to Kevin Ring (Jan. 28, 2004) (GTG-R001570).

[358] John Ring – Morgan Lewis & Bockius L.L.P. Biography, http://www.morganlewisresources.com/index.cfm/personID/744480fb-8a18-4f0d-a3db-ead81b00cf19/fuseaction/people.viewBio (last visited 9/18/06).

[359] E-mail exchange between Jack Abramoff and Chuck Brooks (Jan. 9, 2003) (GTG-R000168).

[360] E-mail from Jack Abramoff to Michael Williams (Dec. 6, 2003) (GTG-R004355).

who will help." At the time Baker was serving as a Magistrate judge – a position he retains today.[361]

VI. Meals, Drinks, and Tickets

The documents received by the Committee contain multiple references to meals that Abramoff and his associates had with White House officials. They also describe tickets to sporting events and concerts that Abramoff and his associates offered to White House officials. The documents describe 170 meetings over meals and 16 meetings over drinks with White House officials, 156 of which Abramoff billed to his clients. The e-mails describe 19 events to which Abramoff or his associates offered tickets to White House officials, including Wizards and Capitals games and U2 and Bruce Springsteen concerts. At current prices, the face value of some of the tickets exceeded $1,000.

A. Meals and Drinks

The billing records and e-mails indicate that the Abramoff team billed their clients for 186 breakfasts, lunches, dinners, or drinks with White House officials between January 2001 and March 2004. In 156 of these instances the Abramoff team billed their clients for the meal and drink expenses. According to the billing records, 140 of these bills were for meals with White House officials, and 16 were for drinks. The 186 instances of lobbying White House officials during meals or drinks comprise 40 percent of the lobbying contacts recorded in the documents.

In some instances, there are e-mails or other documents that provide corroborating evidence of meals and drinks with White House officials recorded in the billing records.[362] In numerous instances, there is no corroborating evidence in the documents received by the Committee.

In the vast majority of instances in which meals or drinks with White House officials were billed to clients, the documents provide no indication whether the White House officials paid for their own food or drinks or were treated by the Abramoff team.

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[361] E-mail from Kevin Ring to Michael Hornreich and Joe Reeder (Feb. 18, 2004) (GTG-R006439).

[362] For example, the billing records indicate that Kevin Ring billed the Choctaw and the Saginaw Chippewa a combined total of $93.38 for "Lunch with White House official at Morton's of Chicago" on Mar. 27, 2003. Choctaw Billing Records (GTG-R003502-ACCT-CW); Saginaw Chippewa Billing Records (GTG-R000259-ACCT-SG). In an e-mail to Sandia Governor Stuwart Paisano that day, Kevin Ring noted that he "had lunch with Jennifer Farley today." E-mail from Kevin Ring to Stuwart Paisano (Mar. 27, 2003) (GTG-R008252).

The total cost of the meals and drinks with White House officials, as billed to Abramoff's clients, was $24,930.03. Examples of specific billings include the following:

- On February 21, 2002, Neil Volz billed $300 for "Dinner at Shelly's Back Room with White House staff."[363]

- On June 12, 2002, Tony Rudy billed $384 for "Dinner at Angelo & Maxie's with White House staffers."[364]

- On December 31, 2001, Kevin Ring billed $174.32 for "Lunch at Bobby Van's Steakhouse with White House official."[365]

- On May 16, 2003, Padgett Wilson billed $222.93 for "Dinner at Bobby Van's Steakhouse with White House policy and Rules Committee staff."[366]

The most frequently visited restaurant was Signatures, which was owned by Abramoff. The Abramoff team billed over $8,000 for 25 meals and events at Signatures with White House officials. The single most expensive billing, which was for $2,421.33, occurred at Signatures on June 7, 2003, for "dinner & beverages at Signatures with House, Senate, & White House staff."[367]

Other restaurants frequently used by the Abramoff team to entertain White House officials included Bistro Bis (18 meals), Oval Room (14 meals), The Dubliner (12 meals), Bobby Van's Steakhouse (8 meals), Morton's of Chicago (6 meals), Bombay Club (6 meals), Oceanaire (4 meals), and Ten Penh (4 meals).

Not all of the meals recorded in the billing records were expensive ones. Stephanie K. Leger incurred a $12 bill for "beverages" with "White House Staff" at

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[363] Choctaw Billing Records (Feb. 21, 2002) (GTG003857-ACCT-CW).

[364] Choctaw Billing Records (June 12, 2002) (GTG003781-ACCT-CW) (two separate bills for $27.25 and $357.51).

