

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: MATTHEW AARON SCHLAPP

Monday, August 27, 2007

Washington, D.C.

The interview in the above matter was held at 2157
Rayburn House Office Building, Conference Room J, commencing
at 9:59 a.m.

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For MATTHEW AARON SCHLAPP

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Ms. Amerling. Good morning. On behalf of the Committee on Oversight and Government Reform I thank you for being here today. This proceeding is known as a deposition.

The chairman of the committee has sought this deposition as part of the committee's investigation of contacts between former lobbyist Jack Abramoff and the White House as well as investigations into the use of nongovernmental email accounts for official business by White House officials, [REDACTED]

[REDACTED]

The person transcribing this proceeding is a House reporter and a notary public authorized to administer oath. He will now place you under oath.

[Witness sworn.]

Ms. Amerling. My name is Kristin Amerling and I've been designated as majority counsel for this round of questioning.

I am accompanied here today by Susanne Sachsman, counsel for the committee, Anna Laitin, who is a professional committee staff member, and -- would minority staff like to introduce yourselves for the record?

Ms. Callen. Ashley Callen, Republican staff.

Mr. Castor. Steve Castor, counsel for the Republican staff.

Mr. Ausbrook. Keith Ausbrook, general counsel, Republican staff.

Ms. Amerling. Before beginning the deposition I'd like to go over some standard instructions and explanations, so please bear with me.

Mr. Schlapp, because you've been placed under oath your testimony here has the same force and effect as if you were testifying before the committee. If you knowingly provide false testimony you could be subject to criminal prosecution for perjury, making false statements or other related offenses. Do you understand this?

The Witness. I do.

Ms. Amerling. Is there any reason why you're unable to provide truthful answers in today's deposition?

The Witness. No.

Ms. Amerling. Under the committee's rules you're allowed to have an attorney present to advise you. For the record, do you have an attorney who represents you present with you today?

The Witness. I do.

Ms. Amerling. Would counsel for Mr. Schlapp please identify yourselves for the record?

Mr. Shapiro. Sure. Howard Shapiro, Reg Brown and Matt Jones from Wilmer Cutler Pickering Hale and Dorr.

Ms. Amerling. Thank you.

The deposition will proceed as follows. I will ask you questions for up to one hour. When I am finished with that round the minority counsel will have the opportunity to ask you questions for up to one hour, and additional rounds of questioning may follow in that manner after that.

The reporter will be taking down everything you say and we will make a written record of the deposition. You need to give verbal, audible responses because the reporter cannot record nods or gestures. Do you understand that?

The Witness. I do.

Ms. Amerling. Also for the record to be clear please wait until I finish a question before you respond and I will wait until you finish your response before I begin the next question. Do you understand?

The Witness. I do.

Ms. Amerling. If you don't hear or understand a question please say so and we will repeat or rephrase it. If I ask you about conversations or events in the past and you're unable to recall the exact words or details you should testify to the substance of such conversations or events to the best of your recollection.

If you recall only a part of a conversation or event you should give us your best recollection of those events or parts of conversations that you do recall. Do you understand?

The Witness. I do.

Ms. Amerling. Do you have any questions, Mr. Schlapp, before we begin?

The Witness. I don't.

Mr. Shapiro. Could I just put something on the record before we begin?

Ms. Amerling. Sure.

Mr. Shapiro. We received a letter, as you may know, from the White House counsel's office last week just advising us of the need to be vigilant about potential privileges, presidential communications or deliberative privileges. We'll obviously do our best to do that. We're not particularly well suited here to do that but we're the only ones here I suppose in a position to do that, so with the difficulties inherent in sort of trying to make real time assessments in areas that are not actually our privileges to preserve but in which we have certain obligations as stakeholders because of Mr. Schlapp's prior employment we may from time to time ask to confer to consider whether there are privilege implications that we need to discuss.

Ms. Amerling. We understand that.

Mr. Shapiro. Thank you.

EXAMINATION

BY MS. AMERLING:

Q Mr. Schlapp, would you please state your full name for the record?

A Matthew Aaron Schlapp.

Q And where are you currently employed?

A Koch Industries.

Q And what is your position there?

A Director of political affairs.

Q And where were you employed prior to your work in that position?

A With the administration.

Q And what was your position there?

A Political director.

Q And during what period of time did you serve as political director?

A From approximately spring of 2003 through February of 2005.

Q And to whom did you report in that position?

A To Karl Rove.

Q Did you report to anyone else?

A No.

Q And who reported to you?

A If I could make one change to that answer, I think as a commissioned officer technically we all report to the President but within our organizational chart I reported to Karl Rove.

Q And who reported to you?

A A staff.

Q Of how many?

A Ten-ish.

Q And before you began the position of political director in spring of 2003 in what position did you serve?

A Deputy political director.

Q At the White House?

A That's right.

Q And during what period of time did you serve as deputy political director?

A From the first day of the administration in 2001 through the time that I was promoted to be political director.

Q Could you briefly describe your responsibilities in both of those positions that you held at the White House?

A Which one would you like me to start with?

Q Why don't you start -- would do it in chronological order?

A Sure. I, as the deputy political director, I was the political director's deputy, so I would get -- work with him on all the major projects of the office. My primary responsibility was to have a role in the selection of people who would serve the administration, but the overall mission of the office was to serve as kind of eyes and ears to the president and to give the proper understanding of the political environment across the country.

Obviously that would have been a part of both jobs.

Q And could you describe your responsibilities when you were promoted to political director?

A Yeah, it was -- as political director I was more clearly the manager or the supervisor for the associate directors and once again I think the role as the political eyes and ears for the president was more pronounced. The primary responsibility in that office was to support the President's agenda and advocate for the President's agenda, and that's it.

Q And to whom did you report when you were deputy political director?

A To the political director.

Q Ken Mehlman?

A That's right.

Q Did you also report to Karl Rove in that position?

A I interacted a lot with Karl Rove. I can't tell you exactly how the -- if there was an official org chart, how that worked. My guess is I reported to Ken Mehlman.

Q And when did you first hear about Jack Abramoff?

A Please restate the question.

Q When did you first meet Jack Abramoff?

A Sometime when I got to Washington. I got here in January of 1995 or December 1994.

Q And what was the context?

A Context of?

Q How did you meet him?

A I don't recall how I met him.

Q And during your time at the White House did you have any direct contact with Mr. Abramoff?

A I did.

Q Could you describe that contact?

A He would call or I would call him or he would email or I would email him.

Q And how frequent was your contact with him while you were at the White House?

A It probably was at times more frequent and at other times less frequent depending on the types of things I wanted to talk to him about or he wanted to talk to me about.

Q Would you characterize it as daily contact, weekly,

monthly? How would you characterize the frequency of the contact?

A Probably more like monthly.

Q And was this contact business related generally or was it social contact?

A Both.

Q What percentage of the contact that you had with him while you were at the White House was for official matters?

A Most of my conversations with Jack Abramoff were on official matters or issues surrounding politics.

Ms. Amerling. For the record, the committee's staff director Phil Barnett has joined us.

BY MS. AMERLING:

Q During your time at the White House did you ever meet with Mr. Abramoff regarding matters of interest to his clients?

A I did have a meeting with Mr. Abramoff?

Q When was that?

A I don't know exactly what the time frame was. I think it would have been within the first two years of my service.

Q Do you remember what was discussed at that meeting?

A Yeah. We were discussing a conversation about

filling the Office of Insular Affairs.

Q Can you describe what you recall about that conversation.

A Yes. Can I confer just very quickly?

[Witness conferred with counsel.]

The Witness. It was -- could you restate your question?

I'm sorry.

BY MS. AMERLING:

Q Can you please describe what you recall about the conversation you had at that meeting?

A It was a meeting and the topic was to determine kind of the policy challenges around filling the position. I think it's called director of the Office of Insular Affairs, which is in the Interior Department.

Q And did you initiate that meeting?

A I don't know who -- I don't recall who initiated the meeting.

Q Why were you seeking Mr. Abramoff's input on that subject?

A This subject was one that he had a reputation for having a great deal of knowledge about the policy challenges around the regions of the globe that this -- that OIA oversaw.

Q Did you have any other meetings with Mr. Abramoff

while you were at the White House?

A -- try to understand your question. No meetings, no other meetings that I recall at the White House or in an agency or anything like that.

Q Did you have any meetings with Mr. Abramoff outside of the White House or outside of agencies while you were serving at the White House?

A Meeting in the sense of? Can you maybe tell me what you mean by 'meeting'?

Q Did you meet with him in person?

A Like would we talk, run into each other, those types of things, yes.

Q And how frequently did that occur.

A Once again, sporadic.

Q Can you describe what you recall about those meetings?

A Generally?

Q Generally and specifically. Do you remember any specific other meetings that you had with him in addition to the one you just described?

