

CHAPTER III

SAGINAW CHIPPEWA TRIBE OF MICHIGAN

Don't forget to get to [Saginaw Chippewa Sub-Chief David] Otto and set up a meeting asap. We need that moolah. We have to hit \$50M this year (our cut!).

Email from Jack Abramoff to Michael Scanlon, January 16, 2002

Understanding tribal politics, and keeping our people in power, is the priority of client management.

Email from Jack Abramoff to associate Todd Boulanger, May 30, 2002

We do a recall, election and take over. Let's discuss.

Email from Jack Abramoff to associate Jon van Horne, February 14, 2002

A. INTRODUCTION

Among the documents obtained by the Committee is an email, dated February 9, 2004, in which Abramoff authorized his associate, Shana Tesler, to pay the legislative director of the Saginaw Chippewa Indian Tribe ("Saginaw Chippewa"), Christopher Petras, \$2500 of Abramoff's own money to help the former Chief of that Tribe with a recall effort there.¹ This exchange reflects the end of Abramoff and Scanlon's aggressive campaign to keep the Saginaw Chippewa as a client.

Their approach was to insinuate themselves into internal tribal matters by influencing tribal elections to secure lucrative contracts from the Tribe—a strategy that most observers who have discussed the matter with the Committee agree is egregious.²

Abramoff and Scanlon successfully secured tribal business in this way from not only the Saginaw Chippewa but also the Agua Caliente Band of Cahuilla Indians ("Agua Caliente").³ There are also fragments of information that suggest that they might have done so with the Coushatta Tribe of Louisiana ("Louisiana Coushatta").⁴ But Abramoff and Scanlon's representation of the Saginaw Chippewa presents what may be the most compelling case of how they did so to further their "gimme five" scheme.

¹ Email from Jack Abramoff, Greenberg Traurig, to Shana Tesler, Greenberg Traurig (GTG–E000028361) (February 9, 2004).

² See, e.g., "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 23 (September 29, 2004) (testimony of Tribal Sub-Chief Bernie Sprague).

³ A full discussion as to how Abramoff and Scanlon did so with regard to the Agua Caliente is contained *infra* in Part 1, Chapter 4, "Agua Caliente Band of Cahuilla Indians."

⁴ See e.g., Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (no Bates number) (April 17, 2001) (produced by Capitol Campaign Strategies). Here, Abramoff advises Scanlon, "It is critical that you run the [Louisiana Coushatta] chairman's campaign, and that he wins! We're charging these guys up the wazoo, so this will be the key deliverable. Make sure you bill your hours like a demon. Almost no one else is billing this client yet, so there is plenty of room. You should be able to qualify for a hefty bonus just on this one ..." *Id.* And, Scanlon replies, "I will bill away! I need that bonus to by [sic] me a brand new cadillac!" *Id.*

B. BACKGROUND ON THE TRIBE

The Saginaw Chippewa's traditional homelands comprise all of Michigan and parts of Canada.⁵ Their current reservation, Isabella Reservation, was established under the Treaty of October 18, 1864, and is adjacent to the city of Mt. Pleasant, Michigan.⁶ The Saginaw Chippewa Indian Tribe traces its roots to three bands of Ojibwa Anishnabek known as the Saginaw, Swan Creek, and Black River Bands of Chippewa Indians.⁷ According to the 2000 census, the tribal population is 3,102.⁸

The Chippewa are a classical Woodlands culture and their language stems from the Algonquian family; therefore, they were hunter-gathers and practiced horticulture. Traditionally, they grew rice and made sugar, hunted and fished, and later became adept fur traders.⁹ There are approximately fifteen to twenty clans traced through paternal lineage that make up the tribal social network.¹⁰ Although the Saginaw Chippewa share a common dialect, culture, tradition, and spiritual practices with other Michigan Chippewa, they are a distinct social group.¹¹

In 1937, the Tribe, reorganized under the Indian Reorganization Act, created the current Tribal government.¹² The Tribal Council consists of twelve members elected from three electoral districts and includes the chief, sub-chief, treasurer, and secretary.¹³ In 1993, the Tribe signed a gaming compact with the State of Michigan.¹⁴ Soon thereafter, it opened the Soaring Eagle Resort and Casino.¹⁵ The Tribe added and opened its 512 room hotel and entertainment complex in 1997.¹⁶ The Soaring Eagle Resort and Casino is one of the biggest Indian casinos in the nation with estimated

⁵ *Ojibwe History* (visited March 20, 2006) <<http://www.tolatsga.org/ojib.html>> (detailing the history of the Ojibwe peoples).

⁶ *The Saginaw Chippewa Tribe of Michigan* (visited March 16, 2006) <<http://www.itcmi.org/thehistorytribal6.html>> (discussing the history of the Saginaw Chippewa).

⁷ *Brief History of the Saginaw Chippewa Indian Tribal Culture* (visited March 20, 2006) <<http://www.sagchip.org/culture/index.htm>> (providing the history of the Saginaw Chippewa); *The Saginaw Chippewa Tribe of Michigan* (visited March 16, 2006) <<http://www.itcmi.org/thehistorytribal6.html>> (discussing the history of the Saginaw Chippewa).

⁸ *U.S. Census Bureau Profile of General Demographic Characteristic of the Saginaw Chippewa* (visited March 20, 2006) <http://factfinder.census.gov/servlet/QTTable?_bm=y®=DEC_2000_SFAIAN_DP1:04S|53S&_qr_name=DEC_2000_SFAIAN_DP1&-ds_name=DEC_2000_SFAIAN&-geo_id=01000US&_lang=en&-format=&-CONTEXT=qt> (listing the population of people claiming Saginaw Chippewa heritage).

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Ojibwe History* (visited March 20, 2006) <<http://www.tolatsga.org/ojib.html>> (detailing the history of the Ojibwe peoples).

¹² *Brief History of the Saginaw Chippewa Indian Tribal Culture* (visited March 20, 2006) <<http://www.sagchip.org/culture/index.htm>> (providing the history of the Saginaw Chippewa); *Where You Live: Saginaw Chippewa Indian Tribe* (visited March 21, 2006) <<http://www.epa.gov/region5/tribes/tribepages/saginaw.htm>> (providing a brief history of the Saginaw Chippewa).

¹³ *The Saginaw Chippewa Tribe of Michigan* (visited March 16, 2006) <<http://www.itcmi.org/thehistorytribal6.html>> (discussing the history of the Saginaw Chippewa).

¹⁴ *Id.*

¹⁵ *Soaring Eagle Casino Has Soared Over \$3 Billion Since Opening in 1998* (visited March 20, 2006) <http://www.mybaycity.com/scripts/Article_ViewB.cfm?ArticleID=499&NewspaperID=0> (discussing the success of the Soaring Eagle Casino).

¹⁶ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004). See also *Michigan's Tribal Gaming Industry Continues to Grow* (visited March 20, 2006) <<http://www.casinocitytimes.com/article.cfm?ContentAndContributorID=17588>> (discussing the growth of the Soaring Eagle Casino); *Tribal quality of life boosted by casino revenues* (visited March 20, 2006) <<http://www.indiancountry.com/content.cfm?id=1096412563>> (discussing the expansion of the Soaring Eagle Casino).

revenue of approximately \$400 million per year.¹⁷ The Tribe currently employs over 4,000 people.¹⁸

C. CHRISTOPHER PETRAS—ABRAMOFF AND SCANLON'S ACCESS TO THE TRIBE

Sometime during 1998, Christopher Petras was approached at a concert at the Soaring Eagle Resort about submitting an application to the Tribe's newly created Legislative Affairs Department.¹⁹ At the time, Petras, who is not a tribal member, "had been teaching political science and was familiar with Government processes to some extent."²⁰ In December 1999, Petras was hired by the Tribe as a policy research analyst for five years and later served as the Tribe's director of legislative affairs.²¹ According to Petras, his responsibilities were "[t]o basically work with the Tribal Council on policy issues [and] conduct research."²² Whereas Tribal legislative assistant Kim Sawmick covered state issues for the Tribe, Petras focused on federal legislative matters.

According to Petras, in 2000, Sawmick told him that the Tribal Council was interested in looking for representation in Washington, D.C. to work with its other lobbyist Larry Rosenthal, who was then one of Abramoff's keenest competitors.²³ In 1999, the Tribe had hired Rosenthal to serve as its Democratic lobbyist; the Tribe was now looking for a new Republican counterpart.²⁴

Petras went on the Internet and typed in "cue words, basically 'tribes' and 'lobbyist.'"²⁵ Of the names that came up, he contacted three firms and traveled with Sawmick to D.C. to meet with them.²⁶ Around May 2000, they met Abramoff, who was then at Preston Gates Ellis & Rouvelas Meeds.²⁷ During that meeting, Abramoff brought in Scanlon.²⁸ In his interview with staff, then-Sub-Chief David Otto recalled that Abramoff gave an "impressive" presentation to the Tribal Council.²⁹ According to Petras, after that meeting, Sawmick recommended that the Tribe bring Abramoff in for an interview, which led to a decision by the Tribal Council to hire Abramoff.³⁰

¹⁷ *Casino rivals step up efforts to lure gamblers* (visited March 20, 2006) <<http://gamblingmagazine.com/articles/27/27-126.htm>> (estimating Soaring Eagle Casino's revenue); *Tribe, region benefit from casino revenues* (visited March 20, 2006) <<http://www.sagchip.org/tribalobserver/article.asp?article=1204>> (providing an estimate of Soaring Eagle Casino's revenue).