[365] Choctaw Billing Records (December 31, 2001) (GTG003954-ACCT-CW); Coushatta Billing Records (July 2, 2001) (GTG002333-ACCT-CS).

[366] Agua Caliente Choctaw Billing Records (May 16, 2003) (GTG004565-ACCT-AC); Choctaw Billing Records (May 16, 2003) (GTG003453-ACCT-CW).

[367] Coushatta Billing Records (June 7, 2003) (GTG001865-ACCT-CS) (noting $807.11 billed to the Coushatta tribe); Saginaw Chippewa Billing Records (June 7, 2003) (GTG000229-ACCT-SG) (noting $807.11 billed to the Saginaw Chippewa Tribe); Agua Caliente Billing Records (June 7, 2003) (GTG005043-ACCT-AC) (noting $807.11 billed to the Agua Caliente Tribe).

Tortilla Coast, a Capitol Hill restaurant.[368] Kevin Ring billed $11.94 for a Cosi sandwich lunch with a "White House official."[369] Other inexpensive billings include Brigham Pierce's $7.30 lunch at Baja Fresh and his $8.99 meal at Au Bon Pain, both with "White House staff."[370]

There is evidence to suggest that at least some White House officials did pay for themselves. In an exchange between Kevin Ring and Jennifer Farley attempting to set up lunch, Ring wrote, "Lunch Friday? ... Same place? ... I know you insist on paying for your own meal."[371] There is also evidence to suggest that some White House officials were offered free meals or drinks. In a December 12, 2002, e-mail to his staff at Signatures, Abramoff explicitly instructed the staff to "comp" dinner for Matt Kirk in the White Office of Legislative Affairs and his father.[372] As discussed above, Abramoff instructed his staff in another e-mail to provide Rove with "a very nice bottle of wine ... on the house."[373]

B. Shawn Vasell's Meals and Drinks

According to the billing records, Shawn Vasell lobbied the White House on 213 occasions. Of these billed-for lobbying efforts, 108 involved a meal or drinks. Of the 186 meals or drinks with White House officials billed in the billing records, over 55 percent were meals or drinks billed by Vasell.

The records produced reflect Vasell billed expenses of $12,118 for meals and drinks, amounting to nearly 50 percent of the total of $24,930 in meal and drink expenses. Vasell incurred this food and drink tab despite the fact that he was absent for most of 2002 when he was serving as a Senate staff member in Montana.[374]

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[368] Chitimacha Billing Records (Oct. 20, 2001) (GTG018307-ACCT-CM).

[369] Agua Caliente Billing Records (Aug. 7, 2002) (GTG004302-ACCT-AC).

[370] Coushatta Billing Records (Oct. 27, 2003) (GTG001055-ACCT-CS); Choctaw Billing Records (May 21, 2003) (GTG003019-ACCT-CW).

[371] E-mails from Kevin Ring to Jennifer Farley (Apr. 8, 2003) (GTG-R004560).

[372] E-mail from Jack Abramoff to Todd Thrasher, Joseph Hurst, and Peter Silano (Dec. 12, 2002) (stating "Matt Kirk is coming in for dinner tonight with his father and brother. Please comp them") (GTG-R002207).

[373] E-mail exchange between Rodney Lane and Jack Abramoff (July 5, 2002) (GTG-R006323).

[374] Shawn Michael Vasell, Resume (GTG-R004009).

In several instances, the billing records note that other Abramoff lobbyists were present at the meals and drinks billed by Vasell. In most cases, however, the records do not indicate whether any other Abramoff lobbyists were present.

According to the documents, Vasell billed clients for meals and drinks at some expensive restaurants. Among the 108 meals or drinks with White House officials expensed to his clients were five visits to The Bombay Club,[375] seven visits to Signatures,[376] eleven visits to The Dubliner,[377] four visits to Oceanaire,[378] and three visits

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[375] Choctaw Billing Records (Apr. 20, 2001) (GTG005292/004182-ACCT-CW/CW); Coushatta Billing Records (Jan. 13, 2003) (GTG001978-ACCT-CS); Choctaw/Saginaw Chippewa Billing Records (Jan. 30, 2003) (GTG003560/000533-ACCT-CW/SG); Coushatta/Saginaw Chippewa Billing Records (Feb. 13, 2003) (GTG001983-ACCT-CS/SG); Saginaw Chippewa (Oct. 1, 2003) (GTG000096/000095-ACCT-SG).