A Yeah. I remember running into him at his restaurant and having a conversation. We were both standing up and I think it was a pretty lengthy conversation.

Q Do you remember when that was?

A I'm sorry, the dates -- it would have been -- that would have been 2003, I think, end of the year 2003.

Q And do you recall what you discussed at that meeting?

A I think I recall him talking something about his diet and he was eating a lot of fish and something about his mercury count was high and he was talking about the -- I think he had a dietician or something.

Q Do you recall discussing any matters of interest to his clients at that meeting?

A I don't think so, but of course at any one time I might not know who everyone's clients are.

Q Do you know Kevin Ring?

A I do know Kevin Ring, yeah.

Q And how do you know Kevin Ring?

A Kevin Ring was a Hill staffer when I was a Hill staffer.

Q Did you have contact with Kevin Ring while you were serving at the White House?

A I did.

Q How frequent was your contact with him during that period?

A I would say infrequent.

Q Did you ever talk with him over the phone during

that time period?

A I don't recall a particular conversation, but it's possible.

Q Did you ever contact him over email or did he ever contact you over email during that time period?

A I don't -- it's very conceivable.

Q Do you know Tony Rudy?

A I do.

Q How do you know Tony Rudy?

A We worked together once again as Hill staffers in the House.

Q And how frequent was your contact with Tony Rudy while you were serving at the White House?

A I would describe it as frequent.

Q And by that do you mean daily contact?

A No, not daily.

Q Weekly contact?

A It's once again a sporadic thing. It would depend on an issue that might be burning.

Q Did you talk to him over the phone?

A I had phone conversations with him.

Q And did you have email communications with him?

A Yes, I think I did.

Q And were these communications concerning business

issues or social issues?

A It could be both but definitely business issues as well.

Q Would you say it's primarily business issues?

A Well, maybe you would allow me to put it in three categories. You know, business issues like some policy issue maybe or general conversation of politics once again, and personal as well.

Q How about Neil Volz? Do you know Neil Volz?

A I do.

Q And how do you know him?

A We were Hill staffers together.

Q Could you describe how frequent your contact was with him while you were at the White House?

A I don't think it was very frequent.

Q Now Mr. Abramoff's lobbying team also included Todd Boulanger, Shawn Vassel, Duane Gibson, Michael Williams, Stephanie Leger-Short and Padgett Wilson. Did you know any of these individuals?

A Nothing is ringing a bell except for Duane Gibson.

Q And how do you know Duane Gibson?

A Once again, I think we were contemporaries in the House, as staffers in the House of Representatives.

Q And were you in contact with Duane Gibson while you

were at the White House?

A I think we had contact.

Q How frequent was your contact?

A I wouldn't describe it as frequent.

Q How would you describe it?

A Less frequent. There would have been some contact.

Q Monthly? Once a year? Once a week?

A Probably less than monthly, probably more than once a year.

Q And what type of contact did you have? Were you generally discussing matters of interest to Mr. Gibson's clients?

A I think he might have had a candidate for a position.

Q A candidate -- what do you mean by that?

A Maybe I could elaborate at this point. In my role as the deputy political director one of my areas of responsibility was to play a role in the personnel process and so I would receive -- I don't know how to quantify it because I haven't quantified it but hundreds of thousands of not only office seekers but people who thought there were great candidates around the country who could serve the administration.

I had a substantial amount of incoming information from

a wide variety of sources, and it would not be uncommon for people who know me to ping me or solicit my opinion on a given position or a given candidate.

Q So you were receiving a large volume of contacts?

A Yes, I mean I don't know what they are but substantial.

Q Substantial emails?

A And it was hard to read them all.

Mr. Shapiro. Just to clarify, I thought you might have said hundreds of thousands. Did you mean hundreds or thousands?

The Witness. Yes, I didn't mean to say hundreds of thousands, but I don't know how you classify it daily, hundreds or thousands, not hundreds of thousands, although some days it felt like hundreds of thousands.

BY MS. AMERLING:

Q But on a given day you could be receiving hundreds or thousands of contacts, whether it's emails or phone communications from people outside the White House?

A Right, that's correct.

Q To your knowledge how frequently did Ken Mehlman have contact with Jack Abramoff?

A I don't know.

Q Do you know how frequently he had contact with any

of Jack Abramoff's lobbying associates?

A I don't.

Q How about Karl Rove? To your knowledge how frequently did Karl Rove have contact with Jack Abramoff?

A I don't know how frequent. I know that they had some communications.

Q How do you know that?

A I seem to recall him maybe passing on information he heard from him from time to time.

Q Do you remember any specific instances of that?

A Nope, and I was not a party to any of the conversations.

Q When you said you heard information passed along, was Mr. Rove passing along information from Mr. Abramoff?

A Let me be clear here. I was not a part of their conversations. I assumed that they had had a conversation. I can't know for sure, but it would be information related to maybe something Jack Abramoff was interested in.

Q And you assume that because of a conversation you had with Karl Rove?

A Yes, Karl Rove or his assistant Susan Ralston.

Q Do you know -- so you know Susan Ralston?

A Yes.

Q And were you in contact with her frequently while

she was serving at the White House with you?

A Yes.

Q Did you know that she was a former employee of Jack Abramoff?

A I did.

Q Did you know that she was in regular contact with Jack Abramoff?

A Once again, I am not party to those conversations. I don't know if she was in regular contact.

Q Was that your impression when you were working with her, that she was in contact with him?

A Yes, my impression is they had a good professional relationship and she would pass things on sometimes to me that had been explained or communicated to her from Jack Abramoff.

Q And did you ever pass information to Jack Abramoff or any of his associates through her?

A I don't really know, not purposefully. If I were working on a project with somebody I would communicate back to them directly.

Q Did you ever hear that she was passing information from you to Mr. Abramoff or any of his associates?

A I don't know.

Q What about other White House officials in the

Office of Political Affairs, the Office of Intergovernmental Affairs, the Office of Legislative Affairs or elsewhere in the White House? Did you know of any contacts between anyone else at the White House and Mr. Abramoff?

A No, I just wouldn't be aware.

Q You wouldn't be aware of contacts he would have?

A I just don't recall knowing any information on any other contacts.

Q How about contacts between any other White House officials and any of Mr. Abramoff's associates, lobbying associates?

A Once again, I have no information about contact. If I could just take this moment to elaborate a bit, that team was viewed by many as a very respected lobbying team and they had -- they were well connected. They had many friends in the administration.

Q Who viewed them that way?

A Once again, that's more of a characterization that I believed.

Q And what was the basis for that belief? How did you come to believe that?

A Many of the individual members that you've discussed had worked hard on the Hill and had earned good reputations and were seen as knowledgeable.

Q Did you ever attend a briefing at the White House involving Andrew Card and Jack Abramoff?

A Could you maybe explain that more? I don't understand your question.

Q Do you recall ever attending a briefing or a meeting at the White House that Andrew Card and Jack Abramoff were present at?

A No, I don't remember that.

Q You described earlier a meeting that you had with Mr. Abramoff where the subject was the Office of Insular Affairs. That meeting was on the White House premises, is that correct?

A It was at the Department of Interior.

Q And why did you go to the Department of Interior for that meeting?

A I don't know if there was particular significance to going to Interior, despite the obvious fact that that's where the Office of Insular Affairs was housed.

Q Did you ever see Mr. Abramoff at the White House complex?

A I don't recall seeing him at the White House.

Q Do you know who Juan Babauta is?

A Who?

Q Juan Babauta, B-a-b-a-u-t-a.

A I don't know who that is.

Q Mr. Babauta was the Republican candidate for governor in the Commonwealth of the Northern Marianas Islands in 2001. Does that ring a bell?

A That does ring a bell, yes.

Q Do you have any knowledge of discussions among White House officials regarding whether the President would endorse Mr. Babauta who was the Republican candidate?

A I don't have any specific recollection.

Mr. Shapiro. I actually think that that's an area where we'd have to consult with White House counsel before you could go further into discussions about a decision about what the President would do, at least based on my understanding of their understanding of the privileges.

BY MS. AMERLING:

Q All right. Well, we may come back to that. Do you recall whether Mr. Abramoff provided the White House with a background memo regarding the subject of endorsing Mr. Babauta's candidacy?

A I don't know specifically if he did. I don't recall.

Q Do you have any knowledge regarding an effort -- do you know who Ben Fitial is?

A It doesn't ring a bell.

Q Ben Fitial was also a candidate in that gubernatorial race in 2001. Does that ring a bell?

A It doesn't.

Q Do you know who Allen Stayman is?

A I don't know him personally. I remember vaguely working on a case that involved him.

Q What do you remember about it?

A Well, I think it was reported in a publication that there was a story about his tenure at the state department and there being some manner of controversy around that.

Q Can you elaborate? It was reported in a publication?

A I think I remember reading this in an article.

Q Do you remember any effort to remove him from his post at the State Department in 2001?