¹⁸ *Soaring Eagle Casino Has Soared Over \$3 Billion Since Opening in 1998* (visited March 20, 2006) <http://www.mybaycity.com/scripts/Article_ViewB.cfm?ArticleID=499&NewspaperID=0> (discussing the success of the Soaring Eagle Casino).

¹⁹ "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 108th Cong. at 39 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

²⁰ *Id.*

²¹ *Id.* at 38.

²² *Id.* at 47.

²³ *See id.* at 39.

²⁴ *See id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

²⁹ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

³⁰ "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 108th Cong. at 39 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

But, Otto and current Tribal Sub-Chief Bernie Sprague recalled differently. Otto remembered that Petras actually recommended Abramoff as his choice for the job.³¹ And, Sprague told staff, in his interview, that Petras “brought in” Abramoff.³²

By January 2001, with the Tribe having already hired Abramoff, members of the Tribal Council discussed retaining Rosenthal as its Washington representative.³³ Abramoff complained to his colleagues at Greenberg Traurig, “I had a discussion with [the Tribe’s legislative director] Christopher Petras today. [Competitor] Larry Rosenthal has been bad mouthing us non-stop and it is getting increasingly difficult for Chris to maintain our position. Larry is going to be hired and he offered me a chance for us to bid on getting them money for a school.”³⁴

Abramoff continued: “I told him we were not interested in this arrangement, that we have serious tribal clients who understand the value of our efforts and that if members of his council are insisting that they plight their trough [sic] with Larry, he should do so and I wish him luck.”³⁵

However, Abramoff predicted that the Tribe would be back: “Frankly, given the animus of our Hill and new Administration friends ... we need not get anywhere near this problem. After the Saginaws are told by our friends how dead they are, and after their appropriations are zeroed out, they’ll be back.”³⁶

With that, the Tribe discontinued using Abramoff as its lobbyist. Likely having realized that the only way he could resume representing the Tribe (and getting the Tribe to hire Scanlon) was through a change in Tribal leadership, Abramoff came up with an idea.

D. THE “SLATE OF EIGHT”—ABRAMOFF AND SCANLON’S TROJAN HORSE

On or about October 4, 2001, Abramoff had a meeting with Petras, during which they discussed the Tribe’s upcoming election.³⁷ Later that night, Abramoff brought Scanlon up-to-speed: “I had dinner tonight with Chris Petras of Sag Chip. He was salivating at the \$4–5 million program I described to him (is that enough? Probably not).”³⁸

Abramoff laid out his plan: “They have their primary for tribal council on Tuesday, which should determine if they are going to take over (general elections in November). I told him that you are the greatest campaign expert since ... (actually, I told him that there was no one like you in history!). He is going to come in after

³¹ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

³² Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004). Sprague also recalled that sometime after June 2002 Petras told him that Abramoff “was working with [then-House Whip] Tom DeLay”; “was good friends with Tom DeLay”; and “had good relations with Tom DeLay.” *Id.*

³³ Email from Jack Abramoff, Greenberg Traurig, to Ronald Platt and Shawn Vasell, Greenberg Traurig (GTG–E000027597) (January 22, 2001).

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (GTG–E000028079) (October 4, 2001).

³⁸ *See id.*

the primary with the guy who will be chief if they win (a big fan of ours already) and we are going to help him win.”³⁹

Using a phrase the two coined to describe their financial relationship, Abramoff concluded, “If he wins, they take over in January, and we have millions. I told him that you are already in national demand and we need to secure you for them. He is very excited. GIMME FIVE lives.”⁴⁰

Scanlon replied enthusiastically, “THE PRICE HAS JUST GONE UP TO 10 MIL! Sounds good on the strategy—We should be wrapped up with the other camapigns [sic] soon, so I could run his general election to make sure we get or [sic] give me five!”⁴¹

Apparently resolved to help Abramoff and Scanlon oust the incumbent Tribal Council, Petras recommended to a group (composed of, among others, Maynard Kahgegab and Robert Pego) that they meet with Scanlon about their election campaign.⁴² That group became known as the “Slate of Eight.”⁴³ Otto believes that Petras came up with the “Slate of Eight” concept and remembers Petras telling him that this was how the Mississippi Band of Choctaw Indians ran its elections.⁴⁴ In fact, Otto recalled, Petras said that Scanlon helped on that Tribe’s elections.⁴⁵ Tribal Sub-Chief Bernie Sprague believes that Petras was only there to work for Kahgegab and, originally, Otto (who was running for the position of Sub-Chief).⁴⁶

A few days after his meeting with Petras and a telephone call from Otto, Abramoff reached out to Scanlon: “MIKE, CALL ME AT HOME ASAP. THIS IS ON SAGINAW CHIPPEWA. TIME FOR BUCKS!!!”⁴⁷

Approximately three weeks before the general election for the Tribal Council, sometime in July or August 2001, Scanlon met with

³⁹ *Id.*

⁴⁰ *Id.* (emphasis added).

⁴¹ *Id.*

⁴² Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁴³ See Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004); see also Capitol Campaign Strategies document production (no Bates number) (October 26, 2001) (Draft Flier, “Tribal Council Members Otto and Kahgegab Announce Formation of New Slate of Candidates to run [sic] in Saginaw Chippewa Tribal Elections—Slate of 8 Will Run on Platform of Reform”); Capitol Campaign Strategies document production (no Bates number) (November 15, 2001) (another Draft Flier, entitled “Slate of 8”); Capitol Campaign Strategies document production (no Bates number) (April 7, 2002) (Draft Press Release, entitled “Chief Maynard Kahgegab, Jr. and Saginaw Chippewa Tribal Council Host Second Community Meeting”); Capitol Campaign Strategies document production (no Bates number) (April 7, 2002) (Draft Talking Points for Chief Maynard Kahgegab, Jr.); Capitol Campaign Strategies document production (no Bates number) (August 26, 2002) (Draft Community Meeting Agenda); Capitol Campaign Strategies document production (no Bates number) (October 30, 2002) (Draft Press Release, entitled “Zogby Poll says Michigan Voters Trust Tribes, Oppose More Gaming”); Capitol Campaign Strategies document production (no Bates number) (undated) (Draft Flier, from “David Otto, Slate of 8 Member,” entitled “Slate of 8”); Capitol Campaign Strategies document production (no Bates number) (undated) (another Draft Press Release, “Tribal Council Members Otto and Kahgegab Announce Formation of New Slate of Candidates to run [sic] in Saginaw Chippewa Tribal Elections—Slate of 8 Will Run on Platform of Reform”); Capitol Campaign Strategies document production (no Bates number) (undated) (Draft Mailer from Chief Maynard Kahgegab to Mr. John Doe); Capitol Campaign Strategies document production (no Bates number) (undated) (Draft Mailer conveying “brief update” by Chief Kahgegab to Tribal Members).

⁴⁴ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁴⁵ *Id.*

⁴⁶ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

⁴⁷ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG-E000028054) (October 11, 2001) (emphasis in original).

Petras as well as Otto and some of the other candidates, in Michigan for a “strategy meeting.”⁴⁸ Petras, who set up the meeting, told Otto that Scanlon could help show them how to get elected.⁴⁹ The purpose of the meeting, which was held at a Bob Evans restaurant, was to help them craft a campaign for that race.⁵⁰ During that meeting, the idea of the Slate of Eight was hatched—Petras made up the slate concept and Scanlon made up the name.⁵¹ Petras, Scanlon and Otto discussed the upcoming elections, election strategy, how to get their names out, and issue mailers.⁵² Both Scanlon and Petras gave advice at that meeting.⁵³ Afterwards, Otto reported to the other members of the Slate of Eight who were not in attendance, on his meeting with Petras and Scanlon.⁵⁴ At that follow-up meeting, they discussed how Scanlon could help them get elected.⁵⁵

Otto did not recall whether there was an express *quid pro quo* between Scanlon and the Slate of Eight during the strategy meeting.⁵⁶ It was certainly generally understood that Scanlon would help Otto and the other members of the Slate of Eight in the election.⁵⁷ In addition, he conceded, there was a “non-verbal understanding that Scanlon would like a chance to work for the Tribe.”⁵⁸

At least two batches of mailings were sent out on behalf of the Slate of Eight.⁵⁹ Among the documents obtained by the Committee from Scanlon’s company, Capitol Campaign Strategies (CCS), is an undated draft mailer, apparently drafted for the Slate of Eight. It notes that “[t]he upcoming election may be the only chance for the disenfranchised, [sic] and beaten down members of this tribe to voice their disapproval with the way people on the council like XXXX [sic] Jackson have run our tribal government.”⁶⁰ Likewise, an October 26, 2001, press release, also apparently drafted by CCS, announced that the “Slate of 8 Will Run on Platform of Reform.”⁶¹ According to that release, “The Slate of 8 represents honesty, integrity and vision—something that the Committee for Responsible Government unfortunately completely lacks.”⁶² It also stated falsely that “[w]e organized the Slate of 8 ourselves and are asking the tribal members to vote for us so that we can put the scandal plagued [sic] politics of this tribe [sic] in the past.”⁶³ In laying the groundwork for the Tribe to ultimately hire Abramoff and Scanlon,

⁴⁸ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004). See also Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁴⁹ Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ Capitol Campaign Strategies document production (no Bates number) (entitled “State of 8”) (undated).

⁶¹ Capitol Campaign Strategies document production (no Bates number) (entitled “Tribal Council Members Otto and Kahgegab Announce Formation of New Slate of Candidates to run in Saginaw Chippewa Tribal Elections”) (October 26, 2001).