[376] Choctaw/Agua Caliente Billing Records (Jan. 14, 2003) (GTG003577/005177/003558-ACCT-CW/AC/CW); Choctaw/Coushatta Billing Records (Jan. 18, 2003) (GTG003558/001978-ACCT-CW/CS); Agua Caliente Billing Records (Apr. 22, 2003) (GTG004617-ACCT-AC); Saginaw Chippewa/Agua Caliente Billing Records (June 13, 2003) (GTG000212/004617-ACCT-SG/AC); Chitimacha Billing Records (July 17, 2003) (GTG018433-ACCT-CM); Choctaw/Saginaw Chippewa Billing Records (Aug. 25, 2003) (GTG003381/000153-ACCT-CW/SG); Choctaw/Agua Caliente/Coushatta/Saginaw Chippewa/DH2 Billing Records (Nov. 25, 2003) (GTG003287-ACCT-CW); Choctaw Billing Records (Jan. 23, 2004) (GTG003272/003261-ACCT-CW/CW); Choctaw/DH2 Billing Records (Jan. 27, 2004) (GTG003272/026049-ACCT-CW/DH2).

[377] Choctaw Billing Records (May 24, 2001) (GTG004103-ACCT-CW); Choctaw Billing Records (June 13, 2001) (GTG004137-ACCT-CW); Choctaw Billing Records (Aug. 11, 2001) (GTG004037-ACCT-CW); Choctaw Billing Records (Sept. 2, 2001) (GTG004039-ACCT-CW); Choctaw Billing Records (Oct. 7, 2001) (GTG004013-ACCT-CW); Choctaw Billing Records (Jan. 24, 2004) (GTG003559-ACCT-CW); Saginaw Chippewa Billing Records (Sept. 26, 2003) (GTG000095-ACCT-SG); Saginaw Chippewa Billing Records (Oct. 2, 2003) (GTG000097-ACCT-SG); Choctaw/Saginaw Chippewa Billing Records (Oct. 25, 2003) (GTG003311/000014-ACCT-CW/SG); Choctaw Billing Records (Jan. 13, 2004) (GTG003268-ACCT-CW).

[378] Coushatta Billing Records (July 13, 2001) (GTG002426-ACCT-CS); Choctaw/Coushatta Billing Records (July 17, 2001) (GTG004061/002426-ACCT-CW/CS); Choctaw/Coushatta Billing Records (Oct. 18, 2001) (GTG003981/002368-ACCT-CW/CS); Choctaw/Coushatta Billing Records (Nov. 5, 2001) (GTG003960/002360/003984-ACCT-CW/CS/CW).

to Bobby Vans.[379] According to the billing records, Vasell most often billed for meals or drinks at Bistro Bis with 18 billed-for visits.[380] According to the 2006 Zagat Survey, Bistro Bis is a stylish operation specializing in "reinterpreted French favorites" and staffed by "knowledgeable sommelier."[381]

On some days, Vasell submitted bills for more than one meal with White House officials. On February 13, 2003, Vasell billed for meals with White House officials at both the The Bombay Club and Ruth's Chris Steak House.[382] On November 6, 2003 he, according to his billing records, discussed "client issues," over a meal at Olives, and then had a second meal at Bistro Bis that included the "White House Legislative Affairs

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[379] Choctaw/Coushatta Billing Records (Oct. 30 2001) (GTG003983/002370-ACCT-CW/CS); Choctaw/Agua Caliente/Saginaw Chippewa Billing Records (Aug. 1, 2003) (GTG003367/004997/003378/000139/000159-ACCT-CW/AC/CW/SG/SG); Choctaw/Saginaw Chippewa Billing Records (Nov. 14, 2003) (GTG003285/000017-ACCT-CW/SG).

[380] Choctaw Billing Records (Jan. 3, 2003) (GTG003589-ACCT-CW); Coushatta Billing Records (Jan. 17, 2003) (GTG001978-ACCT-CS); Coushatta/Saginaw Chippewa/Choctaw Billing Records (Feb. 18, 2003) (GTG001969/000523/003564-ACCT-CS/SG/CW); Coushatta/Saginaw Chippewa Billing Records (Mar. 10, 2003) (GTG000466/001917-ACCT-CS/SG); Choctaw/Saginaw Chippewa Billing Records (Apr. 2, 2003) (GTG003504/000472); Choctaw/Agua Caliente/Coushatta/Saginaw Chippewa Billing Records (Apr. 4, 2003) (GTG003477/005059/001906/000452/000472-ACCT-CW/AC/CS/SG); Saginaw Chippewa/Coushatta Billing Records (May 15, 2003) (GTG000433/001886/001862-ACCT-SG/CS/CS); Coushatta Billing Records (June 6, 2003) (GTG001864-ACCT-CS); Agua Caliente/Coushatta/Saginaw Chippewa Billing Records (Aug. 26, 2003) (GTG004688/001787/000089-ACCT-AC/CS/SG); Saginaw Chippewa Billing Records (Sept. 12, 2003) (GTG000091/004690-ACCT-SG/SG); Choctaw/Saginaw Chippewa Billing Records (Sept. 25, 2003) (GTG003338/000095-ACCT-CW/SG); Choctaw Billing Records (Oct. 19, 2003) (GTG003329/003345-ACCT-CW/CW); Coushatta Billing Records (Nov. 6, 2003) (GTG000961/001679-ACCT-CS/CS); Choctaw Billing Records (December 1, 2003) (GTG003288-ACCT-CW); Choctaw Billing Records (December 3, 2003) (GTG003288-ACCT-CW); Choctaw/Coushatta/DH2 Billing Records (Jan. 21, 2004) (GTG003270/001706/026036-ACCT-CW/CS/DH2); International Interactive Alliance Billing Records (Jan. 27, 2006) (GTG023637-ACCT-IIA); Choctaw Billing Records (Jan. 31, 2004) (GTG003274-ACCT-CW).