A I have some vague memory of there being questions raised about his continued tenure at the State Department.

Q And what is your memory of that?

A That people raised objections. I don't know whether it had been something maybe he did or that maybe he was not a political supporter of the President.

Q And who raised those objections?

A I really don't recall. I think Jack Abramoff might have been one of those folks that raised that objection. Of

course, I think so.

Q And why do you think that?

A Once again, I don't know whether that's a recollection from my tenure there or having read a news account of it.

Ms. Amerling. I'm presenting the witness with a document we'll mark as Exhibit No. 1. Could you please take a few minutes to read through this?

The Witness. Of course.

[Schlapp Exhibit No. 1 was marked for identification.]

The Witness. Okay. I've read it.

BY MS. AMERLING:

Q This document is an email chain that begins on June 18, 2001 with an email from Tony Rudy to Matt Schlapp in which Mr. Rudy says, "I don't know if you remember this but we spoke about it a few months ago; there is a Clintonista and McCain donor who is scheduled to be renewed on the twenty-third of this month unless action is taken." It goes on to say, "Is there any way you can weigh in with presidential personnel? Monica Kladakis knows about the problem. His name is Allen Stayman. Thanks."

And a few weeks later there is an email response from you to Tony Rudy which says, "we finally have someone to take his place." Does this email refresh your recollection of

events surrounding Mr. Stayman's departure from the State Department?

A It gives me some more detail.

Q Did you follow up on the June 18, 2001 email from Tony Rudy?

A I don't know.

Q Do you recall talking with anyone at the Office of Presidential Personnel about this issue?

A Not specifically, no.

Q What do you mean 'not specifically'?

A I don't recall a conversation to presidential personnel.

Q Who is Monica Kladakis?

A Kladakis, she would have been an associate director at presidential personnel who oversaw a portfolio that included the State Department or at this point she might not have overseen it. She might have just been working in that department.

Q Do you recall any conversations with any White House officials about the removal of Mr. Stayman from the State Department?

A I don't.

Q Mr. Stayman told the committee that his superiors at the State Department supported the renewal of his

contract, the extension of his tenure at the State Department in 2001. Do you have any recollection of whether you understood that the State Department supported the extension of his tenure there?

A Might you explain to me what that means? Was he a contract worker or was he --

Q His position was one where he had a contract that was renewed from time to time.

A Okay.

Q And it was up for renewal in 2001, and Mr. Stayman informed the committee that the State Department approved the extension of his contract. Did you have an understanding at that time in 2001 that the State Department supported Mr. Stayman's -- the extension of his tenure there?

A I don't recall.

Q How often did the White House get involved with personnel decisions made at federal agencies?

A It depended on what kind of personnel decision.

Q Did they get involved ever?

A Certainly.

Q What types of personnel decisions did they get involved with?

A Certainly with folks that were known as PAS, positions that were Senate approved, and they would certainly

be involved in decisions on political appointees, those definitely.

Q And how often did the White House overrule a personnel decision made by an agency?

A I don't know if I'd characterize the process that way.

Q I'm asking you how often that happened. If it did happen you can tell me. If it didn't happen --

A Maybe what I could do is just explain what the goal was is to have consensus on these decisions and to work through any issues that might arise between the agency and the office of personnel.

Q Let's look at another part of the email chain, same exhibit, Exhibit No. 1.

A Sure. Do I have it?

Q It's the one that's right before you. You've read through the entire chain, have you?

A I did.

Q On September 22, 2001 --

A Is that page two, page one?

Q The date is at the bottom of 6725 and the text of the email is on the second page, which is 6726. On September 22, Tony Rudy emails you. It looks like he's responding to your September 22 email, and in his response he asks, "any

word of OIA?"

You reply that OIA is just being looked at now. "Who is your lead candidate," you asked Tony Rudy. Why did you solicit Rudy's suggestions on a candidate for a position in OIA?

A I don't specifically recall why I asked in this email but generally I have recollection that I had conversations with him or with Jack Abramoff on the position.

Do I hold on to this stuff?

Q Let's keep that in front of you for now.

A I'm going to move these over, if that's okay.

Ms. Amerling. I'm presenting the witness with two additional email chains. One is dated January 26. It begins with the number 6863. We'll mark that as Exhibit No. 2.

[Schlapp Exhibit No. 2 was marked for identification.]

Ms. Amerling. The second is dated January 230, 2002. It begins with the document number GTG R-0043. We'll mark this as Exhibit No. 3.

[Schlapp Exhibit No. 3 was marked for identification.]

Ms. Amerling. Please let me know when you've had a chance to review these.

The Witness. Okay.

[Witness reviewed the documents.]

The Witness. Okay. I've read them.

BY MS. AMERLING:

Q These emails reflect additional contacts between you and Mr. Rudy regarding the issue of filling the position at OIA. In the first, dated January 26, Mr. Rudy inquires about the status of OIA and you reply, "This one is not easy. We should talk." In the second document, which we've marked as Exhibit No. 3, Mr. Rudy reports to his colleagues that he had a long talk with you.

Why would you be sharing information with Tony Rudy about this position, about the OIA position?

A He is somebody I had great professional trust in, whose opinion I respected and in the course of trying to fill or have a role in filling literally thousands of positions in the administration and receiving the huge volume of names and opinions and requests from people across the country on different personnel issues, I always viewed it as part of my job to be able to in a time sensitive fashion be able to find good sources of information who could help guide an administration on these personnel issues when the people who are making the decisions sometimes don't have subject matter expertise themselves.

Q What unique information did Tony Rudy have that was relevant to the consideration of candidates for positions at OIA?

A As I said earlier I believe that he and Jack Abramoff had a good knowledge of the policy challenges and the political challenges facing the regions of the globe that interacted with OIA.

Q Wasn't the information that they provided information reflecting the interests of their clients?

A I don't know.

Q Wouldn't that be a logical assumption when you're talking to a lobbyist?

A Could be, although at one point Mr. Abramoff did mention that he didn't necessarily have a client interest.

Q Did you talk to other lobbyists when you were seeking information about filling OIA positions?

A I don't recall the breadth of who I talked to.

Q Do you recall talking to any other lobbyists besides Mr. Abramoff and his associates?

A I don't specifically recall but I wouldn't have barred a phone call because they were a lobbyist.

Q But you do recall talking with Mr. Abramoff and his associates about this position?

A I do. Yes, yes.

Q So did you rely on them? Did you have a unique relationship with them in your effort to obtain information about the Office of Insular Affairs position?

A No, I don't think so.

Q How many other lobbyists did you talk to?

A On this specific -- as I said earlier, I don't recall if I did or didn't talk to other lobbyists on this particular position.

Q Did you have any concerns that information that Mr. Rudy or Mr. Abramoff provided you would be biased because of the interests of their clients?

A Could you repeat the question, please?

Q Did you have any concerns that the information that Mr. Rudy or Mr. Abramoff provided you would be biased because of the interests of their clients?

A I suppose there's always that chance when you're interacting with a lobbyist but my goal was to try to learn from them about the subject matters that were important. That was what I was trying to focus on, and help advise the process to make a good decision in terms of who should run OIA. If that meant talking to different folks about what their challenges were and the type of person that was needed there I viewed it as consistent with my role to talk to them.

Q What do you recall about your conversations with Mr. Abramoff about the OIA position?

A I don't have great specific recall on the topics, just that generally there are positions in an administration

and OIA was representative of that, that don't seem to be front burner, major positions that need to be filled, yet for the people that interact with this department it's the most important thing for them. And so when you look at these -- what some might characterize as more minor positions, it's important to get the decision made correctly.

And that's what I recall as kind of the nature of the conversation in that there were some significant policy questions surrounding them that you know, the administration might have a strong point of view on if they were educated about those issues.

Q Mr. Abramoff had your direct phone line, is that right?

A I have no idea.

Q Do you have --

A My phone line. Somehow when I was the deputy director my direct line was widely disseminated and I got a lot of calls on that line. I think I had to have the line changed. I don't know how that happened, but it happened, and it caused some time efficiency problems because I would constantly have the phone ringing.

I felt like sometimes a temp agency. It was people wanting to look for jobs.

Ms. Amerling. We can put these first three exhibits to

the side. I'm showing the witness three documents. The first, which we'll mark as Exhibit No. 4, is an email chain of January 10, 2002, the number GTG R-006222.

[Schlapp Exhibit No. 4 was marked for identification.]

Ms. Amerling. The second is an email chain of January 11, 2002.

The Witness. Can I confer?

Ms. Amerling. Sure.

[Witness conferred with counsel.]

Ms. Amerling. And we'll mark that as Exhibit No. 5.

[Schlapp Exhibit No. 5 was marked for identification.]

Ms. Amerling. And the third is an email dated January 11 from Jack Abramoff, which we'll mark as Exhibit No. 6.

Please take a minute to review these documents.

[Schlapp Exhibit No. 6 was marked for identification.]