⁶² *Id.*

⁶³ *Id.*

the release also described, as an issue on the Slate of Eight's platform, "developing stronger ties in Washington D.C. [sic] and at the state and local level to advance tribal concerns."⁶⁴

In connection with the Slate of Eight campaign, then-Scanlon associate, Brian Mann, served as a liaison between Petras and Scanlon.⁶⁵ In his deposition, Mann recalled "being in contact with Chris Petras, creating fliers or letters that we would mail back to Chris on Maynard's behalf."⁶⁶ There can be no doubt that Petras was leading this effort. Mann "was employed ... [t]o catch up with Petras and help facilitate whatever it was that he wanted to be done."⁶⁷ Apparently, Scanlon provided Mann with between three and five designs for mailers, which Mann faxed to Petras for his approval.⁶⁸ Because Scanlon's company did not have an in-house graphic design capability, those designs that had graphics were likely generated by an outside vendor.⁶⁹ According to Mann, "[A] couple of times [Petras] didn't like the wording for something. He wanted something darker or something bigger, just kind of, you know, trying to tweak whatever it was."⁷⁰ There were about three to five such exchanges before Petras finally approved the designs.⁷¹ At some point, a box of mailers arrived at Kahgegab's house—mailers for the election that the Slate of Eight never paid for.⁷² All Otto had to do was to put addressed stickers on the mailers.⁷³

Not only did CCS draft mailers and fliers, it put together a call list; devised a campaign strategy, calendars, and time-lines; helped organize at least one event—a "candidates night"; and apparently recorded a radio ad.⁷⁴ Other than \$200 that some members of the Slate of Eight paid for a "candidates night," CCS paid for all out-of-pocket expenses.⁷⁵ While the value of those expenses is unclear, the Tribe has seen some estimates as high as \$100,000.⁷⁶ Responding to the Tribe for Scanlon, Scanlon's lawyer, Stephen Braga, explained that "[t]his \$100,000 number was a value reflected estimate that included the time value of individuals working on the campaign" and that "actual dollars would be less."⁷⁷ He however agreed that, while "there is no way to tell exactly how much was spent," CCS was never reimbursed for its costs.⁷⁸

⁶⁴ *Id.*

⁶⁵ Deposition of Brian Mann, former director, American International Center, in Washington, D.C. (March 31, 2005).

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁷³ *Id.*

⁷⁴ See Interview of Christopher Cathcart, former associate, Capital Campaign Strategies, in Washington, D.C. (October 6, 2004); Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006).

⁷⁵ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁷⁶ Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe). Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁷⁷ Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006).

⁷⁸ *Id.*

As the election at the Saginaw Chippewa neared, Abramoff asked Scanlon for a status update: “When exactly is their election? Do you have a guy up there?”⁷⁹

Providing Abramoff with a document entitled “Slate of Eight Political Calendar,” Scanlon replied: “Election is next Tuesday—I have a guy on the ground, 2 more heading up for the final push on Friday, and 4 mail pieces including personalized letters from the candidates hitting between tomorrow and election day. Attached is our campaign calendar.”⁸⁰

Scanlon was optimistic about success: “If we don’t win after all this—we never had a chance!”⁸¹

Seemingly pleased, Abramoff replied: “Looks like you have it well in hand. I smell victory! I smell gimme five!!!”⁸²

The “guy on the ground” that Scanlon referred to above was his top assistant, Christopher Cathcart. Scanlon apparently sent Cathcart to Michigan to do some “hand holding,” specifically, helping the Tribe with any needs and requests and to provide additional guidance.⁸³ Otto understood that CCS was “handling the Slate of Eight” like a major election.⁸⁴ On election night, Cathcart joined Otto and the Slate of Eight at a local Bennigans restaurant.⁸⁵ According to Otto, Cathcart met and drove around with him and Kahgegab that evening.⁸⁶

CCS associate Amy Biederman was assigned to write speeches for Slate of Eight member Maynard Kahgegab.⁸⁷ Additionally, according to invoices from the Weber Company, an issues-management and grassroots lobbying firm that Scanlon sub-contracted, Joe Weber, from that firm was involved in the Saginaw Chippewa Tribal election and was actually there on October 25, 26, 30, and 31, 2001.⁸⁸ However, exactly what services the Weber Company provided Scanlon’s company in connection with the Slate of Eight’s campaign, is unclear.

A few days later, Abramoff reminded Scanlon: “don’t forget!!! Ballot security at Saginaw!!!!”⁸⁹ Abramoff was concerned, because he could not “handle losing two elections in the space of 4 days!”⁹⁰

⁷⁹ Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (GTG-E000012235) (October 30, 2001).

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

⁸³ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ See Interview of Brian Mann, former director, American International Center, in Washington, D.C. (March 3, 2006); Interview of Christopher Cathcart, former associate, Capital Campaign Strategies, in Washington, D.C. (October 6, 2004). See Capitol Campaign Strategies document production (no Bates number) (undated) (Draft Power Point Slides, “Saginaw Chippewa Indian Tribe of Michigan, “Chief’s Report”); Capitol Campaign Strategies document production (no Bates number) (Draft Speech, entitled “7:00 p.m.—Chief’s Report”) (undated).

⁸⁸ Capitol Campaign Strategies document production (no Bates number) (November 8, 2001) (entitled “Invoice from Weber Company, to Scanlon Gould Public Affairs for \$3,278.65 of expenses”).

⁸⁹ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG-E000012251) (November 2, 2001).

⁹⁰ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (November 5, 2001) (GTG-E000012287). What the other election was, is unclear.

On November 6, 2001, all but one member of the Slate of Eight prevailed.⁹¹ A draft mailer, apparently prepared by CCS, dated November 15, 2001, announced the victory: “The election on November 6 was an historic event for the Saginaw Chippewa Tribe. It was the day the people of this tribe swept away the politics of the past, and started a new era of positive and responsible government.”⁹²

On the evening of the election, Scanlon emailed his employees, congratulating them for their participation in the campaign: “Well team ... Last night was amazing—The slate of 8 kicked ass, and I want to thank all of you for helping out—and watching the bottom line.”⁹³

He heaped more praise: “We had less than three weeks to take 8 guys we never met before and get them [sic] elected. It was a great plan, and great execution by a great team. Just to recap, we elected 7 out of our slate of 8—and the last guy—Ray Davis missed it by ONE vote. We did get another one of our allies elected in District 2, and we now control 9 out of the 12 seats on the council.”⁹⁴

Alluding to his and Abramoff’s original plan, Scanlon concluded, “Maynard [Kahgegab] will be elected Chief at the organizational meeting on December 4th, and hopefully we will be doing some more work for the tribe in the near future. THIS MAKES US 2–0 in tribal elections this year!”⁹⁵

He concluded, “Great work again—and by the way the last time I saw Chris he was doing Tequila shots with Dave Otto at the Bennigans in Mt. Pleasant, Michigan—If anyone hears from him—tell him to get back to the office—we have a referendum to win in Louisiana!”⁹⁶

Having been forwarded this email string from Scanlon, Abramoff enthusiastically replied, “I love it!”⁹⁷

On the day of the election, Abramoff reported to his colleagues at Greenberg Traurig: “I just got off the phone with Chris Petras, government affairs head for the Saginaw Chippewa. Today they had their election.”⁹⁸

He openly stated, “We had Scanlon up there running our slate.”⁹⁹

He concluded, “We won 7 of the 8 slate positions and now control the council! Our guys will be Chief and Sub-Chief. Chris will head the 1 month transition and we will be on board as soon as they are in. I figure the representation will be \$100–\$150k/month.”¹⁰⁰ During his interview with Committee staff, the head of Greenberg

⁹¹ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004); Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

⁹² Capitol Campaign Strategies document production (no Bates number) (entitled “Slate of 8”) (November 15, 2001).

⁹³ Email from Michael Scanlon, Capitol Campaign Strategies, to Robin Axline, Christopher Cathcart, Aaron Stetter and Patrick Gould, Capitol Campaign Strategies (GTG-E000002297) (November 7, 2001).

⁹⁴ *Id.*

⁹⁵ *Id.* (emphasis added).

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ Email from Jack Abramoff, Greenberg Traurig, to Fred Baggett, Todd Boulanger, Rodney Lane, Stephanie Leger, Ronald Platt, Kevin Ring, Tony Rudy, Alan Slomowitz, Shawn Vasell and Michael Williams, Greenberg Traurig (GTG-E000028114/GTG-E000028115) (November 6, 2001).

⁹⁹ *Id.*

¹⁰⁰ *Id.*

Traurig's national lobbying practice, who among others received that email, could not recall having read it.¹⁰¹

Regarding the "Slate of Eight," the evidence described above supports the following conclusion: there was at least a mutual understanding, if not an agreement, that the Slate of Eight would hire Scanlon in exchange for, or because of, the work that CCS did on its election to the Tribal Council—possibly valued at as much as \$100,000. This scenario has given rise to ethical concerns within the Tribe. In his interview with staff, Otto noted that Petras, who was not a member of the Tribe, was not part of its public relations department and, as an employee of the Tribe answerable to the Tribal Council, was not supposed to get involved in internal leadership disputes.¹⁰² The involvement of non-Indians in tribal elections is, as another Council Member said, "unheard of."¹⁰³

E. THE TRIBE HIRES ABRAMOFF AND SCANLON

About two days after the seven successful members of the Slate of Eight were sworn in, on December 6, 2001, the Saginaw Chippewa hired Greenberg Traurig as its lobbyist in Washington for a monthly retainer of \$150,000.¹⁰⁴ Rosenthal was out. For reasons not clear to the Committee, about a year later, the Tribal Council voted to increase that retainer to \$180,000 per month.¹⁰⁵ But, there was a delay in the Tribe's hiring Scanlon, who made a full presentation to the Tribal Council in late 2001. According to Abramoff, then-Sub-Chief Otto became concerned about how much the Tribe was spending on lobbying:

Just spoke with Petras. He spoke with Otto (can't believe this guy is getting off the rails). Otto is coming to DC on the 29th for two days with us (Petras will come too, but wants to stay in the background). Otto is bringing his father in law who is from [another tribe]. Otto is concerned about them being so far out on the line financially without anything to show first. He said that Otto wants to see some approps come through first. I told him—and he, Petras, agrees—that waiting is ridiculous because it will be 9 months before we know about approps, and in the meantime they would have blown an incredible opportunity. Anyway, we have to get Otto back on board when he is here. Can you do the Wizards game with us on the night of the 29th?¹⁰⁶

¹⁰¹ Interview of Fred Baggett, Chair, National Government Affairs Practice, Greenberg Traurig, in Washington, D.C. (September 29, 2005).