[381] ZAGAT SURVEY: 2006 WASHINGTON, D.C., BALTIMORE RESTAURANTS 27 (Shelly Gallagher and Betsy Andrews, eds., Zagat Survey, L.L.C. 2005).

[382] Coushatta/Saginaw Chippewa Billing Records (Feb. 13, 2003) (GTG001983-ACCT-CS/SG); Choctaw/Coushatta Billing Records (Feb. 13, 2003) (GTG003564/0001983-ACCT-CW/CS).

Staff."[383] Vasell also ate while he worked on January 27, 2004, dining at Signatures and Bistro Bis courtesy of his clients.[384] Other examples include:

- On July 17, 2001, Shawn Vasell billed $530.11 for "Lunch at the Oceanaire with White House Domestic Policy staff."[385]

- On April 22, 2003, Shawn Vasell billed $343.85 for "Breakfast at the Willard Room ... with WH Leg Aff staff."[386]

- On August 1, 2003, Shawn Vasell billed $683.25 for "Bobby Van's Steakhouse with White Legislative Affairs for event."[387]

C. Tickets

According to the e-mails from Greenberg, Abramoff and his team offered White House officials tickets to 19 sporting events and concerts. These included tickets for floor-level seats at Wizards basketball games, ice-level seats at Capitals games, and box seats at Orioles games, as well as tickets for U2 and Bruce Springsteen concerts.

Abramoff maintained a number of season tickets and suites at several venues around the Washington area, including FedEx Field, MCI Center and Camden Yards.[388]

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[383] Saginaw Chippewa Billing Records (Nov. 6, 2003) (GTG000386/000373-ACCT-SG); Coushatta Billing Records (Nov. 6, 2003) (GTG000961/001679-ACCT-CS).

[384] Choctaw/DH2 Billing Records (Jan. 27, 2004) (GTG003272/026049-ACCT-CW/DH2); International Interactive Alliance Billing Records (Jan. 27, 2006) (GTG023637-ACCT-IIA).

[385] Choctaw Billing Records (July 17, 2006) (GTG004061-ACCT-CW) (noting $265.05 billed to the Choctaw Tribe); Coushatta Billing Records (July 17, 2003) (GTG002426-ACCT-CS) (noting $265.06 billed to the Coushatta Tribe).

[386] Choctaw Billing Records (Apr. 22, 2003) (GTG003509-ACCT-CW) (noting $113.42 billed to the Choctaw Tribe); Saginaw Chippewa Billing Records (Apr. 22, 2003) (GTG000261-ACCT-SG) (noting $113.41 billed to the Saginaw Chippewa Tribe); Coushatta Billing Records (Apr. 22, 2003) (GTG001894-ACCT-CS) (noting $113.42 billed to the Coushatta Tribe).

[387] Choctaw Billing Records (Aug. 1, 2003) (GTG003378-ACCT-CW) (noting $227.75 billed to the Choctaw Tribe); Saginaw Chippewa Billing Records (Aug. 12, 2003) (GTG000159-ACCT-SG) (noting $227.75 billed to the Saginaw Chippewa Tribe); Agua Caliente Billing Records (GTG004997-ACCT-AC) (noting $227.75 billed to the Agua Caliente Tribe).

[388] "GIMME FIVE" S. COMM. Report at 288.