The Witness. Would you like me to read through these?

Ms. Amerling. Yes, please.

[Witness reviewed the documents.]

The Witness. Okay. I've read them.

BY MS. AMERLING:

Q In the email exchange we've designated Exhibit No. 4, Mr. Abramoff sends an email to you with the subject line "did not get the fax yet," and then lets you know that you could send to his home fax. And subsequently in this email

chain there is an email from you to Mr. Abramoff that says, "just got the resume from PPO, faxing it to the number you gave me right now," and Mr. Abramoff says, "thanks."

What is PPO? Do you know what PPO is?

A Office of Presidential Personnel.

Q And do you recall sending Mr. Abramoff resume information over the fax?

A I don't recall specifically doing that but I do remember interacting with him on these candidates.

Q Why would you send him resume information?

A Let me try to explain what the process was which I spent some time on. I did not have great substantive knowledge on what was needed to perform well in the position of OIA. My belief was that people I was interacting with at personnel maybe also had knowledge gaps on what was needed. That's why it was taking some time to fill it.

You want to make sure that you pick a candidate who is going to succeed and is seen as credible and can be effective. And one of my roles was to determine how do we get information on these positions so that we can properly vet candidates.

It's highly unlikely, improbable that you're going to be able to vet a candidate within the confines of the White House with the people who are there. The country is too big.

The issues are too complicated. There's too many other intersections on these positions, so my job was to make sure that the administration was not embarrassed by poor personnel selection, even just the response to it.

Sometimes when someone is nominated there is an outcry about -- you know, the initial response is negative. Even those types of things can really harm a candidate's ability to be effective in their job, so I was always on the lookout for people who seem to possess a good understanding of what those issues were so that I could become educated on these things.

Once again, I had a seat at the table on these personnel issues but I was -- I had a seat at the table on a lot of them whereas personnel was more specialized.

Q Weren't there people you could seek out for such information who had relevant, substantive information who didn't have clients with interests in the issue?

A I don't have a problem with people who have clients, lawyers or lobbyists. I mean I think it's good to know the information and that has to have -- you know, you take all that information into account when you listen to somebody. But that was what I was doing. I was listening to them.

It didn't mean necessarily that what they said one way

or the other would result in that decision.

Q Did you seek out substantive information from non-lobbyists on this issue?

A My recollection is I had other contacts that I talked to on this issue. I don't know whether they were lobbyists or not lobbyists.

Q Who else did you talk to? Do you remember talking to anyone who wasn't a lobbyist when you were seeking information?

A Fred Radewagen is mentioned here.

Q Do you recall reaching out to him?

A I think I did, yeah. I think I talked to Fred about it.

Q Anyone else?

A Nothing that comes to mind.

Q Did you send resumes of candidates for agency positions to other lobbyists?

A I might be lost on your question.

Mr. Shapiro. For this position?

Ms. Amerling. Yes, for any positions.

The Witness. Is it conceivable that I could have --

BY MS. AMERLING:

Q Do you recall sending resumes?

A Specifically?

Q Yes.

A No.

Q Is it correct that Mr. Abramoff was invited to an engagement party for you in May 2002?

A He might very well have been.

Q Why would he have been invited?

A It was a gathering of friends to celebrate an important milestone in my life.

Q How large was this gathering? How many people were invited?

A I don't know.

Q Do you recall a ballpark?

A I don't.

Q Are we talking hundreds of people or dozens of people?

A It was a large party.

Q Can you give us a ballpark estimate of how many people you invited?

A At the party?

Q Yes.

A Eighty-ish.

Q How many other lobbyists?

Mr. Shapiro. I'm sorry. That was attending, not invited?

The Witness. Yes, that's right. I don't know how many. I really don't know the answer to how many people were there.

BY MS. AMERLING:

Q Do you know how many other lobbyists were invited?

A I don't know.

Q Now in January 2006 Mr. Abramoff pled guilty to multiple felonies and the White House at that time got a lot of questions about the nature of the White House's relationship with Mr. Abramoff. And White House officials responded that Mr. Abramoff's contacts with the White House had been minimal.

I'll give you an example. On January 4, 2006, the White House spokesperson Scott McClellan asserted, "there were only a couple of holiday receptions that he attended and few staff level meetings on top of that." And in an interview shortly after Mr. Abramoff pled guilty, Ken Mehlman was quoted as saying, "well, Abramoff is someone who we don't know a lot about; we know what we read in the paper."

Did anyone at the White House consult with you before White House officials made statements characterizing the White House's relationship with Mr. Abramoff?

A I don't recall them consulting with me.

Q Do you recall whether Mr. Abramoff or any other

lobbyist got you an engagement present?

A I don't know. I don't specifically recall who gave me what presents at that party.

Q Do you know if any of your colleagues accepted tickets to sporting events or concerts from lobbyists?

A I don't.

Q Did you ever learn that Ken Mehlman accepted tickets to a U2 concert in 2001 from the Abramoff team?

A I don't know.

Q You mentioned that you had been to Signatures. Mr. Abramoff opened that restaurant in 2002. Do you know if any of your colleagues at the White House had meals or drinks there at the invitation of Mr. Abramoff?

A I don't know.

Q Do you know if any of your colleagues had meals or drinks paid for at Signatures by Mr. Abramoff or any of his colleagues?

A Any of my colleagues at the White House?

Q Yes.

A Or by Abramoff or any of his colleagues?

Q Do you know if any of your White House colleagues had meals or drinks at Signatures that were paid for by Mr. Abramoff or his lobbying associates?

A At the time, no. Since then there's been some

reporting.

Q Do you have any recollection of anybody discussing reimbursing Mr. Abramoff or any of his colleagues for meals, drinks, tickets or any other gifts?

A The only thing on the reimbursing question was this question of an OPA holiday party we had at Signatures.

Q Let's talk about that.

A Sure.

Q Do you recall attending a New Year's party at Signatures in January 2004?

A I recall attending a party. I don't know if we called it a Christmas party or a New Year's party or whatever.

Q Was it a party for Mr. Rove's staff?

A Yes.

Q And how many people attended that?

A Once again, I don't -- I mean it would have -- 50-ish.

Mr. Ausbrook. It's going on about an hour. It might be the appropriate time to take a break.

Ms. Amerling. If I could finish up the questions on this issue.

Mr. Ausbrook. That depends on how many there are.

Ms. Laitin. I have five minutes left in my count when

she started the questions after the introductions.

Ms. Amerling. I think I can do this in five minutes.

Mr. Ausbrook. Okay.

BY MS. AMERLING:

Q Did Mr. Abramoff attend this party?

A I don't know. I recall, as I explained earlier, I think it was the day of the party that I talked to him within the confines of his restaurant but not necessarily -- somewhere in his restaurant on the way to going to the party.

Q You're referring to the conversation you described earlier in the deposition about talking to Mr. Abramoff at Signatures?

A Yes.

Mr. Shapiro. The fish and diet conversation.

The Witness. Yes, yes.

BY MS. AMERLING:

Q Do you recall being involved with the process for reimbursing Signatures for the cost of that party?

A Yes.

Q Can you describe what you remember about the reimbursement process?

A There was some after -- sometime around the party there was a question of what my payment would be in support

of the party.

Q And how did that question come up?

A It came up from one of Karl's assistants about the need to pay for the party.

Q And what happened after that question came up?

A We worked out a process. I think I ended up giving my credit card number or paid somehow for the party.

Q Do you recall a charge for this party showing up on your credit card bill?

A I don't specifically recall, no.

Q There is a National Journal article from October 2006 that reported after Abramoff pled guilty in 2006 to multiple felonies Mr. Rove's office checked to see whether the 2004 party had been paid for and found that it hadn't. Do you have any reason to believe that account is inaccurate?

A I don't know whether -- I guess I have no reason -- I don't know specifically the facts of how it was paid or who paid it. All I know is that there were requests of me to play a role in paying for the party.

Q And when did those requests occur?

A I can't remember whether it was right before the party or right after the party.

Q But it was around the time of the party?

A Yeah, around the time of the party. I think the

directors who reported to Karl were each going to -- each were going to pay a percentage or something.

Q Did anyone follow up about this issue after that time period?

A Yes. Yes. Well, after that time period? I'm sorry. I don't understand the question.

Q You said there was a discussion about reimbursement and you gave your credit card number around the time of the party.

A I don't know if it was a discussion of reimbursement or discussion of paying for it is maybe how I would say it.

Q Okay. There was a discussion of paying the costs of this party around the time of the party, whether it was a little before or a little bit after, you can't recall exactly?

A That's right.

Q And my understanding of what you've said is that it was around that time you gave your credit card information. Subsequent to that time period did anyone follow up with you about this event and the issue of the costs of the event?

A Yes. I got a call from Susan at one point.

Q Susan Ralston?

A Yes, asking me generally if I recalled having

conversations about the party.