¹⁰² Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

¹⁰³ "Tribal Lobbying Matter," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 53 (September 29, 2004) (prepared statement of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe).

¹⁰⁴ Saginaw Chippewa document production (no Bates number) (Engagement Letter from Jack Abramoff, Greenberg Traurig, to Chief Maynard Kahgegab, Saginaw Chippewa Indian Tribal Council) (December 6, 2001).

¹⁰⁵ Saginaw Chippewa document production (no Bates number) (Engagement Letter from Jack Abramoff, Greenberg Traurig, to Chief Maynard Kahgegab, Saginaw Chippewa Indian Tribal Council) (December 4, 2002); Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004); Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁰⁶ Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (GTG-E000024627) (January 14, 2002).

Scanlon expressed irritation about the Tribe's failure to hire him immediately: "I can't believe that I spilled blood getting those guys elected, and I got stiffed. How incredibly ungrateful. Can they at the very least sign me to some kind of deal? I can't believe they laid a goose-egg."¹⁰⁷

However, always optimistic about their partnership prospects, Abramoff offered encouragement: "We'll get it!"¹⁰⁸

Shortly after the new Tribal Council was installed, it was rumored that the ousted Council intended to attempt a take-over: "[A Member's] office just called Chris and told him that the group that got ousted is planning a take-over in the next couple of weeks and that the police may not get involved ... so they may need federal help. This is all rumor right now, but chris [sic] seemed concerned."¹⁰⁹

Abramoff planned to use this rumor as an opportunity to have the Tribe hire Scanlon: "Tell Chris they have to get their political operations on the ground moving and fast. They need Scanlon in there to get them organized. We'll handle the federal side."¹¹⁰

In the run-up to the Tribe's hiring Scanlon, Sprague recalled in his interview with Committee staff, he specifically asked Abramoff about his relationship with Scanlon.¹¹¹ In response, Sprague remembered, Abramoff only said he knew him and that Scanlon was a professional.¹¹² Ultimately, the Tribe executed a contract with CCS in February 2002 for \$4,000,000, primarily for the development of a political "database" and, according to Otto, another \$3.9 million to use it.¹¹³ Over the next two years, the Tribe would pay CCS about \$10,000,000. The Tribe's payments to CCS are set forth below:

2/19/02	\$1,857,000
4/1/02	1,200,000
4/17/02	1,050,000
6/27/02	1,900,000
8/14/02	500,000
6/19/03	500,000
7/18/03	500,000
8/12/03	500,000
10/03	2,000,000
Total	10,007,000

Throughout the relevant period, Abramoff and Scanlon represented that these payments were supposed to fund programs designed to protect the Tribe's share of Michigan's gaming market and protect its sovereignty from external threats.¹¹⁴

As with all the Tribes, CCS' grassroots and public relations strategy centered on the development and use of a political database. In the case of the Saginaw Chippewa, this strategy was called "Op-

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ Email between Todd Boulanger, Greenberg Traurig, and Jack Abramoff, Greenberg Traurig (GTG-E000024701) (January 18, 2002).

¹¹⁰ *Id.*

¹¹¹ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹¹² *Id.*

¹¹³ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004); Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹¹⁴ See, e.g., *id.*

eration Redwing.” According to a draft of the proposal that was likely presented to the Tribe, entitled “Operation Redwing—A Strategy for Making the Saginaw Chippewa Tribe the Most Dominant Political Entity in Michigan,” the first step to developing a successful political strategy “is to tap into your natural political resources and integrate them into a custom-built political database.”¹¹⁵

It elaborated on a “Grassroots Database”:

We will gather lists of your vendors, employees, tribal members etc. (if you approve, customer lists), and we will import those lists into your new database. Our computer program will match the individuals or businesses with addresses, phone numbers, political registrations and e-mail addresses, and then sort them by election districts. The districts run from U.S. Senator down to school board and once completed, you can tap into this database and mobilize your supporters in ANY election, or on any issue of your choosing.¹¹⁶

The proposal separately described a “Qualitative (opposition) Research Database”:

This custom built database acts as the information center of Operation Redwing. Over the next six weeks, our team will gather qualitative information on any entity who can be classified as opposition and enter it into this database. The research will include nearly every piece of information on the opposition you can imagine. Once gathered, it is then sorted by subject matter and made retrievable by a phrase search. The information can then be instantly disseminated to any audience we choose such as our universe of supporters, the press, third party [sic] interest groups or other interested parties.¹¹⁷

According to the proposal, at the end of the day, “the tribe will have built a grassroots army of over 50,000 real voters that it can call on for offensive or defensive political efforts.”¹¹⁸ The total cost of Operation Redwing, \$4,207,000.¹¹⁹

CCS also proposed a “Market Infringement and Political Analysis” that identified “several serious threats ... throughout the [S]tate of Michigan” which could threaten the Tribe’s primary business, the Soaring Eagle Casino and Resort.¹²⁰ Those threats included the land-into-trust applications of the Pokagon Band of Potawatomi Indians and the Huron Band of Potawatomi Indians; the prospect that the Gun Lake Band of Potawatomi Indians may get a state compact; and various non-gaming expansion initiatives.¹²¹ According to the “Overview” of a “Market Share Infringement and

¹¹⁵ Capitol Campaign Strategies document production (no Bates number) (entitled “Operation Redwing—A Strategy for making the Saginaw Chippewa Tribe the most dominant political entity in Michigan”) (December 6, 2001).

¹¹⁶ *Id.* (emphasis added).

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ Capitol Campaign Strategies document production (no Bates number) (entitled “Market Share Infringement and Political Analysis”) (May 18, 2002).

¹²¹ *Id.*

Political Analysis,” dated May 18, 2002, that CCS prepared for the Tribe, “[T]he tribe could lose over \$100 million annually if two of the four facilities become operational.”¹²² And, “[i]f all 4 entities become operational the financial impact will be devastating, so much so that we can not even measure its impact.”¹²³ By contrast, in its “Conclusion,” the document states that “placing a figure on such a scenario is extremely difficult to do, but we can say without a shadow of a doubt, that if all four of the facilities ... become operational, at the very least the tribe will lose [sic] \$200 million dollars annually.”¹²⁴ The bases of these apparently irreconcilable conclusions are unclear. The cost of this program, an additional \$3,455,000.¹²⁵

In his interview with staff, Tribal Sub-Chief Bernie Sprague disagreed with CCS’ analysis. He said that “[e]veryone knew there are three southern [t]ribes that will eventually open casinos” and that “[they] are in different stages of development.”¹²⁶ According to Sprague, when they open, they will only affect a small percentage of the Saginaw’s market, between 10 and 17 percent.¹²⁷ He noted that the Tribe ultimately executed four contracts with CCS, which related to (1) building the CCS database; (2) opposing “racino”¹²⁸ proposals; (3) opposing pending land-into-trust applications filed by competing tribes; and (4) supporting a statewide smoking ban that would theoretically drive smokers into the Tribe’s casino.¹²⁹ However, Sprague recalled that because the Council received only vague updates from Petras about the progress of CCS’ work, he and other critics of the lobbying contracts were limited in their ability to object.¹³⁰

In furtherance of each “campaign” to oppose gaming competition, CCS pledged to “execute the following tactics”: grassroots mobilization of environmental and anti-gaming activists; patch-through phone calls to governmental environmental protection agencies; local advertising highlighting any project deficiencies; direct mail; opposition research; mobilization of environmental and “citizen groups”; federal lobbying efforts on the competitions’ land-into-trust application deficiencies; Michigan state lobbying efforts; and polling on each facility.¹³¹ Analysis as to how most of the money that the Tribes paid Scanlon was diverted for unintended purposes is discussed below in Part 2, Chapter 3, “Capitol Campaign Strategies.”

¹²² *Id.*

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ *Id.*

¹²⁶ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹²⁷ *Id.*

¹²⁸ The term “racino” refers to a combined race track and casino. In some cases, gaming available in racinos is limited to slot machines. However, some locations include table games such as blackjack, poker, and roulette. Saginaw Chippewa Sub-Chief Bernie Sprague noted that there were no meaningful efforts by CCS to stop racinos in Michigan. See Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (June 13, 2006).

¹²⁹ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹³⁰ *Id.*

¹³¹ Capitol Campaign Strategies document production (no Bates number) (entitled “Market Share Infringement and Political Analysis”) (May 18, 2002).