The tickets and suites were paid for through an entity called Sports Suites, a limited liability company.[389] Abramoff used the boxes extensively in his lobbying practice and had his clients pay into the Sports Suites entity.[390] The Senate Report discussed this as follows:

> For three years, the Choctaw paid into what Abramoff labeled the "Sports Suites" program: $170,374 in 1999, $233,679 in 2000, and $223,679 in 2001. Rogers understood that "Sports Suites company to be a company basically that was a Jack Abramoff company but that several tribes paid shares into so that the suites could be used for fundraisers or similar kinds of events." Abramoff told Rogers that he would represent the tribal participants as the owners of the Sports Suites. Rogers said she would find it objectionable if Abramoff used the Sports Suites boxes for the benefit of other clients or his family, unless they paid for their use of the Sports Suites.[391]

According to the documents, one recipient of the tickets was Karl Rove. In March 2002, Abramoff and Susan Ralston, had the following e-mail exchange about tickets for Rove in the Abe Pollin box at the MCI Center for the NCAA basketball tournament:

Abramoff:	Hi Susan. I just saw Karl … and mentioned the NCAA opportunity, which he was really jazzed about. If he wants to join us in the Pollin box, please let me know as soon as you can.
Ralston:	Karl is interested in Fri. and Sun. 3 tickets for his family?
Abramoff:	Done. Does he want to go Friday night or Friday afternoon, or both?[392]

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[389] *Id.*

[390] *Id.*

[391] *Id.* at 36.

[392] E-mail exchange between Jack Abramoff, Susan Ralston, and Allison Bozniak (Mar. 12-13, 2002) (GTG-R001113). In the end, it appears that Rove had conflicts on Friday and went only to the game on Sunday, March 17, 2002. *See* E-mail from Susan Ralston to Jack Abramoff (Mar. 13, 2002) (GTG-R001104); Grid for tickets to Sunday, March 17, 2002, NCAA games at the MCI Center, "Pollin's Suite" (GTG-R006788) (listing Karl Rove as having been requested by Jack Abramoff); E-mail from Jack Abramoff to

The documents reflect that Rove offered to pay for these tickets. On March 13, 2002, Susan Ralston e-mailed Abramoff that "Karl has to pay for his tickets" to sit in Abe Pollin's box for the NCAA basketball tournament game.[393] Abramoff responded that the cost would be $50 per ticket "payable to me personally."[394]

There are also e-mail exchanges between Ralston and Abramoff about providing a suite for a College Republicans event at a Capitals hockey game. Ralston and Abramoff had the following exchange:

Ralston:	KR's class of college republicans are interested in renting a suite for a hockey game. . . . . Would you have the suite available to buy and how much?
Abramoff:	Can't I donate it? I was a CR too, don't forget! :) either way, it's theirs.
Ralston:	Yes but didn't want to assume. Do you know Dan Mintz? He is organizing[395]

Abramoff subsequently instructed his assistant Holly Bowers to "get the tix for the 11/9 Caps game in the suite to Susan Ralston, along with parking (save two for me though)."[396]

The most frequent recipient of tickets from Abramoff in the documents is Susan Ralston, who appears to have received tickets to nine events. According to the documents, the tickets provided to Ralston were:

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unnamed individual (Mar. 18, 2002) (GTG-R001092) (in which Abramoff noted he had been sitting next to Rove at the NCAA game "yesterday").

[393] E-mail from Susan Ralston to Jack Abramoff (Mar. 13, 2002) (GTG-R001099).

[394] E-mail exchange between Jack Abramoff and Susan Ralston (Mar. 13, 2002) (GTG-R001099).

[395] E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (July 30, 2002) (GTG-R00905).

[396] E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (July 30, 2002). (GTG-R000905).

- December 1, 2001: 4 floor tickets to a Wizards game (in location CC).[397]
- December 22, 2001: an unknown number of tickets to a Capitals game (in section 121A).[398]
- June 15, 2002: 2 tickets to an Andrea Bocelli concert with parking.[399]
- August 10, 2002: 4 tickets to a Bruce Springsteen concert.[400]
- August 23, 2002: 4 tickets to an Orioles game.[401]
- November 27, 2002: 4 tickets to a Capitals game, with parking (in section 121).[402]
- February 26, 2003: 4 tickets to a Capitals game.[403]

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[397] E-mail exchange between Susan Ralston, Jack Abramoff, Rodney Lane, and Julie Plocki (Oct. 21, 2001) (in which Ralston requested 4 tickets to a December 1 Wizards game and Abramoff replied, "You got em," and then tells Lane and Plocki to "Give her the CC tix") (GTG-R000345-346).

