

PART THREE—OTHER

CHAPTER I

COUNCIL OF REPUBLICANS FOR ENVIRONMENTAL ADVOCACY

Who writes \$50,000 checks to people they don't know if it wasn't what Jack—Jack said these people have a lot of money, they want to give to Republicans, they're taking my advice, and they really just don't want to be bothered with executive directors [like me]. Fine, and then they sent their checks in. And then what did these disappointed people think they were going to get, and you tell me who's committing fraud ... I mean it all fit ...

Deposition testimony of CREA president Italia Federici to Committee staff, October 7, 2005

You are an environmental organization. You come into a lot of money from Indian tribes. My guess is that that money had nothing to do with generosity, or had very little to do with energy or the environment but had a lot to do with Mr. Abramoff saying to his contacts in these tribes, "I want you to stick money into Ms. Federici's organization," and they did.

Comments from Committee Vice-Chairman Byron Dorgan to CREA president Italia Federici during Committee hearing, November 17, 2005

A. BACKGROUND

Among the issues investigated by the Committee is whether monies paid by the Tribes at Jack Abramoff or Michael Scanlon's direction, to or through particular entities, were used for purposes intended by the Tribes. In that context, the Committee is concerned about "contributions" that some of the Tribes made at Abramoff's direction to an organization called the Council of Republicans for Environmental Advocacy ("CREA") and, in particular, the circumstances under which they made those contributions.

CREA was created in 1997 by Italia Federici.¹ In her deposition with Committee staff, Federici stated that she originally formed the organization in the memory of her mother.² According to Federici, her mother passed away two weeks before former Interior Secretary Gale Norton's 1996 campaign for the U.S. Senate ended.³ (Federici testified that she worked on Norton's failed Senate cam-

¹ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

² *Id.*

³ *Id.* During her deposition, Federici recalled first working with Norton on her race for Colorado attorney general, after a volunteer stint on the 1994 Jeb Bush for Governor campaign. *Id.*

paign “from the day that it started to the day that it ended.”⁴) Federici stated that her mother “liked the notion, my idea of a Republican environmental organization, so I decided to kind of honor her memory by creating CREA in 1997.”⁵ Subsequently, Norton and anti-tax activist Grover Norquist came on board as CREA’s honorary national co-chairmen.⁶

According to Federici, CREA later closed “because we reorganized when we moved out here [to Washington, D.C.] in 1999 and [prominent Republican lawyer] Ben Ginsburg became our general counsel and he said, I want to reincorporate you guys in the District [of Columbia].”⁷

It did so.⁸ After having been registered as a 527 political fundraising entity, it reorganized as a 501(c)(4) non-profit organization.⁹ According to CREA’s website, its mission is “to foster environmental protection by promoting fair, community[-]based solutions to environmental challenges, highlighting Republican environmental accomplishments and building on our Republican tradition of conservation.”¹⁰

1. *Abramoff Has His Tribal Clients Pay CREA*

In testimony before the Committee, Federici revealed that, from 2001 through 2003, Abramoff or his clients “contributed” in total about \$500,000 to CREA.¹¹ Evidence obtained by the Committee indicates that Abramoff directed some of his Tribal clients to “contribute” to CREA, occasionally under false pretenses. For example, to induce the Ysleta del Sur Pueblo of Texas (“Tigua”) into giving \$25,000 to CREA in 2002, Abramoff told a Tribal representative that CREA was “a DeLay organization.”¹²

⁴ *Id.*

⁵ *Id.* In her deposition, Federici could not recall having drawn a salary from CREA from 1997–2000. *Id.* In 2001, she believed that “her income tax return said that [she] made like \$25,000.” *Id.* And, in 2002, she believed that she “might have made like 56 [thousand dollars]” and \$85,000 in 2003. *Id.* It is noteworthy that Federici’s salary from CREA appears to have spiked during the period that Abramoff’s Tribal clients contributed to CREA.

⁶ *Id.* Federici described, in her deposition with Committee staff, that Norquist was instrumental to CREA by including CREA in his Wednesday policy meetings and introducing CREA to Newt Gingrich, who served as CREA’s “first kickoff speaker ever, which was huge.” *Id.* She further described Norquist as “[j]ust always helpful, [providing] good advice.” *Id.* According to an email dated January 8, 1999, Federici met Abramoff “at a football game with ... Norquist.” Email between Susan Ralston, Greenberg Traurig, and Jack Abramoff, Greenberg Traurig, “Call from” (GTG–E000079149) (January 8, 1999).

⁷ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

⁸ *Id.*

⁹ Originally called the Coalition of Republicans for Environmental Advocacy, in mid-2000, CREA was renamed the Council of Republicans for Environmental Advocacy and registered as both a 527 political fund-raising entity and as a D.C.-based 501(c)(4), a nonprofit organization that may engage in some lobbying activities. Josephine Hearn, *DOJ Subpoenas GOP Group*, The Hill, March 1, 2005. However, last year, CREA reportedly edited a reference on its website referring to it as a 501(c)(4), replacing the text with more vague language. *Id.*

¹⁰ Website, Council of Republicans for Environmental Advocacy, “Mission Statement,” <http://www.crea-online.org/2222-20.html> (last visited, June 3, 2006). Since its inception, CREA has met skepticism from other environmental groups. See Josephine Hearn, *DOJ Subpoenas GOP Group*, The Hill, March 1, 2005. For example, Republicans for Environmental Protection called the group a “greenscam” in 1998 after it was revealed that the group received significant funding from the mining, logging, chemical and coal industries. *Id.*

¹¹ “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 38–40 (November 17, 2005).

¹² See Interview of Marc Schwartz, president, Partners Group Consultants, by telephone (February 22, 2005).

In March 2002, the Mississippi Band of Choctaw Indians (“Choctaw”) contributed \$50,000 to CREA.¹³ In soliciting the Tribe for that contribution, Abramoff told that Tribe that CREA did work “in terms of liberalizing environmental rules and that was an activity the Tribe wanted to support.”¹⁴

In 2001, the Coushatta Tribe of Louisiana (“Louisiana Coushatta”) gave \$50,000 and \$100,000 in 2002.¹⁵ Of the \$50,000 that the Tribe paid CREA in 2001, it paid at least \$25,000 in connection with a private fund-raiser, held on September 24, 2001.¹⁶ During that dinner, then-Tribal Chief Lovelin Poncho met Norton and other senior Administration officials.¹⁷

In his interview, former Louisiana Coushatta Vice-Chairman William Worfel testified that the \$25,000 that the Tribe paid to CREA was actually intended to support a “national park research study” that Interior was supposedly conducting—a “pet project.”¹⁸ He was told that the Choctaw had contributed, or intended to contribute, \$25,000 to CREA in support of the study¹⁹ and that “Interior then would look and always consider you [that is, the Tribe] friends because you went out on a limb, you went out, reached in your pockets and helped a pet project of the U.S. Department of the Interior when they was [sic] strapped for funds.”²⁰

The Committee has seen no evidence that this study was ever conducted. Worfel never saw this study and does not know whether such a study was actually conducted.²¹ Former Interior Deputy Secretary J. Steven Griles testified at a Committee hearing that he too is unaware of such a study and is highly skeptical about whether one was ever conducted.²²

Apparently, Abramoff used a different pretext to induce the Saginaw Chippewa Indian Tribe (“Saginaw Chippewa”) to contribute at least \$50,000 to CREA. In his interview with Committee staff, former Tribal Council member David Otto recalled that former Tribal legislative director Christopher Petras told him that CREA was a group with which then-Interior Secretary Norton was “involved.”²³ Petras said that supporting a project the Secretary was involved with would “look good” for the Tribe, according to Otto.²⁴ Otto also recalled that he was told that doing so would help them

¹³ See Interview of Nell Rogers, planner, Mississippi Band of Choctaw, in Choctaw, Mississippi (April 27, 2005).

