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May 11, 2005

The Honorable Richard Pombo
Chairman, Committee on Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

Recent media reports have uncovered information about suspected wrongdoings by lobbyist Jack Abramoff, his associates, and clients in the CNMI. This new information adds additional weight to my request of April 14, 2005 that you begin a thorough investigation of the matter by the Committee on Resources which has jurisdiction over territorial affairs. Your staff asked for documents associated with my request, and on April 22 I provided 428 pages of evidentiary materials related to my initial request to you.

In my April 14 letter to you, (please note that it was in fact April 14 and not April 12 as stated in your letter to me of May 9), I wrote that in 1999, two men associated with then-Majority Whip Tom DeLay – Ed Buckham, a one-time chief of staff who later became the head of ARMPAC, and Mike Scanlon, a DeLay spokesman - were reportedly involved in an effort to influence the election of the Speaker to the CNMI House of Representatives. I have since learned of additional evidence to suggest these two men may have traded political favors to sway the election in favor of a candidate most likely to renew a contract with lobbyist Jack Abramoff.

In 1999, Mr. Abramoff's contract with the CNMI government was suspended, with no clear prospect of renewal.[1] At the same time, an Abramoff supporter, Mr. Benigno Fitial, was a candidate for Speaker of the CNMI's House of Representatives. Mr. Fitial, however, was two votes behind his opponent, Mr. Heinz S. Hofschneider, according to press reports of a letter signed by 10 out of the 12 CNMI Republican House members in support of Mr. Hofschneider, including Representative Alejo Mendiola and Representative Norman S. Palacios. These 10 Republican legislators were enough to secure Mr. Hofschneider the election.[2]

New reports by the *Los Angeles Times* and *Marianas Variety* confirm that in 1999 Mr. Fitial did indeed meet with Mr. Buckham and Mr. Scanlon – who was still on Mr. DeLay's payroll at the time. At the meeting, Mr. Fitial recommended that the two men meet with Representatives Mendiola and Palacios, both of whom had signed the letter in support of Mr. Hofschneider, to encourage them to switch their votes for Speaker.[3]

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[1] Los Angeles Times, 5/6/05.
[2] Marianas Variety, 11/24/99, 12/17/99.
[3] Los Angeles Times, 5/6/05, Marianas Variety, 4/29/05.

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When Mr. Scanlon and Mr. Buckham met with the two legislators, they reportedly promised to help secure money for local projects in exchange for their votes for Mr. Fitial, including federal resources for repairing a breakwater on the island of Tinian, a priority for Mr. Palacios. They were successful, and Mr. Fitial was elected Speaker. Mr. Abramoff's contract was subsequently renewed.[4]

The following year, Congress passed one appropriations bill in October that included $150,000 for the breakwater restoration project in Mr. Palacios' district and another appropriations bill in May that listed funding for an airport repaving project in Rota in the committee report as a priority for discretionary grants. The Rota project was located on the island that Mr. Mendiola represented.[5]

Mr. DeLay was a member of the conference committee on the bill that included the breakwater project, as well as a member of the subcommittee that approved the transportation project. His aide, Mr. Scanlon, was on the appropriations committee payroll when he traveled to the Mariana Islands with Mr. Buckham to secure Mr. Fitial's election as Speaker.[6]

This new information makes it even more imperative that you launch a bipartisan and thorough investigation into potential unethical and illegal behavior by Mr. Abramoff and others with respect to U.S. territorial matters, including whether there was inappropriate congressional interference into CNMI elections. As you may already be aware, both the CNMI legislature and Governor Babauta's office have publicly stated that they have no objection to such a congressional investigation.[7]

Yesterday, I received your letter requesting additional documents concerning my initial request and the substantial information I have already provided to you. You asked that, in order "to better evaluate the need for a Congressional investigation," I should submit to you "a full and complete document log" that is "bound in a three ring binder, annotated, and separated with a formal list of items included in the piece; each entry should include its source and author, its date, and the number of pages." You further requested "any correspondence with non-governmental entities in the related history of this request." Providing such information, you wrote, will assure the Committee "an organized and thorough foundation of information."

With all due respect, we are talking about investigating charges of serious wrongdoing, not the parameters of a term paper. I have served in Congress and on the Resources Committee for more than 30 years, chaired or served as ranking member of three full committees, and initiated numerous substantive investigations. You now possess more than enough information to initiate

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[4] Marianas Variety, 12/17/99, Los Angeles Times, 5/6/05.
[5] Los Angeles Times, 4/6/05
[6] Los Angeles Times, 5/6/05.
[7] Saipan Tribune, 4/17/05.

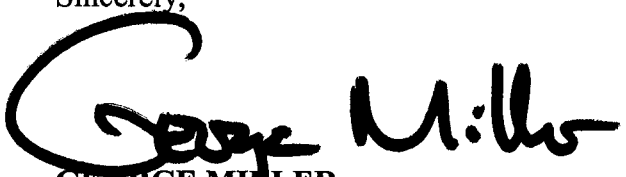
an investigation into the very serious charges about Mr. Abramoff's lobbying activities as they pertain to the jurisdiction of the Resources Committee. Your request pertaining to binder types, annotation, pagination and tabulation trivializes these allegations and the widening public concerns about the integrity of the Congress.

As Chairman, you have the resources, the staff, and the authority, including the authority to issue subpoenas, to obtain any and all necessary documents and information related to the Mariana Islands and potential abuses in Congress. I stated at the outset that I looked forward to working with you on this request, and I have provided you substantial additional information at your request. In addition, I am providing to you today copies of the Department of Interior reports, obtained at my request on your behalf, and the documents associated with the information mentioned in today's letter.

The only question now is whether you are or are not going to launch this important investigation. For years, my colleagues and I have sought stricter oversight of conditions and events in the CNMI but have met with resistance and inactivity from committee leaders. Failure to pursue this investigation in light of the information I have already provided to you and your staff would be a serious abdication of this Committee's responsibility to oversee a critical area of its jurisdiction, and would ignore the public interest in these widely reported and well-substantiated charges.

Thank you very much for considering this request. I look forward to your response as to whether or not you will launch this investigation and I look forward to working with you to uncover all the facts associated with these activities.

Sincerely,



GEORGE MILLER
Member of Congress

Cc: Hon. Nick Rahall, Ranking Member, House Resources Committee

Encs.