[398] E-mail exchange between Susan Ralston, Rodney Lane, Jack Abramoff, Ilisa Gertner, and Courtney Roseman (Oct. 8, 2001, December 1, 2001) (GTG-R000508). Ralston ultimately did not make it to the game because of work but told Abramoff that "Troy" (Ralston's husband) was there "with friends." E-mail from Susan Ralston to Jack Abramoff (Dec. 22, 2001) (GTG-R000531).

[399] E-mail exchange between Susan Ralston and Jack Abramoff (June 10, 2002) (GTG-R001163) (noting she wanted to confirm she is "down for 2 seats," Abramoff responded yes but wanted to "see if you need parking," and she responded that she did).

[400] E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (July 26-29, 2002) (GTG-R000914).

[401] E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (July 26-29, 2002) (GTG-R000914); E-mail from Susan Ralston to Jack Abramoff (Aug. 24, 2002) (in which Ralston stated "Thanks for the tix to the game last night") (GTG-R000929).

[402] E-mail from Susan Ralston to Jack Abramoff (Nov. 22, 2002) (requesting tickets) (GTG-R001038); E-mail exchange between Jack Abramoff, Susan Ralston, and Allison Bozniak (Nov. 22-26, 2002) (discussing getting Ralston tickets for the hockey game on the 27th) (GTG-R001037); E-mail from Susan Ralston to Jack Abramoff (Nov. 27, 2002) (thanking Abramoff and telling him "We had a great time at the game") (GTG-R001034).

- January 10, 2004: 4 floor tickets to a Wizards game (in location CC).[404]

- February 3, 2004: 2 ice-level seats to a Capitals game.[405]

According to the documents, Abramoff also offered tickets to Ken Mehlman for a U2 concert on June 15, 2001. When Abramoff learned from his staff that "Ken Mehlman of the White House apparently wants to go," but it was unclear if "we can fit 2 more in for Friday night," he instructed his staff: "We must."[406] A day before the concert, Ring e-mailed Abramoff that he would "talk to Mehlman at the concert tomorrow night" about positions at the Department of Labor.[407] The documents do not indicate whether Mehlman attended, or if he did, whether he paid for his own tickets.

According to the documents, other tickets to sporting events and concerts Abramoff and his team offered to White House officials were:

- July 7, 2001: 4 or 5 tickets in the Abramoff box to an Orioles game for White House staff assistant Mary Elizabeth Farr;[408]

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[403] E-mail exchange between Susan Ralston and Jack Abramoff (Feb. 1-2, 2003) (in which Ralston requested either Wizards or Capitals tickets and Abramoff okayed 4 tickets to a Capitals game on Feb. 26) (GTG-R000177).

[404] E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (Nov. 11-12, 2003) (GTG-R004806-4807).

[405] E-mail exchange between Susan Ralston and Jack Abramoff (Jan. 23, 2004) (in which Ralston asked for two tickets "on the ice" and Abramoff agreed to provide these tickets) (GTG-R001506).

[406] E-mail from Kevin Ring to Julie Plocki, cc'd to Jack Abramoff (June 5, 2001) (GTG-R006277); E-mail exchange between Rodney Lane, Julie Plocki, and Jack Abramoff (June 5, 2001) (GTG-R006739-40) (including Mehlman in list of intended recipients of tickets for the June 15, 2001, U2 concert.

[407] E-mail from Kevin Ring to Jack Abramoff (June 14, 2001) (GTG-R006369).

[408] E-mail exchange between Mary Elizabeth Farr and Padgett Wilson (May 1, 2001, and May 22, 2001) (in which Wilson asked Farr and others if they were interested in attending a May 26 Orioles game, informed her he was "holding four tickets for you," and Farr responded "Gracias") (GTG-R002695-2696). The May 26 game was rained out. *See* Rain Sets Back Debut For Towers; Washout Likely to Be Rescheduled for July. *The Wash. Post* (May 27, 2001). Padgett Wilson e-mailed several people on June 4, 2001 to offer tickets to the "Saturday July 7th @ 7:05 pm vs. Philly. I have the box again and wanted to invite my rainout friends first. Mary Elizabeth Farr said that she is "in for the game," and Wilson offered to "save [her] five tickets." E-mail exchange between Padgett Wilson and Mary Elizabeth Farr (June 4, 2001) (GTG-R002799). On July 11, 2001, Farr

- November 14 or 16, 2001: 2 floor tickets to a Wizards game for Matt Kirk of the White House Office Legislative Affairs and his father (in location CC).[409]

- March 15, 2002: 1 ticket to the NCAA basketball playoffs for Matt Kirk of the White House Office of Legislative Affairs.[410]

- April 1, 2002: 3 tickets to the Orioles' opening day for Jim Wilkinson, Deputy Director of Communications for Planning at the White House, and Jennifer Farley.[411]

- July 19, 2002: 4 tickets to an Orioles game for Jennifer Farley.[412]

- April 11, 2002: 2 tickets to a Yanni concert for Jennifer Farley.[413]

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e-mailed Wilson: "Thanks so much for taking us to the O's game on Saturday." E-mail from Mary Elizabeth Farr to Padgett Wilson (July 11, 2001) (GTG-R002822).