¹⁴ *Id.*

¹⁵ Interview of William Worfel, former Vice-Chairman, Coushatta Tribe of Louisiana, in Washington, D.C. (September 13–14, 2005).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* See “Tribal Lobbying Matters” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 45 (November 2, 2005).

¹⁹ *Id.* See Interview of Nell Rogers, planner, Mississippi Band of Choctaw, in Choctaw, Mississippi (April 27, 2005).

²⁰ Interview of William Worfel, former Vice-Chairman, Coushatta Tribe of Louisiana, in Washington, D.C. (September 13–14, 2005).

²¹ “Tribal Lobbying Matters” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 50–53 (November 2, 2005).

²² See *id.* at 107 (“I do not have any recollection of that today at all. At some point in my background, somebody may have told me something, but I was not at Interior, and I cannot imagine conducting a poll for Interior, Senator.”).

²³ Interview of David Otto, former council member, Saginaw Chippewa Indian Tribe, in Washington, D.C. (August 27, 2004).

²⁴ *Id.*

with appropriations for their school, drug abuse center, senior center, and other facilities.²⁵

Documents reflect that after Norton became Secretary, Abramoff told Petras (and members of his own lobbying team) that Norton supported CREA. In an attempt to get the Tribe to financially support the September 2001 CREA fund-raiser, Abramoff pitched CREA to Petras as “hav[ing] been incredibly helpful on certain specific tribal issues.”²⁶ He also identified CREA as “[Secretary] Norton’s main group outside the department.”²⁷ Having sold CREA on Petras (who was to approach the Tribal Council for a contribution), Abramoff directed his assistant to amend a requested contribution list he was sending to the Saginaw Chippewa to “add in \$50,000 for CREA and put a note in the candidate column as follows: Sec. Norton.”²⁸

The Committee has seen no evidence that Abramoff’s representations about Norton’s interest in CREA are true. Nor has the Committee seen any evidence to suggest that Norton knew of, much less sanctioned, Abramoff or anyone else using her name in seeking fees and donations from Native Americans.²⁹ However, it is clear that, at some point, Abramoff came *to believe* that CREA president Italia Federici had special access at Interior and that she was willing to use it for his or his clients’ benefit. That is reflected in numerous documents, described in this Chapter, illustrating how Abramoff repeatedly went to Federici urgently asking for her help with Interior on pending matters affecting his much-valued Tribal clients. It is also reflected in how much he had these same clients “donate” to CREA. It is further corroborated by a number of internal business communications between Abramoff and his team members that reflect his belief.

A notable example of such a communication is an email, dated January 3, 2002, entitled “Italia Meeting,” from Abramoff to members of his team. In this document, Todd Boulanger, a senior member of Abramoff’s team asked, “Can [Italia] get shit in the President’s budget to [C]ongress?”³⁰

Abramoff responded, “I don’t think she has juice beyond [I]nterior.”³¹ Another example is an email between Abramoff and Boulanger, dated February 12, 2002, entitled “Political Contribution Requests.” In that email, the two discussed including CREA in a political contribution request list they were submitting to the

²⁵ *Id.*

²⁶ Email from Jack Abramoff, Greenberg Traurig, to Christopher Petras, Saginaw Chippewa Indian Tribe (GTG-E000105234) (September 20, 2001).

²⁷ *Id.*

²⁸ Email from Jack Abramoff, Greenberg Traurig, to Allison Bozniak, Greenberg Traurig (GTG-E000107697) (January 31, 2002).

²⁹ Federici, Griles and Norton’s former counselor at Interior, Michael Rossetti, have testified that Norton had no relationship with CREA after Norton became Interior Secretary. Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005); Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005); Interview of Michael Rossetti, former counselor to the Secretary, U.S. Department of the Interior, in Washington, D.C. (October 28, 2005). In addition, Federici testified that she never had any conversations with Norton between 2001 and 2004 about any of Abramoff’s Tribal clients. Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

³⁰ Email between Todd Boulanger, Greenberg Traurig, and Jack Abramoff, Greenberg Traurig (GTG-E000107575) (January 3, 2002).

³¹ *Id.*

Saginaw Chippewa.³² Abramoff wrote Boulanger, “Todd, did we not request money for CREA from them? That’s our access to Norton. We need \$ for them more than many of these others.”³³

Still another example is an email from Abramoff to business associate and Signatures partner Rodney Lane, entitled “CREA—Freshman Reception.” There, the two discussed “comping” a CREA function.³⁴ Ultimately, Abramoff replied, referring to Federici, “[u]nfortunately, she is critical to me.”³⁵ This email is typical of others, such as an email dated June 27, 2002, that describes Abramoff’s reluctantly “comping” CREA functions—at least some of which appear to have been attended by Members of Congress, senior Administration officials, or their senior staff.³⁶ The Committee finds that only one person could have induced Abramoff so convincingly into believing that Federici had stroke at Interior that he directed his Tribal clients to provide substantial contributions to what she herself described as a “mom and pop non-profit”³⁷—Italia Federici. What she said or did to so induce him into this belief is one question, among others, that this Chapter attempts to answer.

2. Federici Promises To Help Abramoff in Exchange for, or Because of, CREA Contributions

When she testified before the Committee, Federici attempted to explain the Tribes’ largesse to her organization by saying that Abramoff told her that his Tribal clients were concerned that over the decades, Democrats became dominant in electoral politics.³⁸ So, according to Federici, Abramoff told her that those Tribes had become used to giving very “heavily to one political party and ... wanted to diversify.”³⁹ They wanted to make sure that they were giving “more evenhandedly.”⁴⁰

As an explanation for why Abramoff’s clients gave so much to CREA within such a short period of time, this is unconvincing.⁴¹ There is no doubt that Abramoff directed his Tribal clients to contribute to CREA. The question is why? Why would Abramoff have had his much-valued Tribal clients (whom he relied on as a significant source of sizeable federal campaign contributions as well as

³² Email between Jack Abramoff, Greenberg Traurig, and Todd Boulanger, Greenberg Traurig (GTG-E000025072) (February 12, 2002).

³³ *Id.*

³⁴ Email between Jack Abramoff, Greenberg Traurig, and Rodney Lane (GTG-E000105191) (March 4, 2003).

³⁵ *Id.*

³⁶ See, e.g., Email from Jack Abramoff, Greenberg Traurig, to Rodney Lane (GTG-E000105140) (June 27, 2002).

³⁷ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ In somewhat surprising testimony, it seems that Federici too found this rationale implausible. While discussing Abramoff’s explanation as to why his Tribal clients were willing to make sizeable contributions to CREA without directly discussing with her CREA’s mission or work, the following exchange occurred during Federici’s deposition. “FEDERICI: Who writes \$50,000 checks to people they don’t know if it wasn’t what Jack—Jack said these people have a lot of money, they want to give to Republicans, they’re taking my advice, and they really just don’t want to be bothered with executive directors [like me]. Fine, and then they sent their checks in. And then what did these disappointed people think they were going to get, and you tell me who’s committing fraud ... I mean it all fit. ... STAFF: [Mr. Abramoff] told you that? FEDERICI: Yes. ...” *Id.* Why, given her concerns, Federici continued to accept these contributions remains unclear. The Committee defers to law enforcement authorities to determine (1) whether, in connection with their contributions to CREA, the Tribes were in fact defrauded and, (2) if they were defrauded, who did so or conspired to do so.

millions in federal lobbying revenue to Greenberg Traurig, secret “gimme five” partnership income with Scanlon, contributions to run his Jewish boys’ school in Maryland; and capital to float his restaurants) pay so much to this obscure organization? Documents in the Committee’s possession suggest that Abramoff did so because of, or in exchange for, special favors that Federici had promised to do for him or his Tribal clients at Interior.