F. ABRAMOFF ON TRIBAL CLIENT MANAGEMENT—"KEEPING OUR PEOPLE IN POWER"

Apparently, Abramoff was not content simply to have Tribal members supportive of his representation of the Tribe elected to the Tribal Council. As he told one of his senior associates, "[u]nderstanding tribal politics, and keeping our people in power, is the priority of client management."¹³² Evidence in the Committee's possession indicates that Abramoff attempted to interfere in internal tribal politics to assure that the Tribe would remain supportive. Abramoff did so primarily by manipulating Petras and Petras' apparent influence over then-Chief Maynard Kahgegab and other members of the Slate of Eight. According to Abramoff, Petras was his "one secure ally" at the Tribe.¹³³

Abramoff's machinations began almost immediately. In January 2002, when Petras requested that Abramoff's team set up meetings with Members of Congress for then Sub-Chief David Otto, one of Abramoff's colleagues inquired whether there was a problem with the representation. Abramoff explained, "[Petras] wants an excuse to get Otto to town to make sure he is OK with us. Otto and Maynard are starting to be at contretemps."¹³⁴

One of Abramoff associates asked, "I thought Otto was one of our guys?"¹³⁵

Abramoff answered, "He is, but there is an ego thing going on there. He is not mad at us, but he has been nervous about our getting such a big contract, figuring correctly that their enemies at the tribe would be upset. That's why deliverables are the key."¹³⁶

He explained, "He and Maynard are at odds a bit. The original deal was that whoever got the most votes would be chief and the next guy would be subchief, as between the two of them. Maynard beat him out."¹³⁷

Furthermore, Abramoff noted, "Problem is that Maynard's style needs some work: too much 'me' and 'I' and not enough 'we'. David just needs to hold our hands again so he is calm on the lobbying front."¹³⁸

With the Tribe's casino operations serving as a premium revenue source for his secret partnership with Scanlon and even though he had co-opted the Tribe's trusted legislative director, Abramoff was keen on shoring up his supporters on the Tribal Council. He told Scanlon, "Regarding Sagchip, we need to present a plan to re-solidify these guys politically."¹³⁹

And, he intended to travel to the Tribe to do precisely that: "I am going there tomorrow by the way, on the way back from Nevada. Meeting with our slate on the council, chief, subchief, et al

¹³² Email from Jack Abramoff, Greenberg Traurig, to Todd Boulanger, Greenberg Traurig (GTG-E000026398) (May 30, 2002).

¹³³ Email from Jack Abramoff, Greenberg Traurig, to Todd Boulanger, Greenberg Traurig (GTG-E000026141) (February 21, 2002).

¹³⁴ Email between Jack Abramoff, Greenberg Traurig, and Todd Boulanger, Greenberg Traurig (GTG-E000000327) (January 22, 2002).

¹³⁵ *Id.*

¹³⁶ *Id.*

¹³⁷ *Id.*

¹³⁸ *Id.*

¹³⁹ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG-E000024827) (February 6, 2002).

[sic], to make sure they start doing the local political work they need to do to stay in power.”¹⁴⁰

With the Slate of Eight keenly interested in assuring its incumbency, CCS appears to have served as an extension of Abramoff's interest in “keeping [his] people in power.” A CCS document, entitled “Saginaw Chippewa Indian Tribe of Michigan Public Relations Plan,” dated April 5, 2002, identifies its objective as “provid[ing] the Saginaw Chippewa Tribal Council with the tools and resources necessary to successfully and *proactively* promote their agenda and improve their image among tribal members, the media and legislators.”¹⁴¹

Furthermore, the document states, “The goal is to make this Tribal Council the most powerful and effective Administration in the history of the Saginaw Chippewa Indians of Michigan and secure their reelection.”¹⁴²

How did CCS intend to do this? CCS' strategy was “to arm the Tribal Council with an effective message and the resources needed to communicate that message in a clear, accurate and concise fashion ... Each action and activity is conceived to maximize the Tribal Council's visibility and bolster its political capital.”¹⁴³ In particular, CCS intended to “identify opportunities to promote the Tribal Council's agenda through targeted media and Saginaw Chippewa-sponsored events and activities.”¹⁴⁴ With “CCS ... propos[ing], stag[ing] and help execut[ing] all intra-tribe communications as directed by the council,” intra-tribe relations would “focus on establishing dialogue between the Tribal Council and tribal members, ultimately building a trust that leads to voter capital.”¹⁴⁵ Rather cryptically, the plan proposed to have “CCS ... collaborate with the Tribal Council to develop a response system for the notification of an incident/emergency, as it relates politically.”¹⁴⁶ In conclusion, the public relations plan noted that the “internal and external strategies outlined above will enable the Saginaw Chippewa Tribal Council to effectively communicate their agenda, resulting in a successful and highly regarded Administration.”¹⁴⁷

In an update memorandum from CCS associate Christopher Cathcart to Otto and Petras, dated April 19, 2002, Cathcart described CCS' efforts to date:

Our public relations team parachuted in to manage your community meeting April 1. As you know, we produced and delivered a “save the date” mailer that was mailed the week prior to the meeting. Additionally, we were able to produce a press release for your internal press person to distribute. While in Mt. Pleasant, the CCS team prepared Sub-Chief Otto's and your remarks to the membership and

¹⁴⁰ Email from Jack Abramoff, Greenberg Traurig, to Todd Boulanger, Greenberg Traurig (GTG-E000025064) (February 12, 2002).

¹⁴¹ Capitol Campaign Strategies document production (no Bates number) (entitled “Saginaw Chippewa Indian Tribe of Michigan Public Relations Plan”) (April 5, 2002) (emphasis in original).

¹⁴² *Id.*

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

also developed a comprehensive timeline for the entire meeting.¹⁴⁸

As internal strife began emerging among the Slate of Eight—specifically between Chief Kahgegab and Sub-Chief Otto—Abramoff and Scanlon focused on securing their allies on the Council: “Maynard and David are totally going at it. David has turned on Chris and possibly us (or at least is stupid and is the one who has been giving out our memos to the council). This could be a good thing ultimately if we can get Maynard secured in power, because he is now focused on needing us.”¹⁴⁹

One tactic the Slate of Eight apparently employed to neutralize its opponents on the Tribal Council was to deny them access to important information and meetings. They did so, if not on the advice of, then with the encouragement of, Abramoff. For example, when Petras reported that “another Council member or two could be joining” a Tribal Council meeting, Abramoff became alarmed: “This is a potential problem! Who might be joining? They have to be totally part of the family. We cannot risk that they are in the opposing camp. Please let me know what you have in mind as soon as possible. thanks. [sic]”¹⁵⁰

Similarly, when Abramoff attempted to convince the Saginaw Chippewa to participate in his program to have tribes underwrite his use of sky boxes at D.C.-area sporting venues, he and Petras discussed limiting information that would be seen by the full Tribal Council. Preparing to present that program to the Tribal Council, Petras advised Abramoff:

When I brought up the issue previously, the response was it was too soon to ask. However, I just talked to the Chief and he said bring the materials over. I have the materials but need to know if all can see the documents or if there is another document that needs to be typed outlining the program and payment costs? Something that says basically here is the program, here is what the Tribes use the program for, here is what it will cost total and with quarterly payments. I need a document that everyone who would be utilized throughout the process can see. Thanks.¹⁵¹

Abramoff advised shutting out the opposition to the greatest extent possible: “Can you hand out the invoice (but only to the slate [sic] of 8) and just read them the memo? The opposition should just hear this at the table orally and get nothing in writing. Will that work?”¹⁵²

Abramoff even attempted to control the Tribe’s external relations with other tribes. For example, when the Saginaw Chippewa’s leadership prepared to meet with the leadership from the Mississippi

¹⁴⁸ Capitol Campaign Strategies document production (no Bates number) (entitled “Memorandum”) (April 19, 2002).

¹⁴⁹ Email between Michael Scanlon, Capitol Campaign Strategies, and Jack Abramoff, Greenberg Traurig (GTG-E000001168) (May 17 and 19, 2002).

¹⁵⁰ Email from Jack Abramoff, Greenberg Traurig, to Chris Petras, Saginaw Chippewa Indian Tribe (GTG-E000024973) (February 11, 2002).

¹⁵¹ Email between Christopher Petras, Saginaw Chippewa Indian Tribe, and Jack Abramoff, Greenberg Traurig (GTG-E000001142) (February 19, 2002).

¹⁵² *Id.*

Band of Choctaw Indians, Abramoff attempted to manipulate the meetings between the chiefs:

Chris told me this morning that Cheryl is setting up the SagChips [sic] to visit the Choctaws, which is great. it [sic] is important that they see how things are done right. There is one thing I wanted to mention though. I was told that Cheryl might be working to set up a separate meeting for Chief Maynard with Chief Martin. Based on the dynamic in the room during our meeting last week, I think you could tell that there are some jealousies among the group, particularly Sub-Chief Otto and the others feeling that Chief Maynard might not be including them in stuff. Therefore, I think we should be careful about setting up separate meetings and, ideally, keep everyone together for everything for now. Let me know if you agree on this. Thanks Bryant.¹⁵³

A draft of CCS' "Communications Program" for the Tribe, dated 2003, "briefly recap[s] what CCS, in its public relations role, accomplished [for the Tribe] in 2002."¹⁵⁴ According to this document, "CCS planned, staged and produced Community Meetings held by the Council"; "[w]rote speeches for the Chief and other Tribal Members as needed"; "[p]repped the Chief and other Tribal Council members and fine-tuned speeches."¹⁵⁵ Documents reflecting the work that CCS did for the Tribal Council is attached to the end of this Report.

