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December 6, 2005

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

Dear Mr. Chairman:

I am writing to renew my request that the House Resources Committee conduct a thorough investigation into potential wrongdoing regarding lobbyist Jack Abramoff, members of the House of Representatives and their staff, and the Commonwealth of the Northern Mariana Islands (CNMI).

As I explained in my letters this spring, the Resources Committee, as the only Committee in the House with jurisdiction over the CNMI, has a responsibility to investigate the evidence and allegations I have presented that go to the heart of the Committee's integrity, the integrity of the Congress, and the rights and legislative duties of its elected members. As you know, my own legislative reform efforts regarding the CNMI have been stymied in the House of Representatives for many years. I believe I am entitled to know whether the improper influence of lobbyists and their relationships with members of Congress and/or their staff played a role in thwarting those efforts.

In addition, I am writing to ask that you also investigate and hold public hearings on additional evidence and allegations unearthed through the Senate Committee on Indian Affairs and through Justice Department actions against David Safavian and Michael Scanlon. As you know, the Senate Committee has a more limited jurisdiction than does the Resources Committee and is not necessarily able to, or choosing to, pursue many of the issues that it has uncovered in the course of its investigation of Mr. Abramoff. The newly revealed evidence and allegations substantially amplify the issues that I have already presented to you and undeniably require your Committee's immediate action.

Although the Senate Committee has appropriately focused on tribal lobbying matters, it is now also abundantly clear that Mr. Abramoff, Mr. Scanlon, and their associates interfered with the actions of the executive branch and the Congress in a far more comprehensive manner than originally understood. Of particular concern to me, and I would think to all members of the House, is that many of the troubling activities uncovered by the Senate Committee relating to Indian affairs involve members and staff of the House of Representatives, which was not a primary focus of the Senate Committee's investigation.

Despite this substantial and growing body of evidence and allegations of wrongdoing concerning matters under the Committee's jurisdiction, neither your Committee nor any committee in the House has conducted its own investigation into these serious concerns.

I appreciate the fact that on June 30, you and Ranking Member Nick Rahall referred my original request for a hearing on these matters to the Justice Department for an investigation into any potentially criminal activity. However, to date I have received no information from the Justice Department about this referral and have no way of knowing whether the issues you presented to them are being investigated. I am also deeply concerned, based on numerous recent public accounts of political influence over legal matters within the Department, that it is possible these issues will not be properly pursued by the Department.

Therefore, I am renewing and expanding my request that the Committee immediately open an investigation into allegations of wrongdoing involving Mr. Abramoff, his associates, and their relationship with members of Congress, their staff, and federal agencies.

Mr. Abramoff and the Insular areas

The Resources Committee must investigate the role that Mr. Abramoff and his associates played with regard to the Commonwealth of the Northern Mariana Islands (CNMI). The new developments in the case of Mr. Scanlon, an associate of Mr. Abramoff and a former spokesman for Rep. Tom DeLay, further underscore this pressing need. I am deeply concerned about the role allegedly played by him, and possibly by other congressional staff, in an appropriations-for-votes scheme in the Mariana Islands. My letter of May 11, 2005, explained this issue in great detail. (A copy of that letter is attached.)

Evidence now available strongly suggests that not only did Mr. Abramoff's work on behalf of his insular area clients include working with members of Congress and congressional staff to influence elections, but also to tamper with a criminal investigation, and gain access to a classified immigration report. Mr. Abramoff spent enormous sums of money and worked with legislators and congressional staff to prevent the Congress from ending labor and human rights abuses in the Commonwealth. That should be a serious concern to the Committee that has jurisdiction over the CNMI.

All of the CNMI matters that I have written to you about – even criminal activities – fall under the Resources Committee's jurisdiction. As a reminder, those issues include: the improper accounting of lobbying fees; the use of trips to the CNMI to influence legislators and their staff, the accounting for which is equally murky; apparent interference in elections in the CNMI and the exchange of federal appropriations for votes; and the interference in CNMI contracting processes on behalf of major political

contributors.¹

Additional Areas of Concern for the Committee

In addition to the CNMI-related issues above, it is critical for the Committee to pursue other allegations and evidence that have not been sufficiently investigated. The Senate Committee has unearthed, but only partially investigated, new documents about issues beyond Mr. Abramoff's tribal representation schemes. Some of the issues uncovered by the Senate Committee are outside of that Committee's jurisdiction. Yet to my knowledge your Committee, with jurisdiction over these and other issues, has not held any hearings on them nor conducted its own investigation.

- **Mr. Abramoff and the Deputy Secretary of the Interior**

Steven Griles, Deputy Secretary of the Interior until earlier this year, appears to have been in frequent contact with Mr. Abramoff and his associates about matters before the Department. While Mr. Griles does not "recall intervening" on behalf of Mr. Abramoff's clients, the documentary evidence suggests otherwise.² At the very least, the documentary evidence has the appearance of impropriety; at worst, it suggests Mr. Griles helped Mr. Abramoff interfere with legislative and agency processes. The Resources Committee has an obligation to conduct hearings on this matter.