B. ABRAMOFF AND FEDERICI START WORKING TOGETHER

In her deposition with Committee staff, Federici recalled first reaching out to Abramoff, on the advice of friends, to try to persuade him to participate in a real estate investment deal.⁴² In the course of discussing that deal, they first discussed CREA.⁴³ On January 30, 2001, it appears that Federici held herself out to Abramoff as having access to the political appointment process being undertaken by the incoming Administration:

I very much appreciate your generous offers regarding CREA and I’ve been working on the document you requested regarding grassroots and strategy. I look forward to sharing it with you when you return. According to the folks I’ve talked with, Gale is expected to be confirmed with about 80 votes. ... Jeanne Adkins (my friend from [Colorado]) has been offered the CFO position. *She and I are talking later about other positions and she will continue to discuss resumes with appropriate contacts ...*⁴⁴

Abramoff got the hint. After having offered to help raise money for CREA,⁴⁵ he responded, “Thanks so much Italia. Please let me know what I can do to help Dennis Stevens, Mark Zachares (Office of Insular Affairs) and Tim Martin (Bureau of Indian Affairs) be placed. Look forward to hearing from [sic] you regarding CREA.”⁴⁶ Apparently, these were individuals who Abramoff, for his own reasons, wanted placed in the Administration.⁴⁷

According to an email dated March 1, 2001—just seven days before the President nominated Griles for the second highest position

⁴² See *id.*

⁴³ See *id.*

⁴⁴ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000105164) (January 30, 2001) (emphasis added). Federici construed these “generous offers” from Abramoff to mean “[in] general, let’s get you funded, let’s get some support for you guys, this looks like a really good idea.” Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

⁴⁵ See *id.*

⁴⁶ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000105164) (January 30, 2001).

⁴⁷ During Federici’s deposition with Committee staff, staff specifically asked her, “Did you ever help Mr. Abramoff in getting any particular person into the U.S. Department of the Interior at transition in 2000 after the election?” Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005). She responded, “No. Like everyone else in Washington, Jack was forwarding me names of people he thought [then-Interior Secretary] Gale [Norton] would love ... [Abramoff would ask] Hey it would be great if she could interview this person or that person.” *Id.* Documents in the Committee’s possession suggest what Abramoff had in mind. For example, in a contemporaneous email from Abramoff to former Christian Coalition Executive Director Ralph Reed, Abramoff asked Reed for help placing him on the Interior transition team, noting, “this [sic] would be really key for future clients for both of us. Let’s discuss.” Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies, “Interior Dept [sic] transition team” (GTG-E000022954) (October 24, 2000). Reed responded, “ok.” *Id.*

at Interior, Abramoff met with Griles.⁴⁸ Apparently, Federici was present—later reporting to Abramoff that “[a]fter I retrieved my coat I ended up sharing a cab with Steve [Griles]. He really enjoyed meeting you and was grateful for the strategic advice on BIA and Insular Affairs. You definitely made another friend.”⁴⁹

Abramoff responded, in part: “Thank you so much for everything. I am so glad we are working together.”⁵⁰

According to records recently released by the Secret Service, Abramoff visited the White House on March 6, 2001—two days before Griles’ nomination.⁵¹ After Griles was nominated but before he was confirmed, documents suggest, Abramoff tried to approach Griles about tribal issues, in particular, about the BIA’s tribal insurance policy.⁵²

Also in this interim, Abramoff worked with Federici on some special projects. For example, according to an email dated April 10, 2001, entitled “Ben Fitial seeing Secretary Norton,” Federici tried to help Abramoff get a photo opportunity for Ben Fitial with Secretary Norton.⁵³ Fitial had successfully run for governor of the Commonwealth of the Northern Marianas Islands (“CNMI”) and reportedly pressured senior CNMI officials to hire Abramoff. In this email, Federici and Abramoff discussed that the Secretary was not doing “photo-ops’ with anyone.⁵⁴ In that context, Federici promised Abramoff that she would “try to figure out what exactly is going on over there.”⁵⁵ Interestingly, Federici also offered to cover

⁴⁸ See Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig, “Thanks from me and Steve and Invitation” (GTG–E000037865) (March 1, 2001).

⁴⁹ *Id.* While Griles vaguely recalls having met Abramoff “sometime before becoming Deputy Secretary,” he specifically recalls first meeting him at the September 2001 private dinner for CREA. See Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005). Griles could not remember what he talked with Abramoff about—only that he “spoke and said hello to everyone who was there.” *Id.* A few weeks after that dinner, Abramoff prepared a letter to Griles, thanking him for “calling me today” and expressing appreciation for “your help with the [Commonwealth of the Northern Marianas Islands (“CNMI”)] governor’s race and ensuring that the President does NOT endorse anyone in that race, in particular the liberal “Republican” Juan Babuata, who is running against the Speaker and former chairman of the Bush campaign there, Ben Fitial.” Email from Jack Abramoff, Greenberg Traurig, to J. Steven Griles, U.S. Department of the Interior; to Laura Lippy, Greenberg Traurig, “FW: Letter” (GTG–E000105260) (October 18, 2001) (emphasis in original). At his deposition, Griles had no recollection of having had any conversations with Abramoff about the CNMI, Fitial or “anything like that with the White House.” Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005). Furthermore, Griles insisted that “if [he] would have done something on that, [he] would think that [he] would recall it today.” *Id.* In his draft letter to Griles, Abramoff went further, writing, “I also appreciate anything you can do to prod things forward to get Mark Zachares into position at OIA.” Email from Jack Abramoff, Greenberg Traurig, to J. Steven Griles, U.S. Department of the Interior; to Laura Lippy, Greenberg Traurig, “FW: Letter” (GTG–E000105260) (October 18, 2001). The Committee has seen no evidence that this letter was ever sent.

⁵⁰ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig, “Thanks from me and Steve and Invitation” (GTG–E000037865) (March 1, 2001).

⁵¹ Press Release, Judicial Watch, *U.S. Secret Service Releases to Judicial Watch White House Logs Detailing Abramoff Visits—Logs Appear to be Incomplete, Show 2 Documented Visits Available on Judicial Watch’s Internet Site*, www.judicialwatch.org/abramoff-docs.shtml May 10, 2006 (linking to “Abramoff Secret Service Logs”).

⁵² See e.g., Email from Jack Abramoff, Greenberg Traurig, to Italia Federici, Council of Republicans for Environmental Advocacy, “Subject: urgent tribal issue” (SENCREA 00018) (March 20, 2001).

⁵³ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG–E000105287) (April 10, 2001).

⁵⁴ *Id.*

⁵⁵ *Id.*

Fitial's travel expenses to Washington, D.C. in the future and "schedule [a] meeting with Gale."⁵⁶

Likewise, in an email dated May 7, 2001, entitled, "[former Louisiana Coughatta Chairman] Chief Poncho," Federici asked Abramoff, "[i]s there something that I can do to say thank you for [Chief Poncho's] support for CREA—besides the time with Sec. Norton [?]?"⁵⁷

On July 18, 2001, less than a week after Griles arrived in office,⁵⁸ Abramoff wrote former Louisiana Coughatta counsel Kathryn Van Hoof and an associate covering the Tribe:

I have a call into our guy Steve Griles, the Deputy Secretary and his assistant has a memo on the situation ...