In December 2003, the Saginaw Chippewa held new elections.¹⁵⁶ As a result of those elections, Maynard Kahgegab and the other members of the Slate of Eight allies lost their grip on the Tribal Council and a new chief and sub-chief were elected.¹⁵⁷ The newly elected Tribal Council decided not to retain Abramoff and Scanlon as their lobbyist and public relations specialist, respectively.¹⁵⁸

Newly elected Tribal Chief Audrey Falcon informed Scanlon of the Tribe's decision on January 23, 2004, citing CCS's failure to provide reports and work product regarding a state-wide smoking ban initiative.¹⁵⁹ On February 6, 2004, one of Scanlon's lawyers, Robert Tompkins of the Washington firm of Patton Boggs, demanded payment of \$2,755,000 in connection with the agreement relating to the initiative.¹⁶⁰ Just days after the election, Petras had also repeatedly tried to get the new Tribal Council to pay Scanlon.¹⁶¹ But, on March 5, 2004, shortly after the Committee announced its investigation, another of Scanlon's lawyers, Stephen Braga of Baker Botts, withdrew Scanlon's demand, indicating that

¹⁵³ Email from Jack Abramoff, Greenberg Traurig, to C. Bryant Rogers, Roth, Van Amberg, Rogers, Ortiz & Yepa (GTG-E000001146) (February 18, 2002).

¹⁵⁴ Capitol Campaign Strategies document production (no Bates number) (entitled "Saginaw Chippewa Indian Tribe of Michigan Communications Program 2003") (2003).

¹⁵⁵ *Id.*

¹⁵⁶ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁵⁷ *Id.*

¹⁵⁸ *Id.*

¹⁵⁹ Letter from Chief Audrey Falcon, Saginaw Chippewa Indian Tribe, to Michael Scanlon, Capitol Campaign Strategies (January 23, 2004).

¹⁶⁰ Letter from Robert K. Tompkins, counsel to Capitol Campaign Strategies, Patton Boggs, to Saginaw Chippewa Indian Tribe (February 6, 2004).

¹⁶¹ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (June 13, 2006).

"[CCS] has no desire to try to force this contractual relationship forward with an unwilling party."¹⁶²

Opposition to the new ruling bloc in the Tribal Council began circulating "hit pieces" around the Tribe, attacking newly elected Chief Audrey Falcon, Sub-Chief Bernie Sprague, and others.¹⁶³ While who authored those pieces is unclear to the Committee, the Committee understands that, as a result of its own internal investigation, the Tribe has attributed them to Petras.¹⁶⁴

In an attempt to regain power, former Chief Maynard Kahgegab and former Sub-Chief Robert Pego sought to have the new council recalled.¹⁶⁵ Information obtained by the Committee suggests that Abramoff and Petras were involved in the recall effort. Apparently, on several occasions, they approached Scanlon about helping with that effort.¹⁶⁶ An email from Boulanger to other members of Abramoff's lobbying team, in February 2004, describes Abramoff's work with the ousted leadership against the duly elected members of the Tribe:

As of Friday, Maynard had just under 200 signatures for the recall petition (250 is required). They are going to get 300 just to be sure. This was completed in less than one week, which is highly unusual because the Saginaw are a very slow moving tribe. Diana, who was originally on Maynard's team and then switched to Bernie has finally come back into the fold. Her family was planning on signing the petition this weekend. Also, two of Bernie's guys on the council are scared and trying to get in Maynard's good graces ... they don't know that they are also on the recall list. Once the recall is completed, we are going to have to get a letter to BIA asking that they send monitors, etc, to the special election date ... if Robert Pego wins the special election on the 11th for the vacant seat, we may actually have a majority and can at a minimum get Rosenthal fired. This is confidential, obviously.¹⁶⁷

With Petras serving as Abramoff's point man on the recall effort, Abramoff was prepared to help fund it.¹⁶⁸ In a status report later that day, Boulanger reported: "They are less than 50 signatures short of the recall. Maynard has been pounding them with mailings ... which to be honest with you, aren't that bad."¹⁶⁹

He continued, "They are running out of money for copying, stamps, etc. Petras asked if we could come up with \$2500 to help

¹⁶² Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

¹⁶³ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁶⁴ From its internal investigation, the Tribe has found that Petras wrote these pieces. Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (June 13, 2006).

¹⁶⁵ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁶⁶ Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

¹⁶⁷ Email from Todd Boulanger, Greenberg Traurig, to Jack Abramoff, Michael Smith, Kevin Ring and Michael Williams, Greenberg Traurig (GTG-E000028359) (February 9, 2004).

¹⁶⁸ See Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

¹⁶⁹ Email from Todd Boulanger to Jack Abramoff, Michael Smith, Kevin Ring, Shawn Vasell and Michael Williams, Greenberg Traurig (GTG-E000028361) (February 9, 2004).

them out.”¹⁷⁰ Kahgegab and Pego’s efforts, apparently with assistance from Petras and Abramoff, to have the newly elected council recalled failed.¹⁷¹

Abramoff was prepared to contribute, instructing associate Shana Tesler to get Petras money from one of his accounts, which Boulanger carefully specified should be “cash.” Two days later, Boulanger reported that Kahgegab would have 300 signatures within the next few days.¹⁷² The foregoing describes Abramoff and Scanlon’s elaborate, albeit unsuccessful, attempts to assure, by further interfering in internal tribal matters, that the Tribe would keep them on as its paid representatives.

G. CHRISTOPHER PETRAS’ HEARING TESTIMONY IS NOT CREDIBLE

On September 29, 2004, former Saginaw Chippewa legislative director Christopher Petras testified before the Committee. The Committee is concerned about the veracity of his testimony. It appears that, with his testimony, Petras intended to obscure his contemporaneous relationship with Abramoff and Scanlon and the assistance he gave them in maximizing their interests at the Tribe’s considerable expense.

1. Petras’ Relationship With Abramoff and Scanlon

Serving as Abramoff and Scanlon’s primary point of contact with the Tribe, Petras proved to be their key to access to the Saginaw Chippewa.¹⁷³ Abramoff and Scanlon apparently obtained Petras’ help by assisting in the election of a slate of candidates supportive of his promotion to legislative director (and the considerable increase in his salary). Apparently, they also did so by lavishing him with attention and favors during his visits to Washington, D.C., including sky box tickets for sporting events and concerts at area stadiums.¹⁷⁴ On one such visit, Petras had his photograph taken with, separately, President George W. Bush and his chief political advisor Karl Rove.¹⁷⁵

Those trips, during which Petras was driven around town in a private car and for which his meals and entertainment were expensed back to the Tribe, seem to have been frequent.¹⁷⁶ In his interview with staff, tribal Sub-Chief Bernie Sprague stated that Petras traveled to Washington about every two weeks.¹⁷⁷ Sprague regarded the purpose of those trips as dubious.¹⁷⁸ Former Abramoff associate Stephanie Leger Short agreed that Petras was “around a

¹⁷⁰ *Id.*

¹⁷¹ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁷² Email from Jack Abramoff, Greenberg Traurig, to Todd Boulanger, Capitol Campaign Strategies (GTG-E000028364) (February 11, 2004).

¹⁷³ See Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004); Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁷⁴ *Id.* (conveying concern about gratuities).

¹⁷⁵ “Tribal Lobbying Matters,” *Hearing before the Committee on Indian Affairs*, 108th Cong. at 45 (September 29, 2004).

¹⁷⁶ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

¹⁷⁷ *Id.*

¹⁷⁸ *Id.*

lot”—at least once a month, if not more.”¹⁷⁹ In her interview, Short described Petras’ visits as “high maintenance” and noted that “[the Greenberg Traurig’s associates] were running out of people [for Petras] to meet with, because they had pretty much met with everybody at that point.”¹⁸⁰ After a while, the meetings were being set up as “dog-and-pony shows,” she said.¹⁸¹

In fact, Petras’ trips were so frequent and so demanding on Abramoff’s staff, he was regarded as something of a nuisance. This is reflected in, for example, a March 22, 2002, email between Abramoff senior associate Todd Boulanger. It begins with Petras informing Boulanger of his itinerary of an upcoming trip to Washington:

Todd, I am scheduled to arrive in D.C. on April 9 and returning on the 12th... I have asked Members of the Council to join me and will await their response. However, please schedule meetings, [i]ncluding lunch and dinner meetings at Signature’s [sic]. Jack had mentioned a possible lunch or dinner with Mr. Norquist on one of the days if he is available. If Signature’s [sic] is serving breakfast maybe you can schedule a meeting then. Also, I will probably be returning April 15–18th.¹⁸²

Boulanger was not pleased, writing Abramoff, “How am I going to schedule six days [of] meetings. This is fucking ridiculous. There is no way I can basically take 2 weeks to shuttle him around. This has to be dealt with.”¹⁸³

Abramoff offered some consolation, “I will set up the Grover meeting. What a loser.”¹⁸⁴

Similarly, on July 2, 2002, during another visit to Washington, Petras suggested, “Perhaps on the next visit, you and I can host an official for dinner at Signature’s [sic].”¹⁸⁵

Abramoff wrote Boulanger, “Host an official for dinner at Signatures? What the hell is this?”¹⁸⁶

Boulanger answered, “U 100 percent need to tell him he can’t come back until post August [sic]. Approps staff are getting mad at us.”¹⁸⁷

From information obtained by the Committee, it appears that the foregoing was not atypical of Petras’ trips to Washington.

During the Committee’s hearing, then-Vice-Chairman Inouye probed what gifts Petras may have received from Abramoff or Scanlon while he served as the Tribe’s legislative director:

VICE-CHAIRMAN INOUE: Did you receive any gift or remuneration or compensation from these two men from Washington?

¹⁷⁹ Interview of Stephen Leger Short, former associate, Greenberg Traurig, in Washington, D.C. (August 18, 2005).

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

¹⁸² Email between Todd Boulanger, Greenberg Traurig, and Jack Abramoff, Greenberg Traurig (GTG-E000078656) (March 22, 2002).