Q And when did she follow up with that call?

A I had left the White House so sometime after February of 2005.

Q Can you describe what you remember about that conversation?

A Once again, she called to see if I had a recollection. I got the impression they were trying to figure out what had happened surrounding this event. Maybe it was prompted by a reporter's call or something.

Q Did you ever receive any gifts from Jack Abramoff or his associates?

A I have a recollection of receiving a wedding present from -- I think -- my recollection is I got a wedding present from Jack Abramoff.

Q And when was that?

A Sometime around my wedding, which was -- I'd better get this date right -- July 13, 2002.

Ms. Amerling. I'm going to stop my round at this point and turn it over to the minority.

Mr. Shapiro. Clarification on the record before -- in your question you talked about the timing in which you provided a credit card number and I thought your testimony, Matt, was you either provided a credit card number or paid

cash or a check and you weren't at all certain.

The Witness. I'm not certain of how my method of payment was. I am certain that I was followed up on to make the payment, and I think more than once.

Mr. Shapiro. Thank you.

[Recess.]

Mr. Castor. Back on the record. Mr. Schlapp, my name is Steve Castor, counsel with the Republican staff. I'm going to be asking you questions for this round.

Before I begin, our general counsel Mr. Ausbrook is going to make one general statement.

Mr. Ausbroom. I just wanted to put on the record our objection to questions regarding whether Mr. Abramoff or anyone else attended the witness's engagement party or gave him a wedding present or questions of that regard. They are intrusive into the private affairs of the witness.

The country deplores the lack of collegiality in Washington and so when people make friends in Washington we should not sit around and criticize it. And I hope we can try to avoid those kinds of questions and get to the point that -- the real point of these proceedings.

Mr. Castor. Also, counsel for Mr. Schlapp, you will have an opportunity to come back here to the Hill and look over the transcript and make technical corrections and

whatnot, and at that time if you notice anything in the transcript that you would prefer to be redacted for website publishing purposes feel free to make that request to the committee and if you wouldn't mind also let us know because these transcripts do have a possibility of being published on the internet and whatnot, and we certainly don't want any of Mr. Schlapp's personal friends and whatnot to be subject to internet scrutiny in the left wing and ring wing blogs and whatnot.

Mr. Shapiro. Thank you. I appreciate that.

The Witness. Can I ask a question? Do I give these back to you or do I hold on to these?

Mr. Brown. They go with the transcript.

The Witness. Okay.

EXAMINATION

BY MR. CASTOR:

Q Mr. Schlapp, there is discussion about whether Mark Zachares was a good fit for a Department of Interior position at the Office of Insular Affairs. To your knowledge was Mr. Abramoff representing Mr. Zachares in terms of getting that appointment? Was there a client interest in Mr. Abramoff's mind when he was speaking with you?

A I think that I said earlier that at some point Mr. Abramoff had relayed to me that he didn't have a client

interest in this area. And specifically on Mr. Zachares, I go the impression that he just thought highly of him, thought he'd be a good member of the administration and maybe trying to help somebody he was either friendly with or who he had a professional relationship with.

Q But he wasn't representing Mr. Zachares specifically?

A I don't think so. I certainly didn't have that impression at the time.

Q Are you aware whether Mr. Zachares was appointed to the position that Mr. Abramoff was lobbying on Mr. Zachares's behalf?

A no, he didn't get the job. As I recall I don't think his interview went well or something like that.

Q Mr. Abramoff also advocated on behalf of a gentleman named Peter Ferrara for the Office of Insular Affairs. Do you have any recollection of communications with Mr. Abramoff about Mr. Ferrara?

A Not really, nothing -- I don't really have any recollection of a conversation of him, of that candidate.

Q So to the best of your recollection were Mr. Abramoff's discussions about this position limited to just Mr. Zachares?

A No, I do recall him having other candidates. He

put forward other candidates.

Q Do you remember who they were?

A I don't, I don't.

Q Do you remember who ultimately got the job?

A A fellow by the name -- I think it's David Cohen.

Q And was Mr. Cohen recommended by Mr. Abramoff?

A No.

Q So nobody Mr. Abramoff recommended ultimately got the job?

A That's right.

Q Were there other individuals communicating with you and your office about that position?

A Yes, I think I said that I had talked with Fred Radewagen and I believe I would have talked to others as well.

Q Were there communications from the Hill, any congressional members?

A My recollection is yes, I got some calls from the Hill.

Q And was that unusual?

A No. No, I mean I had worked on the Hill for five years. I loved my time working for the House and I had a lot of contacts there and members would call or staff would call.

Q Mr. Abramoff also advocated on behalf of a

gentleman named Tim Martin for a slot with the Bureau of Indian Affairs. Do you have a recollection of that specific person?

A Not the person, but generally the office, I have a vague recollection of that, yes.

Q Do you have any recollection of Mr. Abramoff communicating with you or your office about an appointment to that office?

A Meaning did they have names to fill that position? I have a vague recollection of that.

Q Do you remember any of the names?

A Not at this moment.

Q The position for Mr. Martin was to be an Assistant Secretary at the Bureau of Indian Affairs within the Department of Interior and ultimately he was not named Assistant Secretary. Do you have any recollection of who was named to that spot?

A I don't. If you gave me the name I could tell you if I remember that appointment being made. There was just -- if I could explain, it was too many positions. I prided myself in the past of being pretty good at remembering names, and in this job I soon realized that I was never going to be able to keep track of all the names on all the resumes, all the names on all the prospective lists of people to hire,

all of that data. It just overwhelmed my feeble system.

I could not remember the names, so I learned -- I remembered more by the characteristics of the policy and what was needed in terms of policy and what the politics were around those questions of policy. I remembered by what kind of skill set was needed to do a job. That's how I would tend to remember it in my head unless I knew the person, less by their name.

Q Abramoff also lobbied on behalf of Dennis Stevens. Have you ever heard of him?

A Yes, he's someone I know.

Q Stevens wrote to Abramoff on April 30, 2001. The committee reported that he was currently in the mix for chief of staff to the Deputy Secretary, Deputy Assistant Secretary for Policy and International Affairs, and these, by the way, are all at the Department of Interior.

A These communications?

Q These positions. Stevens wrote to Abramoff saying that he's currently in the mix for a number of slots. Do you have any recollection about conversations or communications you had with Abramoff about Dennis Stevens?

A I don't.

Q Do you know if Dennis Stevens was ultimately appointed to a post at the Interior?

A I don't think he was appointed.

Q Mr. Abramoff pushed for a lawyer named Glen Nager to be appointed to a federal judgeship. Do you have any recollection of communications with Mr. Abramoff about the appointment of Mr. Nager to the federal court here in D.C.?

A I don't.

Q It was both appointments at the U.S. District Court level and the U.S. Court of Appeals. He was never nominated for either.

Are you familiar with the position of negotiator for the Micronesian Compacts?

A That one does not ring a bell.

Q Mr. Abramoff on June 26, 2001 emailed Susan Ralston to suggest Arnold Leibowitz for the position of lead negotiator for the Micronesian Compacts. Abramoff vouched that he had worked with Leibowitz for a number of years.

Did anyone from Mr. Abramoff's firm reach out to you about Mr. Leibowitz?

A Once again, I don't have a specific recollection of that, but that would not be surprising considering what my role was and considering the relationships there.

Q Leibowitz ultimately was not selected.

Early in the administration, January 2001, Abramoff pushed for Joseph Lynch to be appointed to the Federal

Housing Authority. You have ever heard of Mr. Lynch?

A No, I don't recall that name.

Q Do you ever recall any specific communications with Mr. Abramoff about filling a post at the Federal Housing Authority?

A I don't recall any conversation.

Q You said earlier that Abramoff had a depth of information with Indian tribe-related matters, insular affair-related matters. Did he also possess a reputation for generally understanding Washington?

A Yes. Yes, he was seen as -- as I probably didn't explain very well that he -- one of the reasons why he was a point of information was not -- it wasn't so much surrounding what he did for a living to pay his bills. It was a question of his knowledge and his experience and his judgment on issues surrounding politics and policy and how the town works and how somebody like me could learn from his opinions and experiences on those things.

Q So it wouldn't surprise you if he was advocating on behalf of Mr. Lynch for a Federal Housing Authority post?

A No.

Q Abramoff was also interested in a lady by the name of Lynn Drake as a potential commissioner of the FDA. He wrote to Susan Ralston on October 4, 2001 attaching Drake's

resume and supporting materials. Do you have any recollection of a specific communication with Abramoff about the appointment of Ms. Drake?

A I don't. I remember her being somewhat considered for that position but I don't remember talking to Jack Abramoff about it.

Q Dr. Drake ultimately was not named to the FDA. In the latter part of 2000, Duane Gibson who was one of Mr. Abramoff's lobbying associates, someone that you said you had some familiarity with, was seeking a position at the White House. Do you have any recollection of Mr. Gibson's efforts to obtain employment on the President's staff?