Just so I am clear when he and I do hook up, what is our full wish list at this point other than to inform him of the situation on the ground and the need, possibly, to get some positive signals from Norton to the Governor?⁵⁹

He concluded, "Just want to make sure I make all the asks we need."⁶⁰

Afterwards, with Abramoff apparently having induced at least one of his Tribal clients into contributing to CREA in connection with the September 2001 private dinner, Federici wanted to help with Abramoff's book of business. In an email dated January 2, 2002, entitled "dates for another dinner [sic]," Federici proposed to Abramoff another CREA dinner at a private residence.⁶¹ According to this email, Federici offered to "target" intergovernmental relations officials from agencies that Abramoff "need[ed] to work with on CNMI and Indian issues."⁶² Abramoff was amenable to the idea.⁶³ In a similar email, Federici held out the possibility that she could get Abramoff together with Griles and former Assistant Secretary for Indian Affairs Neil McCaleb for a small lunch or dinner.⁶⁴ Abramoff responded, "A small lunch with Steve would be huge for us, since we really need to get to know him."⁶⁵ There can be no doubt that a "CREA dinner" that focused on Abramoff's lobbying needs and "target[ed]" agencies that Abramoff "need[s] to

⁵⁶ *Id.*

⁵⁷ Email from Italia Federici, Council of Republicans for Environmental Advocacy, to Jack Abramoff, Greenberg Traurig (GTG-E000105174) (May 7, 2001). This is similar to an email dated a few months later, January 26, 2002, entitled "Hi Italia." There, Abramoff asked Federici whether she had "any word on getting the Chief a meeting with Gale?" Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000018) (January 26, 2002). In response, Federici offered, "I meet with folks tomorrow and I will call you tomorrow in the early evening." *Id.*

⁵⁸ The Senate confirmed Griles as Deputy Secretary of the U.S. Interior Department on July 12, 2001.

⁵⁹ Email from Jack Abramoff, Greenberg Traurig, to Kathryn Van Hoof, Coughatta Tribe of Louisiana, and Shawn Vasell, Greenberg Traurig, "Status" (COUSH-MiscKVH-0001529) (July 18, 2001).

⁶⁰ *Id.*

⁶¹ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000253568) (January 2, 2002).

⁶² *Id.*

⁶³ *Id.*

⁶⁴ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000105067) (January 3, 2002).

⁶⁵ *Id.* The Committee notes the apparent inconsistency between Abramoff's statement in this email and other older emails (some of which the Committee has cited to above) in which Abramoff professes to have a close relationship with Griles.

work with on CNMI and Indian issues”⁶⁶ had little to do with CREA’s tax exempt purpose.

C. CONTRIBUTIONS IN EXCHANGE FOR ACCESS?

A number of records indicate that Federici promised to help Abramoff’s clients in contemplation of continued contributions from Abramoff’s clients to CREA. Among those records is a January 9, 2003, email between Federici and Abramoff, entitled “help?!!,” in which Federici asked Abramoff, “I hate to bother you with this right now, but I was hoping to ask about a possible contribution for CREA ... [we] have started out the new year with practically nada. I thought I’d see if there was any way you could help us reach out to some of your folks who were so generous last year?”⁶⁷

Abramoff responded, “Absolutely. We’ll get that moving asap. [REDACTED] are coming to DC [REDACTED] so I’ll hit them immediately.”⁶⁸

But, he continued, “By the way[,] Gov Foster ... just sent Gale another letter pushing a new compact he signed for [J]ena. Can you make sure Steve [Griles] knows about this and puts the kibosh on it? Thanks.”⁶⁹

Federici promised, “I will tell him where they are now—and with whom. Thanks Jack!”⁷⁰

Likewise, in an email from Abramoff to Federici, dated January 21, 2003, entitled “Intel from Dept of Int/BIA,” Abramoff asked Federici if she could help him get inside information on BIA action on a pending matter affecting the Louisiana Coushatta, one of Abramoff’s clients and a major contributor to CREA.⁷¹ In the very next sentence, he told Federici that a contribution from one of his clients was on the way: “I’ll have it in a week or so. I’m still working on the rest.”⁷²

In response, Federici wrote, “Thanks Jack! I will ask about the timing and content and call you.”⁷³

Similarly, in an April 3, 2003, email entitled, “urgent alert—DOI Proposes Policy Changes in Compact Review Process,” Abramoff attached a memo on this issue to an email to Federici and wrote, “If this attached memo is correct, someone over at BIA is doing some really odd things. Any way to see if this is something coming from the top? All of our tribes are very agitated about this one.”⁷⁴

In response, Federici wrote, “I will definitely see what I can find out. I hate to bug you, but is there any news about a possible contribution from [REDACTED]?”⁷⁵

⁶⁶ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000253568) (January 2, 2002).

⁶⁷ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (GTG-E000105202) (January 9, 2003).

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ Email from Italia Federici, Council of Republicans for Environmental Advocacy, to Jack Abramoff, Greenberg Traurig (SENCREA 10/04 000057) (January 9, 2003).

⁷¹ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000062) (January 21, 2003).

⁷² *Id.*

⁷³ *Id.*

⁷⁴ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 [illegible]) (April 3, 2003).

⁷⁵ *Id.*

Additionally, in an email from Abramoff to Federici, dated April 10, 2003, Federici discussed the costs associated with a CREA program. In response, Abramoff wrote, "I met last night with [a client]. They offered [REDACTED] but I felt badly asking them since they are not getting any cooperation yet. Perhaps once the court case clears in a few weeks Steve [Griles] might be able to grab control of this. [T]hey are great folks."⁷⁶

Another example is contained in two emails from Abramoff to Federici, dated May 1, 2003. There, referring to a matter pending before Interior, Abramoff told Federici that the BIA is "about to screw the Coushattas, and the other tribes there as well" and asked "[c]an you bring this to [Steve Griles'] attention? We MUST get this stopped."⁷⁷ About an hour later, Abramoff reported to Federici that one of his clients was going to send over a contribution to CREA the following week.⁷⁸

In an email dated August 2, 2003, and entitled "Saginaw Cost Share," Federici responded to an email from Abramoff regarding an apparently unrelated tribal issue pending before Interior.⁷⁹ There, Federici invited Abramoff to call her "if there is an urgent matter" and said that she will "try to talk to someone about this first thing."⁸⁰

Still another example can be seen in the email between Abramoff and Federici, dated January 26, 2002, entitled, "Hi Italia." There, Abramoff asked Federici for an update on getting the chief of one of his Tribal clients a meeting with then-Secretary Norton.⁸¹ In the very next sentence, he gave Federici an update on a contribution to CREA from one of his clients.⁸² In the same email stream, he insisted that Federici needed to get information related to the Jena Band's efforts to get a compact, to Griles "immediately."⁸³ A few weeks later, in an email, dated February 15, 2002, between Abramoff and Scanlon, entitled "shit," Abramoff described a phone call he received from Federici about information she obtained from Griles about the Jena deal.⁸⁴

In testimony before the Committee, Federici attempted to explain away her solicitousness for Abramoff's practice as generosity or, in her words, "to be nice"—acts of kindness in the face of complaints by Abramoff, "consistent ... over the course of years," that the Bureau of Indian Affairs ("BIA") was "in the back pocket of people who didn't like him" and that his work-product and clients were not being treated fairly by Interior.⁸⁵ Federici maintained that she

⁷⁶ Email from Jack Abramoff, Greenberg Traurig, to Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000094) (April 10, 2003).

⁷⁷ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000100) (May 1, 2003) (emphasis in original).

⁷⁸ *Id.*

⁷⁹ Email between Italia Federici, Council of Republicans for Environmental Advocacy, and Jack Abramoff, Greenberg Traurig (SENCREA 10/04 000110) (August 2, 2003).

⁸⁰ *Id.*

⁸¹ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000018) (January 26–27, 2002).

⁸² *Id.*

⁸³ *Id.*

⁸⁴ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG–E000010914) (February 15, 2002).