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ Email from Christopher Petras, Saginaw Chippewa Indian Tribe, to Jack Abramoff, Greenberg Traurig (GTG-E000078774) (July 2, 2002).

¹⁸⁶ Email between Jack Abramoff, Greenberg Traurig, and Todd Boulanger, Greenberg Traurig (GTG-E000078773-74) (July 2, 2002).

¹⁸⁷ *Id.*

MR. PETRAS: All I can recall receiving was a video camera-digital camera, a leather travel document holder and some type of slide projection desktop screen.

VICE-CHAIRMAN INOUE: Did you feel that it was proper or improper?

MR. PETRAS: It was at Christmas. [Laughter]¹⁸⁸

Among the gratuities that Petras did not disclose was the \$2500 he solicited in 2004 from Abramoff to support a recall campaign against the incumbent Tribal Council.¹⁸⁹ Documents in the Committee's possession also indicate that, Maynard Kahgegab, whose campaign for Tribal Chief Petras (and CCS) helped with, also received gifts from Abramoff. On July 21, 2003, Abramoff discussed with one of his assistants a "television gift" for Chief Kahgegab: "We bought him one for Christmas, right? Can you show me what we got him? [H]e complained tonight that it was too small. We might have to get him another one. [W]hat joy!"¹⁹⁰

2. Problems With Petras' Testimony

During its September 29, 2004, hearing, the Committee posed several questions to Petras about his involvement in tribal elections—both the campaign of the Slate of Eight for seats on the Tribal Council and subsequent efforts to keep the then-incumbent members of the slate on the Tribal Council. In response, Petras relied on a chronic failure of recollection. In particular, he testified that he could not recall "at any time having anything to do with [Tribal Council] elections."¹⁹¹ He also stated that he did "not recall any discussion regarding bringing in Mr. Scanlon to run *any* type of campaign."¹⁹² In response to a specific question from the Committee about the strategy meeting with Scanlon and Otto at the Bob Evans restaurant, Petras testified that he could not recall "discussing any strategy for a [S]late of [E]ight."¹⁹³

However, this Report has presented testimony and documents that indicate that Petras not only came up with the "Slate of Eight" concept but also was heavily involved in helping Scanlon implement a plan to help elect the Slate of Eight to the Tribal Council. Given the volume of that evidence, discussed above, the Committee finds Petras' failure of recollection on this point misleading.

Despite his alleged failure to remember having had anything to do with Tribal elections, documents indicate that Petras actually persisted in trying to get CCS to help on the re-election of incumbent members of the Tribal Council. For example, an October 1, 2003, memorandum from then-CCS associate Christopher Cathcart to the file, entitled "MI Elections," reflects that Scanlon had "repeated and contentious discussions with Petras' about his attempts

¹⁸⁸ "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 41 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

¹⁸⁹ See Email from Jack Abramoff, Greenberg Traurig, to Shana Tesler, Greenberg Traurig (GTG-E000028361) (February 9, 2004).

¹⁹⁰ Email from Jack Abramoff, Greenberg Traurig, to Holly Bowers, Greenberg Traurig (GTG-E000000008) (July 21, 2003).

¹⁹¹ "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 42 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

¹⁹² *Id.* at 40 (emphasis added).

¹⁹³ *Id.* at 41.

to have CCS work on individual election efforts of Tribal Council members.¹⁹⁴ To Cathcart, this “looked fishy and smelled fishy.”¹⁹⁵ According to the memorandum, Cathcart “repeatedly advised ... Chris Petras ... that we as a firm can do no work [on such efforts].”¹⁹⁶

Days later, Petras apparently “came to [CCS]’ offices today asking again that we help in the council elections scheduled for next Tuesday, October 14th.”¹⁹⁷ According to a memorandum reflecting this discussion, Cathcart “again expressed [his] opinion that since [CCS is] contracted with the tribe, [CCS] cannot be involved with the elections.”¹⁹⁸ In this document, Cathcart memorialized that “[Petras] was very upset by this line of discussion ...”¹⁹⁹ On October 7, 2003, in another note to the file, Cathcart memorialized that “[Scanlon] expressed that he would discuss the matter with Chris Petras and express to [him] that that [sic] was our position.”²⁰⁰ Memorializing “the behavior of Chris Petras, our sole contact at Saginaw Chippewa[,] to be inappropriate with regard to [CCS]’ relationship with the tribe,” Scanlon drafted his own note to the file that “[Petras] has repeatedly pressed his and the chiefs [sic] political concerns into our business relationship with the tribe.”²⁰¹ He also memorialized that he and Cathcart “have continually told [Petras] that we (CCS) can not [sic] use tribal funds to conduct campaign activity ...”

As described above, the Committee has received information indicating that Petras was heavily involved in the 2004 recall effort. Apparently, at one point, Petras and Abramoff were on a speaker phone yelling at Scanlon because Scanlon would not help with that effort.²⁰² The Committee has also received information indicating that Petras asked Scanlon to write a negative letter about a Tribal Member associated with the effort—perhaps Bernie Sprague.²⁰³ Petras apparently provided Scanlon with negative personal information about that member.²⁰⁴ About three weeks before Sprague was elected to the Tribal Council, an anonymous letter conveying disturbing allegations was mailed out to members of the Tribe.²⁰⁵

Not only did Petras claim to not recall what he did to support the re-election efforts of particular Tribal Council members, he al-

¹⁹⁴ Capitol Campaign Strategies document production (BB/SC 08552) (entitled “Memorandum, from Christopher Cathcart, Capitol Campaign Strategies, to file, ‘MI Elections’”) (October 1, 2003).

¹⁹⁵ Interview of Christopher Cathcart, former associate, Capital Campaign Strategies, in Washington, D.C. (October 6, 2004).

¹⁹⁶ Capitol Campaign Strategies document production (BB/SC 08552) (entitled “Memorandum, from Christopher Cathcart, Capitol Campaign Strategies, to file, ‘MI Elections’”) (October 1, 2003).

¹⁹⁷ Capitol Campaign Strategies document production (BB/SC 08547) (entitled “Memorandum, from Christopher Cathcart, Capitol Campaign Strategies, to file, ‘MI Elections’”) (October 6, 2003).

¹⁹⁸ *Id.*

¹⁹⁹ *Id.*

²⁰⁰ Capitol Campaign Strategies document production (BB/SC 08551) (entitled “Memorandum, from Christopher Cathcart, Capitol Campaign Strategies, to file, ‘Tribal Council Election in Michigan’”) (October 7, 2003).

²⁰¹ Capitol Campaign Strategies document production (BB/SC 08549) (entitled “Memorandum, from Michael Scanlon, Capitol Campaign Strategies, to file, ‘Saginaw Chippewa/Chris Petras’”) (October 9, 2003) (carbon-copying Cathcart).

²⁰² Email from Steven Braga, Esq., Baker Botts, to Saginaw Chippewa Indian Tribe (no Bates number) (March 30, 2006) (conveying responses from Scanlon to questions posed by Tribe).

²⁰³ *Id.*

²⁰⁴ *Id.*

²⁰⁵ *Id.*

legedly could not recall anything about Abramoff's involvement in assisting in the recall of the other members of the Tribal Council, who were elected after the Slate of Eight left office.²⁰⁶ However, given the evidence described above that indicate that Petras knew a great deal about Abramoff's involvement here, the Committee finds Petras' chronic failure to recall matters about this issue, and other issues, disingenuous. Of additional interest to the Committee is Petras' inability to recall all of the gifts or remuneration he may have received from Abramoff or Scanlon, also discussed above.

On areas apparently unaffected by his chronic failure of recollection, Petras made statements that are inconsistent with the testimony of other, more credible, witnesses. Two areas that the Committee probed with Petras during the hearing were his role in the Tribe's hiring of Abramoff and his role in getting the Tribe to pay on Abramoff's requests for political and charitable contributions. During the hearing, Petras described his role in the Tribe's hiring of Abramoff as merely passing information on to the Tribal Council as to who it should hire as an outside counsel or lobbyist and that legislative assistant Kim Sawmick actually made the recommendation.²⁰⁷ Inasmuch as Petras covered federal legislative matters for the Tribe, the Tribal Council likely would have given substantial deference to Petras as to who the Tribe should hire as its federal lobbyist. Indeed, former Tribal Sub-Chief David Otto stated that Petras actually recommended Abramoff as his choice for the job.²⁰⁸ Likewise, Tribal Sub-Chief Bernie Sprague told staff that Petras "brought in Abramoff."²⁰⁹

Petras likewise testified that "[t]here were no efforts on my behalf to try to push either way any type of political contribution."²¹⁰ This was offered in response to a question from the Committee as to whether Petras "encourage[d] or assist[ed] Mr. Abramoff in encouraging the tribes to donate to [the] so-called charities that he promoted."²¹¹

However, Otto's testimony rebuts Petras' recollection. In particular, Otto recalled Petras' telling him that the Council of Republicans for Environmental Advocacy ("CREA") was a group with which Interior Secretary Gale Norton was "involved."²¹² According to Otto, Petras also said that supporting a project the Secretary was involved with would "look good for the Tribe."²¹³ Otto also recalled that he was told that doing so would "help [the Tribe] with appropriations for their school, drug abuse center, senior center, and etc."²¹⁴

²⁰⁶ "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 40 (September 29, 2004).

²⁰⁷ *Id.* at 42-44, 48.

²⁰⁸ Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

²⁰⁹ Interview of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (September 13, 2004).