- **Mr. Abramoff and the Council of Republicans for Environmental Advocacy**

As the Senate committee found, Mr. Abramoff also maintained a strategic relationship with a group called the "Council of Republicans for Environmental Advocacy," or CREA. His involvement with CREA was extensive. The Resources Committee must determine whether contributions to CREA or other Republican-affiliated lobbying firms opened the doors of senior Interior officials to the clients of well-connected lobbyists. In addition, if senior department officials were conducting polling or other political activities through CREA, it demands further explanation. Again, the Senate Committee has correctly exercised its oversight role over Indian issues but has not nearly exhausted important matters for investigation.

- **Mr. Abramoff and other Interior Department officials**

On more than one occasion, Mr. Abramoff attempted to influence, through well-connected intermediaries such as CREA, Interior Department staffing decisions that he believed would impact his clients. Mr. Abramoff was an advisor to the Interior Department during the Presidential transition after the 2000 election, and he and his

¹ Correspondence of April 14, April 22, and May 11 of this year.

² Testimony before the Senate Committee on Indian Affairs. November 2, 2005.

staff routinely reported to his clients that they had spoken to administration officials about appointments. Given what we now know about Mr. Abramoff, his ongoing attempts to influence the makeup of the Department should be investigated fully.

Conclusion

To my knowledge, despite the serious and troubling nature of the issues outlined in this and my previous letters to you, not one committee in the House of Representatives has investigated or held hearings these matters. The Committee on Resources is the House committee with the broadest jurisdiction over these issues and I believe that it is, without question, incumbent upon you as chairman to begin your own investigation and hold hearings on these topics. Members of Congress and the American people need to know, and deserve to know, the impact that lobbyists and their allies within Congress and the Administration have had on public policy and the public interest.

I would hope that you would agree that the matters I have described more than qualify for oversight hearings by our Committee as envisioned by the rules and jurisdiction of the House. I appreciate your attention to this request and I stand ready to assist you in any way that I would be welcomed.

Sincerely,


George Miller, M.C.

Enclosures (2)

Cc: Ranking Member Nick Rahall

Appendix

For Letter to Chairman Pombo from Rep. George Miller, December 6, 2005

Mr. Abramoff and the Deputy Secretary of the Interior

The public record is full of examples of close contact between Mr. Abramoff and Deputy Secretary Griles, as when Mr. Abramoff told his partner Mr. Scanlon that, "I believe Griles has committed" to rejecting an Environmental Impact Statement on behalf of a client.¹ Mr. Abramoff also updated his co-workers on a "great dinner with Griles" at which the Deputy Secretary allegedly expressed excitement "about the proposed legislative fix" for an ongoing casino issue.² Meanwhile, Mr. Abramoff reported, Mr. Griles would be "get[ting] his people to report to him... so he can help" the lobbyist with another matter before Interior.³ Emails released by the Senate Indian Affairs Committee (SIAC) imply that he worked with Mr. Abramoff to coordinate Congressional responses to the Bureau of Indian Affairs, and in one instance, gave Mr. Abramoff "a head start" in responding to a letter.⁴

Mr. Griles testified in the Senate that his "relationship with Mr. Abramoff was the same as with other lobbyists. Nothing more, nothing less."⁵ This is a worrisome response: an eighteen-month investigation by the Department's Inspector General discovered that Mr. Griles was habitually in contact with former partners who had business before the Department, and that he was paid handsomely by one of those partners while still at the Department. Notwithstanding his testimony before the SIAC, the documentary evidence suggests that Mr. Griles not only aided Mr. Abramoff and his clients repeatedly, but he may have also attempted to secure a job with Mr. Abramoff's team at the same time.⁶

Mr. Abramoff and the Council of Republicans for Environmental Advocacy

Two months after Interior Secretary Gale Norton was sworn into office, Mr. Abramoff was invited to a "very small and relaxed" reception for Sec. Norton by Italia Federici, the president of the lobbying group.⁷ Mr. Abramoff later helped arrange for his clients to attend at least one dinner hosted by CREA that included some of the highest-ranking officials in the Interior Department. According to Ms. Federici, the "purpose of the dinner [was] to introduce Interior folks to our favorite friends and supporters."⁸

¹ Email from Jack Abramoff to Mike Scanlon. December 16, 2002.

² Email from Jack Abramoff to Michael Williams, Jon van Home, Todd Boulanger, Kevin Ring, and Stephanie Leger Short. September 9, 2002.

³ Email from Jack Abramoff to Marc Schwartz. September 9, 2002.

⁴ Email from Jack Abramoff to Todd Boulanger. March 31, 2003.

⁵ Testimony before the Senate Committee on Indian Affairs. November 2, 2005.

⁶ Email from Jack Abramoff to Kevin Ring, Todd Boulanger, Michael Williams, and Duane Gibson. September 9, 2003.

⁷ Email exchange between Italia Federici and Jack Abramoff. March 1, 2001.