⁸⁵ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005). According to Federici, Abramoff elaborated that "his work product and his clients were being mistreated and not treated equitably, not treated the way other lobbyists' clients were being treated." *Id.*

was sympathetic to Abramoff's concerns about not being able to get a meeting on a timely basis or get answers to basic questions.⁸⁶ And, she insisted, with her friend Griles serving as the chief operating officer at Interior, she was happy to help a friend.⁸⁷

Federici's explanation is unconvincing. The documents described above suggest that Federici promised to help Abramoff with Interior because of, or in exchange for, Abramoff's directing his clients to contribute to CREA.⁸⁸ Indeed, contributions from Abramoff's Tribal clients were critical to CREA. During a Committee hearing, Federici admitted that Abramoff and his clients contributed about \$500,000 over the relevant period. Also, during his deposition, Griles told Committee staff that one evening Federici called him very upset after money from Abramoff's clients stopped coming in.⁸⁹ Griles recalled that Federici complained that because "Jack is not giving us funds anymore," she had to "go back and find more money in order to keep [CREA's] activities going."⁹⁰ Griles recalled simply telling Federici that she had to go back to contributors who helped her in the past.⁹¹

Federici's explanation that she was motivated strictly by friendship and generosity is also belied by at least one occasion when Federici apparently lied to Abramoff about a promise to communicate with Griles. In an email, dated September 24, 2002, Abramoff asked Federici for a favor: to ask Griles to mention him to a Tribe with which Griles was meeting.⁹² To this request, Federici responded, "I will remind him about that and I'm sure he'd love to mention your help."⁹³ However, in her deposition, Federici dismissed the email, saying that she did not approach Griles about this because she actually thought Abramoff's request was "cheesy."⁹⁴ But, she never told Abramoff that she decided not to do as she had originally promised.⁹⁵ Why not? Likely to ensure that Abramoff would continue directing his clients to make significant contributions to CREA.

Vice Chairman Dorgan summarized Federici's testimony, and the Committee's skepticism of her testimony, at a recent hearing: "You are an environmental organization. You come into a lot of money from Indian tribes. My guess is that that money had nothing to do with generosity, or had very little to do with energy or the environment, but had a lot to do with Mr. Abramoff saying to his contacts

⁸⁶ *Id.*

⁸⁷ *See id.*

⁸⁸ It is notable that, during her deposition, Federici admitted that she never mentioned Abramoff's concerns about BIA being "in the back pocket" of others, to Griles. *Id.*

⁸⁹ Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005).

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005). *See also* Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (GTG-E000105153) (September 24, 2002).

⁹³ *Id.*

⁹⁴ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

⁹⁵ *Id.*

in these tribes, 'I want you to stick money into Ms. Federici's organization,' and they did."⁹⁶

At the same hearing, the Vice Chairman succinctly described the Committee's belief of why Abramoff's clients contributed so much to CREA, as follows:

I am just telling you that our records are full of these things. It is full of references to the duties that you were performing [or promised to perform] for Mr. Abramoff. Those duties had to do with the term 'juice' that also exists in our set of records. You had 'juice.' You got paid for that 'juice' by having Mr. Abramoff direct funds to your organization, and you spent a lot of time in your correspondence back and forth with Mr. Abramoff about what you are doing; not about the environment; not about energy; [but about] all of these issues that have to do with Mr. Abramoff. It looks to me like you were working for Mr. Abramoff and you were getting money from Indian tribes to do it. That's what it looks like to me."⁹⁷

He also observed, "The way you describe it in this testimony is the Indian tribes are generous; Jack is generous; everybody is generous. That is unbelievable to me."⁹⁸ It is unbelievable to the Committee.

D. WHAT DID FEDERICI DO FOR ABRAMOFF AT INTERIOR?

In her deposition with Committee staff, Federici said that she could only remember talking to Abramoff about three issues—a "school cost-share" issue, relating to the Saginaw Chippewa; the Gun Lake Tribe's land-into-trust application; and the Jena Band's attempts at getting land-into-trust and a compact in Louisiana.⁹⁹

For the Saginaw Chippewa, Abramoff asked Federici to help him with former Interior Deputy Secretary Griles on a "school cost share program."¹⁰⁰ This was one context that, according to Federici, Abramoff told her that the BIA was in the back-pocket of people who did not like him and that his clients were not being treated fairly. Consequently, Federici testified, she felt bad for Abramoff and thought she could help with Griles.¹⁰¹ But, when Abramoff sometimes asked her to get Griles to "kill" this or "put the kibosh" on that, she never told him that she would not do any of it or ever correct him, she said.¹⁰² She wasn't "going to correct a 50-year old, male, conservative activist leader, [and] you know, donor."¹⁰³

About the "school cost share" program, Federici denied having had a substantive conversation with Griles.¹⁰⁴ According to

⁹⁶ "Tribal Lobbying Matters' *Hearings before the Committee on Indian Affairs*, 109th Cong. at 31 (November 17, 2005).

⁹⁷ *Id.* at 32.

⁹⁸ *Id.* at 33.

⁹⁹ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

¹⁰⁰ Email from Jack Abramoff, Greenberg Traurig, to Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000110) (August 21, 2003).

¹⁰¹ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.*

Federici, she merely mentioned to Griles, “Is anybody paying attention to what’s going on with the school cost share [?]”¹⁰⁵ Otherwise, she recalled only having repeated Abramoff’s “line” that excluding the Saginaw was “unfair”; that his “[clients] [weren’t] being treated adequately”; and that “[M]embers of Congress are worked into a frenzy.”¹⁰⁶ Regarding her interaction with Griles on these and similar issues, Federici insisted, “[T]hese were not conversations. These were mentions and sort of heads-up ...”¹⁰⁷

The Gun Lake Tribe’s application for land-into-trust also had the potential to negatively affect the Saginaw Chippewa. Federici could only recall that Abramoff told her that Interior was “directly going against what Steve wanted.”¹⁰⁸ However, Federici has no recollection of having talked with Griles about that issue.¹⁰⁹

Finally, regarding the Jena Band’s efforts to get a compact and land-into-trust, which would have harmed the Louisiana Coushatta, Federici testified that Abramoff told her that key conservatives, including James Dobson and Ralph Reed, were writing in opposition.¹¹⁰ As a result, Federici recalls, she just made sure that Griles knew that “conservatives were upset” and were calling into Interior in droves.¹¹¹ According to Federici, the foregoing reflects her memory about her discussions with Abramoff about matters affecting his clients and her communications with Griles about those issues.¹¹²

However, documents indicate that Federici at least promised Abramoff that she would liaise with Griles more extensively than she has admitted to the Committee. For example, according to a September 24, 2002, email, Abramoff asked Federici to talk to Griles about a “Tigua water issue.”¹¹³ Federici responded, “I am calling right now.”¹¹⁴ Similarly, in an email dated December 4, 2002, entitled “[G]un [L]ake [I]ndian [T]ribe [C]asino,” Abramoff complained to Federici about developments relating to this Tribe and conveyed to Federici a strategy, regarding that Tribe’s environmental impact report, to shut down its land-into-trust application.¹¹⁵ Federici responded, “I will call [Steve Griles] asap.”¹¹⁶ Also, in another email dated December 6, 2002, entitled “Gun Lake: New Hope For Gun Lake Casino,” Abramoff urged Federici, “[T]his is what we have to stop.”¹¹⁷ Federici responded, “seeing him at 4pm today.”¹¹⁸

In a related email dated March 6, 2003, and entitled “Saginaw Chippewa Tribe—School Cost Share,” Abramoff asked Federici “if

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 035) (September 24, 2002).