²¹⁰ "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 39 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

²¹¹ *Id.*

²¹² Interview of David Otto, former Sub-Chief, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

²¹³ *Id.*

²¹⁴ *Id.*

Documents indicating that Abramoff told Petras that the Secretary supported CREA help corroborate Otto's account. In an email, dated September 19, 2001, from Abramoff to Petras, Abramoff tried to persuade the Tribe to make a sizeable contribution to CREA.²¹⁵ In connection with a CREA fund-raiser at a private Washington, D.C. home, Abramoff falsely pitched CREA as "hav[ing] been incredibly helpful on certain specific tribal issues' and misrepresented CREA as "[Secretary] Norton's main group outside the department."²¹⁶ After having told Petras about the Secretary's connection to CREA, on January 31, 2002, Abramoff directed his assistant make the following change to a requested contribution list going to the Saginaw Chippewa: "add in \$50,000 for CREA and put a note in the candidate column as follows: Sec. Norton."²¹⁷

From its due diligence, the Tribe estimates that "[t]he Saginaw Chippewas were taken by Mr. Petras and Mr. Scanlon and Mr. Abramoff over a 2-year period of approximately \$1 million in contributions ... Campaign contributions to people we never heard of, people we knew nothing about, organizations, different things of this nature."²¹⁸ Given the foregoing, the Committee is concerned about the accuracy of Petras' testimony to the Committee.

H. ABRAMOFF AND SCANLON PRIVATELY EXPRESS CONTEMPT FOR THE TRIBE

While Abramoff and Scanlon worked closely with the Tribe for their own purposes, they expressed an unsettling contempt for their clients. Evidence of their contempt can be traced to the beginning of their representation of the Saginaw Chippewa. For example, on December 17, 2001, shortly after the Tribal Council elections, Abramoff and Scanlon awaited the new Council's vote on a project proposed by Scanlon's CCS: "Just spoke with Chris. Did you get Maynard? Chris said they are voting on the project today!! Can you smell money?!?!?!"²¹⁹

When the new Council failed to vote on the project, Abramoff was unreserved in his contempt: "The f'ing troglodytes didn't vote on you today. Dammit."²²⁰

Scanlon asked, "What's a troglodyte?"²²¹

Abramoff responded, "What am I a dictionary? :) It's a lower form of existence basically."²²²

Continuing their exchange, Abramoff explained the Saginaw Chippewa's failure to vote on one of Scanlon's proposals: "They spent the whole time discussing the firings of late. I like these

²¹⁵ Email from Jack Abramoff, Greenberg Traurig, to Christopher Petras, Saginaw Chippewa Indian Tribe (GTG-E000105233-34) (September 19, 2001).

²¹⁶ *Id.*

²¹⁷ Email from Jack Abramoff, Greenberg Traurig, to Allison Bozniak, Greenberg Traurig (GTG-E000107697) (January 31, 2002).

²¹⁸ "Tribal Lobbying Matter," *Hearings before the Committee on Indian Affairs*, 108th Cong. at 29 (September 29, 2004) (prepared statement of Bernie Sprague, Sub-Chief, Saginaw Chippewa Indian Tribe).

²¹⁹ Email from Jack Abramoff, Greenberg Traurig, to Mike Scanlon, Capitol Campaign Strategies (GTG-E000002363) (December 17, 2001).

²²⁰ Email from Jack Abramoff, Greenberg Traurig, to Mike Scanlon, Capitol Campaign Strategies (GTG-E000002365) (December 17, 2001).

²²¹ Email between Michael Scanlon, Capitol Campaign Strategies, and Jack Abramoff, Greenberg Traurig (GTG-E000002365) (December 17, 2001).

²²² *Id.*

guys, and truly believe they are going to do the program, but they are plain stupid. They should have had you on board first and then done the firings. Morons.”²²³

Likewise, on March 13, 2002, Mr. Abramoff simply referred to the Tribe, in the subject line of an email to Scanlon, as “those f’ing SagChips.”²²⁴

In that e-mail, Abramoff expressed concern that the Tribe was not going to participate in his Sports Suites program, because the Tribe was already spending too much money and was not seeing results from Scanlon.²²⁵

Scanlon retorted that the tribe “are just friggin cheap—and losers ...”²²⁶

Furthermore, in an e-mail bearing the subject line “SagChip idiots”, Abramoff wrote:

Someone leaked out the Operation Red Wing memo to the enemy up there. Petras told me this tonight. The PR guy, Joe?, is the enemy and—I did not know this—is a Sagchip, and is now going to run for council!! These mofos are the stupidest idiots in the land for sure.²²⁷

In discussing a trip to the Tribe in June 2002, Scanlon wrote:

Also, we need to figure something out on the trip to sag—I can travel two weekd [sic] in [a] row and you know that petras is always dramatic [sic]. It would really be better for me—and us[,] I believe[,] to just do the whole swing. I really think a trip out to those fools solo is not worth it regardless, because we will not come back with cash or a firm [sic] commitment [sic], but when you throw in the pain in the ass factor and the petras bullshit factor, its [sic] a really bad idea.²²⁸

As the foregoing suggests, Christopher Petras, Abramoff and Scanlon’s champion within the Tribe, did not escape their contempt. Apparently from the outset, Abramoff disparaged Petras as a “dork.”²²⁹ When Petras attempted to get concert tickets for a Michigan state representative running for Congress, Abramoff wrote to a colleague, “Neither rain, nor snow [sic], nor the heat of day will keep him from his appointed idiocy.”²³⁰

Ironically, Abramoff and Scanlon ridiculed Petras privately for talking about people behind their backs. In an email with the subject line “Just Talked to Petras,” Scanlon wrote, “No worries—Im [sic] sorry I felw [sic] off the handle—that guy drives me nuts

²²³ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG–E00002363) (December 18, 2001).

²²⁴ Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (GTG–E000026246) (March 13, 2002).

²²⁵ *Id.*

²²⁶ *Id.*

²²⁷ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG–E000026311) (April 11, 2002).

²²⁸ Email from Michael Scanlon, Capitol Campaign Strategies, to Jack Abramoff, Greenberg Traurig (GTG–E000001175) (June 5, 2002).

²²⁹ Email from Jack Abramoff, Greenberg Traurig, to Rodney Lane (GTG–E000024633) (May 24, 2001).

²³⁰ Email from Jack Abramoff, Greenberg Traurig, to Todd Boulanger, Greenberg Traurig (GTG–E000027857) (February 18, 2003).

sometimes—especially the way he back stabs and talks about everybody behind thier [sic] backs.”²³¹

Abramoff replied, “That’s why he has a mullet.”²³²

Months later, Abramoff had a similar exchange with his senior lobbying associate Todd Boulanger: “What are you doing? Petras is coming to town this week” I’m gonna schedule ... Some Jack—Petras time everyday ...”²³³

He continued, “Have you noticed that he’s wearing better ties and shirts ... [?] I’ve got him to spend some cash on it. He’s into it. Ahahahahhahhaahhaha. If he would [sic] only cut that hair.”²³⁴

Abramoff replied, “Then he wouldn’t look like an Indian, though.”²³⁵

When, at its September 29, 2004, hearing the Committee asked Petras for his reaction to various communications in which Abramoff and his associates disparaged him, his loyalty to Abramoff stood fast—he asked for their context.²³⁶

I. CONCLUSION

Abramoff and Scanlon’s efforts to sign on the Saginaw Chippewa as clients is particularly notable. As they had done with the Agua Caliente, Abramoff and Scanlon insinuated themselves in Tribal Council elections to maximize their chance of getting hired afterwards. In particular, they provided, among other things, strategic advice and logistic support to some of the candidates. Those who ran in the Saginaw Chippewa election called themselves the “Slate of 8.” While Scanlon came up with the name of this slate of candidates, the concept was apparently created by a non-Tribal member—Tribal legislative director, Christopher Petras.

While his motivation for helping Abramoff and Scanlon oust the incumbent Tribal Council remains unclear, evidence indicates that, over the course of (originally) Abramoff’s and (later) Scanlon’s representation of the Saginaw Chippewa, Petras was given things of value. In fact, Petras traveled to Washington, D.C. so often and (with private cars, tickets to sporting events and concerts, meals at posh restaurants, and “meetings” with prominent political personalities) his trips became so demanding on Abramoff’s staff that one former Abramoff associate described what they did for and with Petras as “dog and pony shows.”

The weight of evidence obtained by the Committee indicates that (1) Petras’ assistance was key to Abramoff and Scanlon’s success in getting contracts with the Saginaw Chippewa and (2) those candidates who were elected to the council with Abramoff and Scanlon’s assistance ultimately supported Abramoff and Scanlon’s contract proposals because of, or in exchange for, the assistance that Abramoff and Scanlon provided them.

²³¹ Email between Michael Scanlon, Capitol Campaign Strategies, and Jack Abramoff, Greenberg Traurig (GTG-000024691) (December 12, 2002).

²³² *Id.*

²³³ Email between Todd Boulanger, Greenberg Traurig, and Jack Abramoff, Greenberg Traurig (GTG-E000027698) (March 16, 2003).

²³⁴ *Id.*

²³⁵ *Id.*

²³⁶ “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 108th Cong. at 41–42 (September 29, 2004) (testimony of Christopher Petras, former legislative director, Saginaw Chippewa Indian Tribe).

From June 2002 through October 2003, the Saginaw Chippewa paid Scanlon about \$3,500,000 for grassroots activities and political consulting. Of those proceeds, Scanlon secretly kicked back to Abramoff about \$540,000—about 50% of his total profit from the Tribe during this period. Discussion and analysis of how Abramoff and Scanlon successfully perpetrated their “gimme five” scheme on the Tribe, on an entity-by-entity basis, is contained *infra* in Part 2 of this Report.