⁸ Email from Italia Federici to redacted. September 19, 2001.

According to the emails released by the SIAC, Mr. Abramoff directed his clients on more than one occasion to contribute heavily to CREA in order to help the tribes strengthen their relationships with the Interior Department; both Mr. Abramoff and Ms. Federici seem to have understood this to be a quid pro quo situation. At one point, Ms. Federici asked Mr. Abramoff, "Is there something that I can do to say thank you for [a client]'s support for CREA – besides the time with Sec. Norton?"⁹ In 2003, Ms. Federici asked Mr. Abramoff if his clients would again agree to contribute to CREA. After he enthusiastically agreed to the request, Mr. Abramoff explained a pending threat to one of his clients' businesses and asked Ms. Federici to "make sure Steve knows about this and puts the kibosh on it."¹⁰ Mr. Abramoff also explicitly told his colleagues that their clients would have to give heavily to CREA because "that's our access to Norton."¹¹

Another CREA activity raises still more questions about the organization's relationship with the Interior Department. In March of 2001, Mr. Abramoff directed his clients, including the Coushatta Tribe of Louisiana and the Mississippi Band of Choctaw Indians, to "pay [half] the cost of a poll conducted by [CREA]... on behalf of Gayle [sic] Norton, Secretary of Interior."¹² Mr. Abramoff told the Coushatta that "the Interior guys... were ecstatic that the tribe was going to help."¹³ The details of this poll, the extent of the Interior Department's involvement, and whether CREA undertook any other activities allegedly commissioned by the Secretary of the Interior, have not been made public.

Mr. Abramoff and other Interior Department officials

Mr. Abramoff was an advisor to the Interior Department during the Presidential transition after the 2000 election, communicated with Ms. Federici about how to help place specific staff, and routinely reported to his clients that he and his staff had spoken to administration officials about appointments.¹⁴

For example, it appears that Mr. Abramoff was concerned that Angela Williams, a prospective appointee to head the Office of Insular Affairs, would not be sufficiently sympathetic to his clients. In an email to Ralph Reed, a lobbyist with strong ties to the Bush Administration, Mr. Abramoff asked if he had been able to "whack" the nominee. Mr. Reed responded that he had "weighed in heavily," and that he "plan[ned] to discuss it" further with Deputy White House Chief of Staff Karl Rove.¹⁵

Mr. Abramoff repeatedly communicated with Ms. Federici on the progress of an appointment to the post of Acting Assistant Secretary for Indian Affairs; Ms. Federici

⁹ Email exchange between Italia Federici and Jack Abramoff. May 7, 2001.

¹⁰ Email exchange between Jack Abramoff and Italia Federici. January 9, 2003.

¹¹ Email from Jack Abramoff to Todd Boulanger. February 12, 2002.

¹² Fax from Kathryn Fowler Van Hoof to Erick LaRocque of the Coushatta Tribe. March 28, 2001.

¹³ Email from Jack Abramoff to Kathryn Fowler Van Hoof. March 22, 2001.

¹⁴ E.g. Email from Jack Abramoff to Italia Federici. January 30, 2001.

Greenberg Traurig invoice of legal services and expenses for the CNMI through February 28, 2001, page 3.

¹⁵ Email exchange between Jack Abramoff and Ralph Reed. December 4-5, 2001.

told him that “[Dep. Sec. Griles] asked for names... if you have any other names let me know.”¹⁶ When Aurene Martin was eventually named, Mr. Abramoff expressed his displeasure to Ms. Federici, after which she replied that Mr. Griles told her that “they don’t want [Martin] for the job” and that she would be “talking with Steve [Griles] in about 30 minutes and will call... right after.”¹⁷ This exchange raises serious questions about Mr. Abramoff’s routine access to the Interior Department; it appears that when his recommendations were not followed, Mr. Griles was immediately called on to justify the decision.

Other issues involving Mr. Abramoff and the Insular areas

In addition to the concerns regarding the CNMI that I have brought to your attention in previous correspondence, I have joined in a request for an outside special counsel to investigate two instances of potential political manipulation by Justice Department officials in criminal and immigration matters concerning Guam and the CNMI.

Those issues are whether Mr. Abramoff attempted to prevent the release of a classified review of Guam and CNMI immigration laws, and why the long-standing Acting U.S. Attorney for Guam and the U.S. Commonwealth of the Northern Mariana Islands was abruptly demoted just after a federal grand jury issued subpoenas in an investigation concerning Mr. Abramoff’s dealings with the Guam Superior Court.¹⁸

¹⁶ Email exchange between Jack Abramoff and Italia Federici. December 4, 2002.

¹⁷ Email exchange between Jack Abramoff and Italia Federici. January 8, 2003.

¹⁸ Letter from Reps. Bordallo, Conyers, Delahunt, Miller, and Rahall to the Hon. Alberto Gonzales. October 6, 2005.

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Congress of the United States
House of Representatives
Washington, DC 20515-0507

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

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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May 11, 2005

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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

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.

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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

Encs.