¹¹⁴ *Id.*

¹¹⁵ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (GTG–E000024441) (December 4, 2002).

¹¹⁶ *Id.*

¹¹⁷ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000041) (December 6, 2002).

¹¹⁸ *Id.*

[she] can call Steve on this.”¹¹⁹ She responded, “got it.”¹²⁰ Additionally, in an email from Abramoff to Federici, dated December 2, 2002, entitled “Jena Band: Panel, Logansport asked to speak on proposed casino—Shreveport Times,” Abramoff wrote, “It seems that the Jena are on the march again. [I]f you can, can you make sure Steve squelches this again?”¹²¹ Federici responded, “Thanks for the update. I’ll bring it up asap!”¹²²

Likewise, in an email from Abramoff to Scanlon, dated February 15, 2002, entitled “shit,” Abramoff wrote that he “just got a call from [Federici].”¹²³ According to that email, Federici apparently provided Abramoff with then-nonpublic information she indicated that she had gotten from Griles that “as of now, Norton is going to sign the Jena deal.”¹²⁴ Similarly, in an email dated January 21, 2003, entitled “Intel from dept of Int/BIA,” Abramoff asked Federici if there is “any way to find out” when and how the BIA will respond to a letter from Governor Foster about a new Jena casino.¹²⁵ Federici responded, “Thanks, Jack! I will ask about the timing and content and call you. ...”¹²⁶ Abramoff also reached out to Federici about the Jena Band’s casino proposal in another email, dated March 9, 2003, entitled “Jena Choctaw Update.”¹²⁷ Then, Federici responded, “I will call you on Monday with whatever I can find out.”¹²⁸ These emails stand for a modest, but important, proposition: that Abramoff repeatedly asked Federici to contact Griles on issues important to his clients—the same clients that contributed to CREA—and that Federici promised to help.

In attempting to explain away those emails, Federici suggested that she did not necessarily follow-through on Abramoff’s requests.¹²⁹ She explained that after she received such “hair-on-fire” emails from Abramoff requesting that she talk to Griles, she would say “I’ll call” or “something like that.”¹³⁰ But, Federici testified, “[a]nd if I said yes, I’ll try to call Steve, and I couldn’t reach Steve, it’s not like anybody was, you know, necessarily—it could just completely drop off his plate until the next hair-on-fire email, you know. I just figured Jack was throwing stuff against the wall. Maybe somebody else sorted it out.”¹³¹ Federici elaborated as follows:

I would say, I’ll call. But the gist of the email. If he would say—Jack, I think some of them are almost comical. It’s like his hair is on fire: Oh my God, this is happening and

¹¹⁹ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (GTG–E000027919) (March 6, 2003).

¹²⁰ *Id.*

¹²¹ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000039) (December 2, 2002).

¹²² *Id.*

¹²³ Email from Jack Abramoff, Greenberg Traurig, to Michael Scanlon, Capitol Campaign Strategies (GTG–E000010914) (February 15, 2002).

¹²⁴ *Id.*

¹²⁵ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000062) (January 21, 2003).

¹²⁶ *Id.*

¹²⁷ Email between Jack Abramoff, Greenberg Traurig, and Italia Federici, Council of Republicans for Environmental Advocacy (SENCREA 10/04 000075) (March 9, 2003).

¹²⁸ *Id.*

¹²⁹ Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005).

¹³⁰ *Id.*

¹³¹ *Id.*

that's happening. By the way, great to see you tonight. It's like, you know, you go back and you read some of these. So, if he said, you know, I'm having a problem, this problem with the Saginaw thing, again with the school cost share, this Saginaw thing, this Saginaw thing, can you—or the Jena, you know. ... I mean, I would just take that information and digest it down into what it, the components that it actually was, which is Jack's worried about Jena. And ... if I said I would call Steve I would try to reach him. But if he was traveling or giving a speech or something and a few days passed, I wouldn't try to take it back up again. I mean, again it's something I was just doing to be polite to Jack. It's not my job, and I was actually doing CREA work.¹³²

Federici underscored that while she originally helped Abramoff with his Tribal clients *vis-a-vis* Griles “to be nice, ... after the Saginaw thing it was just, it was way too stressful and, frankly, not my job.”¹³³ But, having repeatedly promised Abramoff that she would speak with Griles on matters at Interior affecting his Tribal clients, she was all too willing to continue accepting significant tribal “contributions” from Abramoff.

E. WHAT, IF ANYTHING, GRILES DID FOR ABRAMOFF'S CLIENTS IS
UNCLEAR

Griles repeatedly testified that Abramoff had no special access to him.¹³⁴ In his deposition, Griles agreed that “[Abramoff] was another lobbyist with whom he did business. Just as [he] did business with many others in town.”¹³⁵

However, some evidence suggesting that Griles may have assisted Abramoff gives rise to concern. Former Louisiana Coushatta Tribal councilman William Worfel testified that Abramoff told him that he would approach Griles about stopping the Jena Band of Choctaw Indians' attempt to get a compact in Louisiana.¹³⁶ Worfel recalls that Abramoff ultimately told him that Griles helped kill, or helped convince the Secretary to reject, the Jena compact.¹³⁷

¹³² *Id.*

¹³³ *Id.* Federici elaborated, “The whole cost share, just the whole like—you know, to the best of my recollection it was like oh my God, Senator this and Senator that, the Senate's leaving in a half an hour and this is going to expire, and why are they doing this, that, and the other thing. And it was just like, you know—I think my initial response to that was, I don't care. And then, you know: But you have to care; it's about money for school for poor kids and it's \$3 million, this is terrible. I mean, it was just way over the top. It was too much pressure on me.” *Id.*

¹³⁴ “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 89 (November 2, 2005). *See, e.g.*, “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 89 (November 2, 2005) (testimony of J. Steven Griles, former Deputy Secretary, Department of the Interior); Letter from Barry M. Hartman, Esq., counsel to J. Steven Griles, Kirkpatrick & Lockhart Nicholson Graham, to Pablo E. Carrillo, Esq. Chief Investigative Counsel, U.S. Senate Committee on Indian Affairs, January 3, 2006; Letter from Barry M. Hartman, Esq., counsel to J. Steven Griles, Kirkpatrick & Lockhart Nicholson Graham, to the Honorable John McCain, U.S. Senate Committee on Indian Affairs, April 6, 2006.

¹³⁵ Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005) (“That was my vision, and there was nothing unique about it.”)

¹³⁶ Interview of William Worfel, former Vice-Chairman, Coushatta Tribe of Louisiana, in Washington, D.C. (September 13, 2005).

¹³⁷ *Id.*

During his interview, Worfel also told staff that Abramoff's lobbying associate Stephanie Leger Short told him that Griles was also supposed to help the Tribe with economic development grants.¹³⁸ In her interview, Short, who formerly managed the Louisiana Coushatta account for Abramoff, testified that Abramoff described Griles as "[his] guy" and was always "going to call Griles" and "get on Griles."¹³⁹ Based on Abramoff's comments, Short understood that Abramoff and Griles were "close": "When things got hairy with Coushatta, it was always [that Abramoff] was going to call Griles and see what he could do."¹⁴⁰ Regarding the Louisiana Coushatta, Griles' name came up mostly during the Jena Band's efforts in Logansport and Vinton, Louisiana.¹⁴¹ It also came up, according to Short, on an Agua Caliente tax issue and an issue regarding the Choctaw.¹⁴² According to Worfel, Abramoff said that Griles was willing to help the Tribe because of its "contribution" to CREA, which made the Tribe "a friend of Interior."¹⁴³

Worfel also stated that Abramoff told him that he interviewed Griles for his position at Interior and, in fact, helped him get his job there.¹⁴⁴ He also recalled that Abramoff mentioned Griles' name many times and said that they were "close."¹⁴⁵ From his conversations with Abramoff, Worfel thought of Griles as Abramoff's "point man" or "inside man" at Interior: "[t]hat was his person. Boom, he could pick up the phone and Griles—it was like Griles worked for him."¹⁴⁶ At his interview, Worfel told Committee investigators, "The only thing I can tell you is I've said Steve Griles' name about 20 times since we started this [interview]. [In the context of getting help for the Tribe,] Jack Abramoff said Steve Griles' name maybe 200 times."¹⁴⁷ Worfel's recollection about what Abramoff told him about how Griles could help his Tribe is consistent with the accounts of other Tribal representatives.