A I think I have some recollections of that.

Q What do you remember?

A Him calling or emailing or seeing if I could be helpful.

Q Do you have any specific recollections of speaking with Mr. Abramoff about Gibson?

A No.

Q Gibson was ultimately not named.

A How did you describe what Duane Gibson did? Did you characterize what he did professionally?

Q He was a lobbyist at the Greenberg firm and somewhat earlier if my recollection is correct you said that

you had some familiarity with --

A Yes, someone I had worked with on the Hill, I believe.

Q And ultimately Gibson wasn't named to the White House staff. Todd Boulanger, one of Abramoff's colleagues, pushed for the appointment of a Senate staffer named Aaron Hass for a job in the White House. Do you have any recollection of any specific discussions regarding Ms. Hass?

A No, I don't.

Q You said that you didn't have a regular set of communications with Boulanger. Is that correct?

A Yeah, I don't recall communicating with him.

Q George Lowe was interested in being the Assistant Secretary for financial institutions at the Treasury Department. On March 22, 2002, Abramoff told Mr. Lowe that he, meaning Abramoff, would be delighted to press Lowe's case for a Department of Treasury slot, saying that he would raise this with Karl Rove and Ken Mehlman. Do you have any recollection of Mr. Lowe and Mr. Abramoff's efforts to seek this position?

A You know, George Lowe is somebody who I've worked closely with and know him and he's a friend, and I don't know whether any recollections of this would have been contemporaneous to the time we're talking about or later, so

I don't recall specific conversation at that time.

Q Do you know if he was ever under consideration for this post?

A I can't recall.

Q Did you ever speak with Mr. Abramoff about Mr. Lowe and this post?

A I don't remember having talked to him.

Q Lowe wasn't named Assistant Secretary. Do you remember who was?

A Assistant Secretary for?

Q Financial institutions.

A I can't remember who was.

Q Somebody named Lee Forsgren wanted to be Assistant Secretary for the Army. Do you have any recollection?

A A vague recollection of that.

Mr. Castor. I'm going to mark an exhibit. What number are we up to?

[Schlapp Exhibit No. 7 was marked for identification.]

BY MR. CASTOR:

Q Did you have a chance to take a look at this?

A I did.

Q It's an email from Duane Gibson to you in June of 2002 concerning Mr. Forsgren. Is this the type of email you might get on a regular basis for some of the positions that

you were helping staff?

A Yes. I mean this would characterize a huge volume of emails.

Q So on a regular basis you would receive people's resumes for potential slots?

A Yes, that's correct.

Q And did you tend to get information on specific positions that were within your portfolio or did you -- were you the recipient of --

A I didn't really have a portfolio. That was one of my challenges. I was the person certainly in the first several years of the administration who represented kind of the political understanding of personnel at all those meetings. It was pretty varied.

Q So in a given -- after the early part of the administration, the year of 2001, once we got into 2002, 2003, is it fair to say that the number of resumes you received dropped a little bit?

A Going from like 2001 to 2002 to 2003?

Q Yes, or was it always at a very high rate?

A I kept expecting that there would be this initial flood of inquiries and that it would subside and that my -- maybe even the meetings and the time it took to play this role in personnel would subside, and it never seemed to

subside, which of course is logical because the number of positions stay roughly the same. And because these positions are important and they handle areas of important policy, you'll always have a flood of people that would like to be considered for those positions.

Now whether or not in a second term that's different I can't speak to but certainly for the time I was there it seemed to be continual.

I think the difference is in the beginning we were probably less organized, had less systems and it was a shock.

It was a shock. As I mentioned earlier, like for instance the direct line, it was just a shock how much, how many people. And I felt very discourteous because I couldn't return all the calls, nor could I give the time that was probably needed to really listen on all the calls and scrutinize all the emails. I had to pick and choose what I focused on in order to get stuff done.

Q How many resumes do you think you got on a -- during the course of a typical week?

A I really just don't know. I would say constant, and sometimes someone might send a batch of resumes, I mean just like, here is 25 really good people the President should consider.

Q Ordinarily what was your process for handling the

extraordinary volume of paperwork and phone calls regarding --

A Well, going back through these examples, my -- I would think that in most of these cases that these were people calling me to see if I would play a role in getting a candidate in the mix or under consideration for a position. So maybe there's like two sides to this, right.

Then there's another side where I know we need to fill a position, so I'm reaching out to somebody I think has good knowledge to try to get information on how we get the position filled or I'm reaching out to somebody to say, "can you help me think about the kinds of people we would, types of people we would need to fill this position."

So there would be a huge volume of email and phone calls on -- maybe incoming you would describe it as, and we tried our best to -- if they sent an email electronically as in Exhibit No. 7, to -- knowing that the -- this is a White House record and -- you know, so that was good because we knew we could always go back and get it if it turned out like that was a candidate that we wanted.

And we tried to keep track as best we could but our focus was not so much on all the resumes that would come in because those also were tracked -- actually thinking about this helps me remember the process. These resumes were put

in what was called -- a system called Telemagic, which was some kind of computer software where we would encourage people to go online and login their resume there.

There was always a certain amount of folks that said, "well, I did that and it didn't seem to work." And I'm not very computer proficient, so sometimes we get communications back from folks saying, "I tried; didn't work, can you take the resume," or whatever.

So there was a system to track the resumes but we focused on, okay, who are the right people to talk to about getting the positions filled? And are there candidates who impress us and feel like they would be good members of the administration?

Q So during your time in the Office of Political Affairs there may have been 10,000, 20,000 people whose resumes were in this database?

A Well, the database was White House-wide, so it wouldn't have been somehow in OPA. It would have been -- but we would have directed them to that.

Q And that could have had 10,000, 20,000 people in it, right?

A Yeah. I mean it's probably a matter of record. I don't know how many, and I don't know if the system -- I think they started the system during the transition but once

again I don't know how foolproof it was either.

Q What percentage of your time did you spend dealing with personnel-related issues?

A During my time as the deputy director? A large percentage, a substantial number of hours every week. I mean a majority of my time.

Q In our report that we released last fall we listed a very long list of folks who Mr. Abramoff advocated for to get a slot in the administration and he was not exceedingly successful, so I'm just going to go through some names quickly and if you have any recollections of communications with Mr. Abramoff about this specific candidate would you let me know?

A Sure.

Q Harvey Sherzerberg, a judge for the U.S. Court of Claims?

A That's -- I have a vague recollection of that.

Q And what was the Abramoff effort for Mr. Sherzerberg? Do you have any specific recollection?

A I don't.

Q You just remember the name and potentially that Abramoff was advocating for him. Donald Carr for a position at the EPA?

A I don't recall.

Q Kevin Ring's brother John Ring for a slot at the Labor Department?

A Yes, I have some recollection there.

Q Do you have any specific recollections of telephone calls or emails that you may have had with Kevin Ring about his brother?

A No, nothing specific.

Q How about with Abramoff?

A Once again, it wouldn't have been unusual but no, I don't recall anything specific. I don't think Kevin's brother got a position.

Q No, he didn't.

At one point Kevin suggested that Jack Oliver was going to try to way in on behalf of his brother. Do you have any recollection of talking about John Ring with Jack Oliver?

A I don't.

Q Chuck Brooks for the Export Import Bank?

A I don't recall.

Q ATF Director slot for Mike Bregman?

A That sounds familiar.

Q Do you have any recollection of speaking with Michael Williams? Mr. Williams was a colleague of Abramoff.

A I don't recall.

Q He used to work at the NRA. So you don't remember

any specific conversation about --

A Not with Michael Williams.

Q How about Mr. Abramoff?

A On that position?

Q Right, on Mr. Bregman.

A I don't recall having talked to him.

Q We were surprised when we began looking at all the materials that were produced to us at the number of folks that he did weigh in on their behalf, and in fact the number of folks that didn't get positions.

Can you remember any other specific person that Mr. Abramoff may have advocated for who was named to an administration post? Are we missing anything here?

A I don't think he -- I don't think he was successful in that regard.

Q Is it fair to say that Abramoff and his team were just one source of information about a prospective slot?

A Yeah. I mean, if I could be -- explain once again. You've gone through a series of names of people that would have been in that incoming branch. My recollection is on all those names that I wasn't calling them proactively to say, who's a good name for the -- you know, some of the examples of the positions that you brought up.

The only one that falls somewhat in that category is the

OIA job because I thought he had good, specific information and a grasp of the policy issues. But on these other -- on these other positions, I might have had other contacts and other people that I felt like could give me information on qualified candidates. So I would definitely -- if I felt like somebody was a good information source, it might be related to a given -- you know, a given type of job.

Q And those calls were coming in from all over the map. Is that fair to say?

A All over the map. I was, you know, sometimes surprised at the people who would call.