[409] E-mail exchange between Shawn Vasell, Julie Plocki, and Jack Abramoff (Nov. 5-6, 2001) (in which Vasell said, "I want to take Matt Kirk with WH Leg. Aff. and his father," and Abramoff approved "BBB" tickets) (GTG-R006259). Abramoff appeared to then decide to reserve the BBB tickets for himself and another person, telling his assistant to "give the CC's to Shawn for Matt Kirk; E-mail exchange between Jack Abramoff and Julie Plocki (Nov. 6-7, 2001) (GTG-R002329).

[410] E-mail exchange between Tony Rudy and Jack Abramoff (Mar. 11, 2002) (GTG0R002458) (in which Rudy noted his ticket requests for Matt Kirk to the "Michigan State game" and Abramoff replied "Great").

[411] E-mail exchange between Allison Bozniak and Kevin Ring (Mar. 27, 2002) (GTG-R004232) (in which Bozniak asked "who all you gave tickets to" and Ring replied that he had given tickets to "Jim Wilkinson -- White House" and "Jennifer Farley (2) – White House").

[412] E-mail exchange between Allison Bozniak and Jack Abramoff (July 17, 2002) (in which Bozniak asked Abramoff for four tickets for Kevin (Ring) for "White House contact, Jennifer Farley," and Abramoff replied "Ok, get him tix") (GTG-R002435).

[413] E-mail exchange between Kevin Ring and Allison Bozniak (Feb. 26, 2003) (requesting tickets for Jennifer Farley) (GTG-R0046605).

- April 16, 2003: 1 ticket to a Capitals playoffs game for Matt Kirk of the White House Office of Legislative Affairs.[414]

The tickets White House officials were offered from Abramoff and his team often had a high face value. The floor seats for Wizards games in location CC are three rows behind the visitors' bench and have a per ticket price of $325 in 2006.[415] Thus, the current value of a set of four CC tickets, such as those Abramoff offered Ralston on December 1, 2001, and January 10, 2004, is $1,300. The Capitals tickets in section 121 are located just behind the glass and have a value of $70 for season ticket holders like Abramoff.[416]

In many instances, the documents do not indicate whether the White House officials requested or attended the events for which they were offered tickets. In at least five instances, however, there is evidence in the documents that White House officials used the tickets they were offered.[417] There is also evidence that one official, Susan Ralston, requested tickets for herself on at least seven separate occasions.[418] In addition,

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[414] E-mail exchange between Shawn Vasell, Holly Bowers, and Jack Abramoff (Apr. 8-9, 2003) (in which Bowers asked for Capitals playoff ticket requests, and Vasell included "Matt Kirk, White House Leg. Affairs," in his list for a game on Apr. 16) (GTG-R005100).

[415] Prices and row placement determined in conversations between staff and Ticketmaster representatives (Sept. 7, 2006).

[416] Washington Wizards, Ticket Information http://www.nba.com/wizards/tickets/arena.html; Washington Capitals, Ticket Information, http://www.washingtoncaps.com/tickets/seating.asp.

[417] E-mail from Mary Elizabeth Farr to Padgett Wilson (July 11, 2001) (GTG-R002822) (stating "Thanks for taking us to the O's game on Saturday"); E-mail from Susan Ralston to Jack Abramoff (Dec. 22, 2001) (GTG-R000531) (stating she was not going to make it to the game but that "Troy" was there "with friends"); E-mail exchange between Jack Abramoff and Susan Ralston (Mar. 19, 2002) (GTG-R001091) (in which Abramoff said "It was great to have Karl there on Sunday," and she replied "He had a good time at both the restaurant and the game"); E-mail from Susan Ralston to Jack Abramoff (Aug. 24, 2002) (GTG-R000929) (stating "Thanks for the tix to the game last night. Our guests had a terrific time"); E-mail from Susan Ralston to Jack Abramoff (Nov. 27, 2002) (GTG-R001034) (thanking Abramoff and telling him "We had a great time at the game").