Notwithstanding the testimony and documents described above, Griles could recall only one or two conversations with Federici concerning Abramoff's Tribal clients.¹⁴⁸ In that conversation, Griles remembered Federici saying only something to the effect of "I was talking [to] Jack Abramoff, he really would like for you to give him a call."¹⁴⁹ Griles said he believed that this communication may have been related to "an Indian insurrection question."¹⁵⁰ Nor does Griles recall Federici's asking him to help Abramoff's clients.¹⁵¹

Griles denied talking with Federici about matters that, according to documents, Abramoff asked her to discuss with him. In his interview, Griles stated, "I don't recall Ms. Federici ever mentioning

¹³⁸ *Id.*

¹³⁹ Interview of Stephanie Leger Short, former associate, Greenberg Traurig, in Washington, D.C. (August 18, 2005).

¹⁴⁰ *Id.*

¹⁴¹ *Id.*

¹⁴² *Id.*

¹⁴³ Interview of William Worfel, former Vice-Chairman, Coushatta Tribe of Louisiana, in Washington, D.C. (September 13, 2005).

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

¹⁴⁸ Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005).

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

¹⁵¹ *Id.*

Gun Lake to me.”¹⁵² Similarly, Griles held that he did not “recall ever having a discussion on a Tigua tribe or a water issue with anyone.”¹⁵³ Griles also stated that he did not “recall receiving any information from Ms. Federici on Bay Hills [sic].”¹⁵⁴ Likewise, when asked about Abramoff or Federici asking him to pull [BIA personnel] from the Choctaw elections, Griles asserted “I don’t recall ever hearing of the issue.”¹⁵⁵ Griles’ recollection failed him again when he stated “I don’t recall any discussion with [Abramoff] about Mashpee. I didn’t do tribal recognitions.”¹⁵⁶ Correspondingly, Griles did not “recall a conversation with [Federici] either” regarding the Mashpee recognition.¹⁵⁷ Griles later declared, “I don’t recall today having any discussions with [Federici] about [the Jena Band compact].”¹⁵⁸

Committee staff tried to explore the precise nature of Griles’ relationship with Abramoff and whether Griles did anything to further the interests of Abramoff’s clients on matters pending at Interior. To that end, a discussion about a binder ensued. During his interview, Griles stated that one day he returned to his office to find a mysterious binder with no name on his desk.¹⁵⁹ After inquiring where the binder came from, his secretary told him that it had been delivered to the front desk, and he decided to “just [flip] through it.”¹⁶⁰ Skimming the documents he discovered that the notebook was actually a packet of information about the Jena Band and “looked like it had letters—congressional letters, it had studies or something in it.”¹⁶¹ Accordingly, Griles remembered asking Sue Ellen Wooldridge, Counselor to the Interior Secretary, what to do with the notebook and was informed that it was now a federal record and that he had “no option except to give it to Interior lawyer Michael Rossetti.”¹⁶² Griles maintained that he gave the notebook to Rossetti and “didn’t endorse its contents.”¹⁶³

Rossetti, however, has a different recollection of those events. Rossetti recalled that only after “some time” and “a series of questions that took much longer to get to that answer than I would have thought was necessary,” Griles actually told him where the binder came from: from a member of Congress by way of a chief of staff by way of a lobbyist “who turned out to be Mr. Abramoff.”¹⁶⁴

Griles strenuously disagreed: “I did not say it came from Mr. Abramoff. I did not say it came from Congress. I speculated that it could have come from any of those sources. I did not know and I do not know today where it came from.”¹⁶⁵ Griles testified that

¹⁵² *Id.*

¹⁵³ *Id.*

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

¹⁵⁸ *Id.*

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 91 (November 2, 2005) (Rossetti’s testimony).

¹⁶⁵ *Id.* at 92 (Griles’ testimony). In an interview with Committee staff, former Abramoff associate Stephanie Leger Short indicated that she prepared the binder. Interview of Stephanie

the conversation concluded with his advising Rossetti “to please make sure the Secretary knew that there were all sides of this issue, and please brief her on that.”¹⁶⁶

With regard to the charge that Griles tried to insinuate himself in matters pending at Interior affecting Abramoff’s Tribal clients, Rossetti’s account is again fundamentally different from Griles. Rossetti recalls that Griles became involved with the Jena’s land-into-trust application issue the second time it was brought up at Interior.¹⁶⁷ Rossetti testified that Griles had several discussions with him during which Griles requested to be involved in his meetings with career employees and the Secretary about a possible decision on the Tribe’s application.¹⁶⁸ Rossetti said that those discussions took place twice in a hallway and in Rossetti’s office and that he thought that it was unusual that Griles was so concerned about those meetings.¹⁶⁹ He speculated that Griles was worried that some secret discussion might be taking place.¹⁷⁰ Rossetti stated that he assured Griles that Griles would be there at the meeting.¹⁷¹

Rossetti testified that Griles’ attendance at a meeting regarding Abramoff’s clients came up again.¹⁷² At that time, Rossetti asked Griles, “[w]hy is this issue so important to you?”¹⁷³ According to Rossetti, Griles simply replied, “I just want to be at the meeting.”¹⁷⁴ On a third occasion, Rossetti asked Griles, “[w]hat’s your deal? What do I need to know? Are there any outside voices that I need to know about?”¹⁷⁵ At that point, according to Rossetti, Griles “turned purple” and immediately left.¹⁷⁶ Ultimately, Rossetti said, Griles told him that he did not have to be at that meeting and did not attend.¹⁷⁷

Relevant to understanding the full extent of Griles’ relationship with Abramoff are any communications that Griles may have had with Abramoff about possibly working at Greenberg Traurig. According to a July 17, 2003, email from Abramoff to Federici, whatever direct line of communication Abramoff had with Griles was disrupted:

Hi there. Are you around for a chat? I am in a most difficult situation regarding Interior and need your advice. Steve [Griles] is nothing but a gentleman and great guy to me, but he can’t (or at least won’t) discuss any of my cli-

Leger Short, former associate, Greenberg Traurig, by telephone (June 16, 2006). She explained that in the binder, which was actually one of about 15 or so, she inserted letters opposing the Jena Band’s land-into-trust application, applicable sections of the Indian Gaming Regulatory Act (“IGRA”), and other related documents. *Id.* She also noted that, while some copies went to members of the Louisiana delegation, she was “99 percent sure” that Abramoff was supposed to get a copy to the U.S. Department of the Interior. *Id.* But, she had no recollection of Abramoff’s mentioning Griles at the time. *Id.*

¹⁶⁶ “Tribal Lobbying Matters,” *Hearings before the Committee on Indian Affairs*, 109th Cong. at 92 (November 2, 2005).

¹⁶⁷ *Id.* at 99.

¹⁶⁸ *Id.*

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ Interview of Michael Rossetti, former counselor to the Secretary, U.S. Department of the Interior, in Washington, D.C. (October 28, 2005).