Q So you got calls from specific people looking for posts. You got calls from their friends. You got calls from lobbyists. You got calls from the Hill.

A I remember getting a call from -- I wasn't always able to return calls as promptly as I wanted to, and always had a nagging guilt about that. And I remember sometimes our systems weren't so good, either, because you'd go from meeting to meeting to meeting to meeting, and then you just -- you were tired.

And I remember a couple days later having gotten a call from, you know, a Judge Clark out in California and Ed Meese about some California person, and I remember thinking how disrespectful it was of me to -- you know, we didn't -- the

person who was helping with my calls didn't know who they were, and I never got a heads up that they called, and then days later I'm just kind of noticing they called.

And that was the kind of -- you know, and I actually would have enjoyed talking to them. So, you know, that was my loss. But it was just a -- it was a constant stream of calls from a wide variety of people. And some of the people -- I might not have recognized their names -- could have had really great insights into a particular position or whatever. So I also was sensitive to the fact that I didn't necessarily know who all the right contacts were. I was trying to learn.

Q So some of these folks that called you could have been party leaders from the --

A Yes.

Q -- from out in the state and local government folks?

A Yes. That's right. That would have been -- that would have been something that would have happened.

Q Congressional offices? Different members of the House of Representatives or the Senate?

A Yes. Or their staff. You know how that works. Sometimes it was the D.C. staff, and then sometimes the district director had a little slightly different opinion.

And, you know --

Q Is it fair to say that because Abramoff didn't get very many, if any, people to these different positions that he was advocating for that he wasn't very influential in terms of getting people named to slots?

A Well, I mean, the record is the record. If he wasn't successful in getting specific people for jobs that he wanted them to perform in, then that's accurate.

Q That was our conclusion. And now I'm just sort of asking you, because you did have a different perspective, whether we've missed anything.

A But if he was somebody who still had a good knowledge of how, I think you said earlier, the town works or substantive knowledge of an array of policy issues, and to the extent that maybe people listened to him on the types of things they needed to be sensitive about, in that case, which is more important, you know, maybe he was helping make sure that the administration was making good decisions on those types of things. I don't know.

Q But he certainly didn't have a direct line into the White House to get anyone appointed who he wanted?

A No.

Q Going back to Exhibit 1 -- do you still have access to the exhibits?

Mr. Shapiro. It's in the pile next to you.

The Witness. Sorry.

BY MR. CASTOR:

Q Sometimes our witnesses are -- they lose access to the exhibits. I want to make sure you still have access to it.

On the second page of the exhibit, the Bates No. 6726, there's some back and forth between you and Tony Rudy in June of 2001. Well, sorry. Back and forth is maybe the wrong word. There's an e-mail from you to Tony Rudy. Tony Rudy e-mailed you on June 18, 2001.

A Yeah.

Q And then on the first page of the exhibit, it looks like you get back to him on Saturday, September 22nd, in the afternoon. Is that fair to say? It looks like there's -- three months later, you get back to him?

A Yeah. That's what it looks like.

Q So you're not giving Tony Rudy or Mr. Abramoff any special treatment here in terms of expeditiously getting back to their incoming e-mail requests, are you?

A I think that goes to the point that I was making earlier, that I wasn't always able to be as respectful as I would like to be to people that are making the equity of their government, of the White House. And in this case, it

looks like it's on a Saturday, which means I was probably plowing through a bunch of stuff I never had time to read or --

Q I want to amplify some aspects of the first e-mail in the chain that wasn't completely amplified before. And this is the e-mail to you from Tony Rudy June 18, 2001. "Hope things are well. I don't know if you remember this, but we spoke about it a few months ago. There's a Clintonista and McCain donor who is a political appointee of Albright." The former Secretary of State. "He is scheduled to be renewed on the 23rd of this month unless action is taken. He ran a partisan operation at the Department of the Interior which the Auditor General called the worst violation of the Hatch Act he had seen in 25 years. All his actions were targeted against House Republicans."

Does a further reading of this refresh your recollection at all about Mr. Stayman, and that he might have had some controversy attached to his tenure?

A Yeah. It gives me a little more detail, if that's in fact true.

Q Would it be unusual for an appointee of a previous administration, especially when the previous administration was of a different party -- would it be unusual for them not to be renewed or reappointed for a slot?

A Well, I mean, if it was a political position, if one of the -- one of the jobs when you have a new administration, whether -- even if it's of the same party, is to make sure that the President's priorities are well understood and have a chance of being successful, it doesn't have a chance of being successful if you don't have people in these positions who want to advocate for the President's agenda.

My assumption in receiving this e-mail was that there was what someone might describe as a holdover, somebody who'd been appointed in a previous administration, and in this case obviously an administration of another party, who was still in a position, which I probably would have perceived as being in a political position or a position where a political -- there was a political supervisor or something that had the authority to make a decision here.

Q President Bush did keep George Tenet. He did keep Secretary Mineta. I mean, there were some people that made the transition.

A Or that -- if I could interrupt just for a second.

Q Certainly.

A Because it was about the agenda. If you had a policy agreement, that's what mattered.

Q I was just pointing out that the President has a

record of at least bipartisanship in terms of looking at specific candidates.

A Well, if you'll excuse me, I mean, Bill Clinton picked Senator Cohen, right, to be in his administration.

Q Sure.

A So there's not -- it's not that unusual to go across party lines. But the key is, do you have a policy agreement?

Q I guess what I was getting to is that that's not ordinary, or there's not a high volume of Clinton folks that made the transition over to the next administration.

A That's right. I would agree with that.

Q I think in the early part of the administration, the White House was running on -- not Microsoft Outlook. Is that fair to say? Was it Lotus Notes or something?

A My recollection is it was Lotus Notes.

Q And I point that out just because it's hard looking at these e-mail strings to see when the e-mails were sent and received. But just for the record, the first e-mail in the string from Tony Rudy -- and I'm just personally trying to clear up the record; I don't have necessarily a question here -- Tony Rudy to you was on June 18, 2001.

Your first response came Saturday, September 22nd. And then Tony Rudy replied on September 22nd, the same day. And

then you did reply. So, you know, earlier when I was making the point that it took you three months to get back to Tony Rudy, I wasn't entirely correct. And that was my own fault, looking at this.

A It is right.

Q The first reply -- as it turns out, your first reply to Mr. Rudy was in fact three months later. It came on September 22nd, roughly three months after the June inquiry.

I'm just having a little trouble --

A Yes. I see that.

Q -- reading the Lotus Notes/Microsoft Outlook stuff. I'm going to switch gears just a little bit and turn your attention to the RNC e-mail account issue.

A Yes, sir.

Q Which, as it turns out, has been highly publicized lately.

As we've come to understand, there are folks in the Office of Political Affairs that had an RNC e-mail account. Were you one of those?

A I did. I had an RNC e-mail account.

Q And you -- did you have a separate RNC computer at the White House?

A I had an RNC laptop.

Q And sometimes you used the RNC equipment, and

sometimes you used the EOP equipment?

A I'd use them both.

Q And did you get the RNC equipment as soon as you showed up at the White House in the beginning of the administration?

A I don't recall when we first got them. It was pretty -- it was pretty early. I don't know if it was the first moment.

Q And how did you decide which to use?

A It was generally -- we generally understood that the laptop was being given to us in political affairs, although I think there were some others who had them, too, with a desire to make sure that stuff that was inherently campaign-related would be done on a -- would be done on that computer.

Q And was there any specific information given to you to help you make those decisions about whether it makes sense for Hatch Act purposes or for whatever purpose to use the RNC-provided equipment as opposed to the EOP-provided equipment?

The Witness. Can I confer for a second?

[Witness conferred with counsel.]

The Witness. Okay. I'm trying to -- I think we were given kind of general guidance. And what I remember about it

was the emphasis on -- and having come from a Hill office, this is understandable -- the emphasis was, look. If it's direct kind of campaign-related stuff, let's keep it on -- let's keep it on the RNC computer equipment.

BY MR. CASTOR:

Q And that's what you did. Right?

A Yeah. I attempted to do that. Exactly.

Q Did you have an EOP BlackBerry?

A Yes. Yeah, my BlackBerry was a White House official BlackBerry.

Q Did you have an RNC --

A No, excuse me. I take that back. I apologize. My BlackBerry -- strike that. My BlackBerry was an RNC BlackBerry. I did not have a White House BlackBerry.

Q So you had one BlackBerry. Two computers at the office?

A Yes.

Q And how about cell phones? Did you have --

A I believe from the time I started, my cell phone was an RNC -- always an RNC cell phone. Never had a White House cell phone.

Q For purposes of the Presidential Records Act, did you ever have a need to take some of your e-mail communications that happened after hours, maybe, on your

BlackBerry, and did you ever have to do anything? I mean, we've been told that the instructions were to forward it over to your EOP account if it made sense. Did you ever do that?