[418] E-mail exchange between Susan Ralston, Jack Abramoff, Rodney Lane, and Julie Plocki (Oct. 21, 2001) (GTG-R000345-346) (in which Ralston asked, "Are the floor seats available for Sat, 12/1?" and Abramoff replied "For you? Anything! How many do you need?"); E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers (July 26-29, 2002) (GTG-R000914) (in which Ralston asked Abramoff, "is bruce springsteen coming to dc?" and he replied, "The Springsteen concert is tight, but I can fit you in"); E-mail exchange between Susan Ralston, Jack Abramoff, and Holly Bowers

it appears that Ralston requested tickets on one occasion for Mr. Rove's deputy, Chris Henick.[419]

In most cases, the documents do not indicate whether the White House officials paid or offered to pay for the tickets. There are a few cases, however, where there is some evidence in the documents. In one instance, there is an offer to pay described in the documents. In this case, which is described above, Ralston wrote Abramoff that Rove "has to pay" for the tickets he received to the NCAA basketball playoff game.

In other instances, the documents contain evidence that the tickets were provided without charge. In one instance, Ralston e-mailed Rove to say that she was "willing to pay" for Capitals tickets, but Abramoff replied: "No problem, and you don't have to pay! :-)"[420] In another instance, which occurred after the August 23, 2003, Orioles game attended by Ralston, she e-mailed Abramoff: "Thanks for the tix to the game last night. Our guests had a terrific time. ... [W]e had fun and appreciate your generosity."[421] In the case of the Capitals tickets for the class of College Republicans, which is described above, Abramoff offered to "donate" the tickets to the class and Ralston replied "yes."

(July 26-29, 2002) (GTG-R000914) (in which Ralston asked Abramoff, "do you have 2-4 orioles tix for sometime 8/22-24?" and he replied, "We can do 23rd or 24th for the Orioles no problem"); E-mail from Susan Ralston to Jack Abramoff (Nov. 22, 2002) (GTG-R001038) (in which Ralston asked Abramoff, "Do you have ice seats or courtside seats for 3 or 4 on wed, 11/27 to sun, 11/30?"); E-mail from Susan Ralston to Jack Abramoff (Feb. 1, 2003) (GTG-R000177) (in which Ralston asked Abramoff, "Is there a game on any day from tues, 2/25 – thurs, 2/27 where 2-4 floor or ice seats are available?"); E-mail exchange between Susan Ralston and Jack Abramoff (Mar. 11, 2003) (GTG-R002249) (in which Ralston asked Abramoff, "We have some guests coming to town Fri, 3/28 and Sat, 3/29. Anything going on at the MCI Center?" and Abramoff replied, "The Caps and Wizards are out of town that weekend, but they have the Skating Championships. Interested?"); E-mail exchange between Susan Ralston and Jack Abramoff (Jan. 23, 2004) (GTG-R001506) (in which Ralston asked for two tickets "on the ice" and Abramoff agreed to provide these tickets).

[419] E-mail exchange between Susan Ralston and Jack Abramoff (June 5, 2002) (GTG-R001151) (in which Susan Ralston asked "Do you have 3 tix for orioles this Friday for chris henick, kr's deputy?"). With respect to the request to Henick, Abramoff responded: "Unfortunately, the tickets have been gone for a while. Any other game of interest?" E-mail exchange between Susan Ralston and Jack Abramoff (June 5, 2002) (GTG-R001151).

[420] E-mail exchange between Susan Ralston and Jack Abramoff (Jan. 23, 2004) (GTG-R001506).

[421] E-mail from Susan Ralston to Jack Abramoff (Aug. 24, 2002) (GTG-R000929).

VII. Conclusion

The subpoenaed documents for the most part represent only one side of a string of transactions in which acts of fraud and attempted bribery are disguised as legitimate representational services and lobbying activities. Vague descriptions of services rendered and the lack of specific, real-time disclosure of contacts and expenditures leave unscrupulous lobbyists substantial grey space in which to ply their corrupting craft. The same hazy bills and delayed disclosures leave public officials open to the unsubstantiated, and largely unrebuttable, appearance they have been or can be bought.

To right the ethical balance sheet, both sides of the ledger should be documented more completely and more often by lobbyists and those they contact. The Committee on Government Reform took a major step toward this goal when it unanimously approved the Executive Branch Reform Act (H.R. 5112) earlier this year. This legislation would bring greater transparency to meetings between the private sector and executive branch officials by requiring all political appointees and senior officials in federal agencies and the White House to report their contacts with private parties seeking to influence official government action. The reports, which would be filed quarterly and maintained on a searchable database at the Office of Government Ethics, would disclose the dates of meetings, the parties involved, and the subject matter discussed.

The Committee will continue to investigate the need for additional measures to protect the integrity of the public's business.