¹⁷² *Id.*

¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

ents with me. the [sic] problem is that, since he won't do so, and since you are not able to chat with him now, I am left in a real dilemma. I can't deliver anything from Interior for my clients. It is as if the Clinton guys are back in power. I don't know what to do. I have a few clients that need answers, basic answers, from Interior, and I have no one to chat with. What should I do?¹⁷⁸

But, subsequently, on September 9, 2003, Abramoff wrote to some of his associates: "This cannot be shared with anyone not on the distribution list. I met with [Griles] tonight. He is ready to leave Interior and will most likely be coming to join us ... I expect that he will be with us in 90–120 days."¹⁷⁹

Apparently, on or about January 12, 2004, Griles and Abramoff met with Greenberg Traurig lobbying practice head Fred Baggett.¹⁸⁰ In testifying before the Committee, Griles stated that "[a]t the end of [the meeting], they said, we would like for you to join our firm."¹⁸¹ Griles insisted that he merely "politely listened" and replied, "I'm not leaving the Federal Government."¹⁸² Griles testified that he had made the determination that he was going to serve through "the 4 years of the President before [he] left."¹⁸³ According to Griles, he then returned to Interior and spoke with the agency ethics officer and the deputy ethics officer at Interior about the discussion.¹⁸⁴ Griles remembered that these ethics officials told him that this meeting triggered no waiver or recusal obligations—he did not have to do anything.¹⁸⁵

In contrast to Griles' recollection that "they," that is, Abramoff and Baggett, told him that "we would like for you to join our firm," in his interview with Committee staff, Baggett described the meeting as merely "introductory" and maintained that he never talked

¹⁷⁸ Email from Jack Abramoff, Greenberg Traurig, to Italia Federici, Council of Republicans for Environmental Advocacy, "FW: Griles' (SENCREA 10/04 000108) (July 17, 2003). While Federici's answer to this email is unknown, she recalled this email during her deposition. Deposition of Italia Federici, president, Council of Republicans for Environmental Advocacy, in Washington, D.C. (October 7, 2005). She testified that she never asked Abramoff or Griles about why Griles was not "discussing [Abramoff's] clients with [him]": "I didn't ask Jack because I didn't want to pry and I didn't raise it with Steve [Griles] because I knew better." *Id.* She elaborated, "I [knew] that if Steve's not going to talk with somebody he's not going to talk with them ..." *Id.*

¹⁷⁹ Email from Jack Abramoff, Greenberg Traurig, to Kevin Ring; Todd Boulanger; Michael Williams; and Duane Gibson, Greenberg Traurig; "Griles' (Bates number 56340) (September 9, 2003). Exactly when and where this conversation occurred, much less what was discussed, remains unclear.

¹⁸⁰ See Event Reminder from Jack Abramoff, Greenberg Traurig, to self, "Steve Griles and Fred Baggett—Sigs' (Bates number 100878) (undated) (indicating that meeting was to occur on "Mon 1/12/2004 [from 5:00 p.m.–6:00 p.m.]"). Griles best recollection is that this meeting might have occurred sometime in 2003. See Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005).

¹⁸¹ "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 109th Cong. at 104 (November 2, 2005). But see Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005) (attributing statement to "[e]ither [Abramoff or Baggett] or both").

¹⁸² *Id.* See also "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 109th Cong. at 104 (November 2, 2005).

¹⁸³ *Id.*

¹⁸⁴ Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005); "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 109th Cong. at 104 (November 2, 2005).

¹⁸⁵ Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005); "Tribal Lobbying Matters" *Hearings before the Committee on Indian Affairs*, 109th Cong. at 104 (November 2, 2005).

to Griles about coming to work at Greenberg Traurig.¹⁸⁶ Baggett also indicated that he had no knowledge about Abramoff (or anyone else at Greenberg Traurig) having had employment discussions with Griles.¹⁸⁷

Days after the meeting at Signatures, on February 3, 2004, Abramoff followed-up with his associates about the prospect of Griles' joining Greenberg Traurig, writing simply, "Has decided he cannot leave the administration before the election."¹⁸⁸ Griles categorically denied having had any other conversations with Abramoff about possibly working at Greenberg Traurig, other than this meeting.¹⁸⁹

Based on the information in its possession, the Committee cannot definitively conclude what, if anything, Griles did to assist Abramoff's clients on matters then pending at Interior. In its totality, the information described above supports relatively modest propositions, namely, that Abramoff *believed* that he had influence over Griles, either directly or through Federici; that Abramoff told others that he had a robust relationship with Griles or had some influence over decision-making at Interior; and that it was likely on that basis that he may have directed his Tribal clients to "contribute" to CREA. However, it must be carefully said that, without more evidence, it is plausible that, in fact relying on his relationship with Federici, Abramoff may have simply exaggerated his access to Griles to his clients.

In any event, given the paucity of evidence in the Committee's possession, the Committee is unable to arrive at any definitive conclusions as to the veracity of Griles' testimony on his relationship, and interaction, with Abramoff during all times relevant. And, without a good faith basis for concern that Griles may have been untruthful with the Committee, further exploration is beyond the scope of the investigation. However, it should be noted that the Committee is troubled by the marked inconsistency between Griles' and Rossetti's testimonies on the narrow issue of whether Griles *tried* to insinuate himself in decision-making processes affecting any of Abramoff's Tribal clients. It is also concerned about the implications of some of the fragmentary evidence discussed above.

F. CONCLUSION

Over the last two years, the Committee's investigation has sought to determine, among other things, whether monies paid by the Tribes at Abramoff or Scanlon's direction to or through various entities were ultimately used for purposes intended by those Tribes. In the case of CREA, by Federici's own admission, Abramoff and/or his clients contributed about \$500,000 to the organization between 2001 and 2003.

From the evidence discussed above, it appears that some of the Tribes were induced into paying CREA because Abramoff told them, among other things, that those payments would get them fa-

¹⁸⁶ Interview of Fred Baggett, Chair, National Government Affairs Practice, Greenberg Traurig, in Washington, D.C. (September 29, 2005).

¹⁸⁷ *Id.*

¹⁸⁸ Email from Jack Abramoff, Greenberg Traurig, to DCCasino, Greenberg Traurig, "Griles" (Tracking Number 3707795) (February 3, 2004).

¹⁸⁹ See Interview of J. Steven Griles, former Deputy Secretary, U.S. Department of the Interior, in Washington, D.C. (October 20, 2005).

avorable treatment at Interior. The evidence also suggests that Federici may have led Abramoff into believing that she had pull at Interior and that she would use it in exchange for, or because of, contributions by Abramoff's Tribal clients to CREA. Unfortunately, the extent to which Federici actually sought to influence Interior on pending matters affecting Abramoff's clients remains unclear. Also unclear is what, if anything, Griles (who Abramoff believed was Federici's contact at Interior) might have done on behalf of Abramoff's clients at Interior and (if Griles did anything) what his motives for doing so might have been.

Against that backdrop, the Committee is concerned about the veracity of Federici's testimony on several important areas, discussed above.¹⁹⁰ Additional inquiry into those areas by the appropriate authorities appears warranted.

¹⁹⁰ A part of Federici's testimony that concerns the Committee relates to the nature of CREA. When Federici appeared before the Committee on November 17, 2005, a Member asked her whether any of monies paid to CREA as contributions were ultimately used for purely personal purposes. "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 109th Cong. at 49 (November 17, 2005). In response, Federici said, "No; not to the best of my recollection." *Id.* at 38-40. Elsewhere in the hearing, Federici responded to a similar question, stating, "No. I mean if money from CREA goes to me, it is salary or reimbursement." *Id.* at 49. Therefore, an outstanding fact question is whether any of those expenses, for which Federici sought and received reimbursement, were purely personal in nature. Elsewhere, Federici testified, "But Senator, I was not abusing non-profit resources, okay?" *Id.* at 40.