A I was kind of a regular habit of -- we had a daily staff meeting in the office in which I worked, and then we had a directors meeting that I went to while I was there, both as deputy and as the director. And I was in a habit, because with a daily meeting and considering the time constraints of the activities you have to get done in the course of your day, you would also have this volume of e-mail. Some of them required a follow-up by the next morning.

So I was in the habit of -- if I got those types of things on my BlackBerry account, my habit was to send it to my assistant. Now, I don't know when I started that, but that was my habit, to send to my assistant. And the desire was to have some system whereby when I came in, I knew the types of things I needed to give an update on.

Q The committee Democrats have suggested that there potentially may have been the greatest violation of the Hatch Act in 30 years -- or, I'm sorry, the Presidential Records Act.

So is it fair to say that if that is a charge out there, that you are not someone -- you're not one of the White House

staffers that contributed to that potential Presidential Records Act violation?

A No. I don't think I did. My intent was to give my best efforts to following the guidelines of preserving presidential records, which is what I did. And I think, you know, in light of the new technology, the explosion of the use of e-mail and then the use of BlackBerrys, that came about at least more popularly, it seems to me, in this town after September 11th.

Q Just while we're on the topic of Presidential Records Act violations, there is a New York Times article on September 21, 1997 concerning Harold Ickes and his departure from the White House. There's a legend out there that: "Mr. Ickes, when he left the White House, once he" -- this is the New York Times writing -- "once he finished with the official checkout, he trundled box after cardboard box down from his office into the parking lot. His assistant had parked her car in the first slot beside the West Wing exit. And Ickes filled it up to the brim several times over.

"In all, he carried out about 50 boxes groaning with papers -- news clippings, fundraising documents, private notes scribbled during White House meetings, private memos to the President. In one pile were detailed notes about the Asian fundraiser-in-chief, John Wong. In another pile was a

three-ring binder that contained a brief history of fundraising for presidential campaigns that Ickes had compiled for the President in the summer of '95.

"This was done in response to newspaper articles that accused Clinton of selling access to the highest bidder. Sensing the President was embarrassed by the applications and might need a fall guy, Ickes also sent Clinton a resignation." This is part of a New York Times Magazine story written by Michael Lewis.

Did you ever have any recollection of that Harold Ickes story?

A I think vaguely, yes.

Q And was it your general understanding that you can't do stuff like that?

A It seems like an excessive amount of, you know, mementos or whatever, you know, stuff that might not be covered under the Presidential Records Act.

Q But your understanding of the Presidential Records Act is that you had to keep --

A Yes.

Q -- e-mails and documents and papers that related to presidential decision-making?

A Yeah. That's my understanding of it.

Q The Presidential Records Act doesn't certainly

require the White House to keep every single piece of paper or e-mail or communication record. It just requires that the White House maintain an accurate record and adequate record of presidential decision-making.

Do you have any other -- at that high level, given that you're not a Presidential Records Act lawyer, do you have any other thoughts on the Presidential Records Act or guidelines that you sort of operated under?

A Just that I do remember there being a briefing at some point while was there. I think Judge Gonzales led the briefing. And I think they talked about some of these basic things. And I think we all knew and understood -- part of it you take a little bit of pride in, which is you knew that your e-mail -- or at least it was explained to you that your e-mail would be preserved, you know, maybe forever, and so you thought when you were typing something that, you know, maybe your grandchild was going to go to a presidential library one day and get to read that e-mail. So it might have prevented you from saying something tawdry or, you know, not ennobling.

And so I think it was a general perception that that was -- that that was going to be preserved. And it did kind of give you the tone, or at least the impression, or at least it was kind of like a personal charge, that you should be

awfully careful about everything you do because it's -- you know, you are part of -- really everybody involved in this town are part of history.

And so there was a widespread understanding that you -- we had to be careful with the kind of paper and e-mails and such.

Q Do you have any recollection of receiving any documents or memos with regard to compliance with the Presidential Records Act?

A I don't know. I don't know. I remember a -- I remember a briefing. I remember like an ethics briefing. They might have done that annually. I don't know if they started it in the beginning. I remember a briefing that was conducted by the White House counsel's office. I believe that was specifically with the political affairs office, to kind of talk to them generally about the policies and sensitivity to following the law and the policies.

Q Other than your RNC e-mail and your White House EOP official e-mail address, did you use any other e-mail addresses while you were physically at the White House? Hotmail? AOL?

A I'm just not a technological person. So I just never have developed a personal e-mail account because it always seems like a couple more steps to get there and it

gets me confused.

Q So you didn't access Hotmail or Yahoo or AOL from your computers?

A No. I don't know if you even could have. I don't know if you could have from your -- the only thing, if I could maybe -- I'm thinking about your question. The only distinction I would draw is at some point, my RNC address changed. So there was a secondary RNC e-mail address, and the first one went away.

Q So if one were to endeavor to find all the e-mails that you ever wrote when you were in the White House, it would most likely be in one of those two accounts, your EOP account or your RNC account?

A Yeah. That would be right.

Q Affording for the fact that maybe the address changed? The handle?

A Right. Is that what they call that, the handle?

Q I think so.

Going back to the Signatures holiday party --

A Yes, sir.

Q -- was there a practice in your department, the Office of Political Affairs, or all the offices that reported in to Karl Rove, for handling the payment of these types of events?

A No. I don't think there was a regular practice, at least not one that I'm aware of. Maybe --

Q But if you had somebody's birthday cake or something, that wasn't paid for. Was there a specific practice? Did you collect money, or did Mr. Rove just buy it himself, or do you have any recollection about how those types of things were handled?

A No.

Q So when you were asked to pitch in for the Signatures bill, could that have been just the way that it was done in Mr. Rove's department?

A Could it have been the way it was done in this one occurrence?

Q Well, was it done that way generally? Like future holiday parties, for example?

A I didn't remember having ever been asked before to pay.

Q Were you asked subsequent to that?

A For other occasions?

Q Yeah.

A I don't believe so. Not for anything that had to do with Karl Rove.

Q Were there other holiday parties for the Office of Political Affairs or the other offices that reported in to?

A We always had -- I think we -- I don't want to say we always, but we tried to get together a lot. People worked very hard in this office, and people had, I think by and large, great respect for each other. And we hung around with each other so much during the day that, you know, what was Saturday night on top of it?

And so we would try to get together. And I know Ken Mehlman was great about, you know, hosting events at his house, and we'd go get a drink or whatever.

Q When it came to organized holiday parties, was there an annual event like the Signatures event that we spoke about earlier?

A For people who worked for Karl?

Q Right.

A He had had a party -- I think so, yeah. There had been a party -- I certainly recall a Christmas party because I recall that they gave us a little Christmas ornament at Old Ebbitt one year.

Q So one year it was at Old Ebbitt?

A In the basement there in that room, that private room in the basement. And he had had a function -- Karl had had a function at his house one time, like a barbecue in his backyard. I don't know whether that was -- it wasn't Christmas because I didn't have a parka on. It was -- that

would have been more with, you know, better weather. And I remember being at Karl's house for a Christmas party, but I think it was just with maybe the directors.

Q Did you have a personal practice when you went to meals or you had drinks with a lobbyist -- did you have a personal practice about how you paid for that?

A I tried to pay cash.

Q So for the most part, you -- it was your personal practice that you paid your share of a meal?

A Right. Or pay for it. I didn't have a problem with paying for it.

Q Typically, you would -- you'd put cash on the table or, you know, pick up the credit card bill?

A Yes. I suppose it could have also been on a credit card.

Q Was there any guidelines given to you or other White House staffers about how to navigate the lunch with lobbyists?

A I think the -- as I recall, I think that would have been brought up in conjunction with this -- I recall at least one ethics briefing that was in room 450. It was, you know, I think for all -- probably all the staff was encouraged to go or required to go. And I think they talked generally, once again, about different policies and things employees of

the White House should be aware of.

Q And is it fair to say that White House staffers are supposed to -- you know, they're not supposed to be going out to Bistro Bis, you know, on a regular basis and allowing someone to pay for their meals and whatnot?

A I just don't even know how you could do it in terms of time. I mean, just -- we went to Cosi and Au Bon Pain. That was where our -- you know, that was -- you dodge out there and -- I would also -- because quite frankly, it was more convenient for me -- but I also would host lunches and a substantial amount of breakfasts in the White House mess.

Q But you had to pay for those. Right?

A I'd pay for that personally, especially if it was a lobbyist, just for -- I don't know if they even could have paid if they wanted to, but I suppose they could have -- we could have. I don't know. But I would just pay for those personally.

Q When it came to accepting tickets for sporting events or concerts, do you have any recollection of accepting any tickets to events from Mr. Abramoff?

A No.

Q And if tickets in the front row of a basketball game that have a high face value -- if that was offered to White House staffers, what would be the policy in terms of

would there be an allowance? Like would the White House staffer be allowed to take those tickets?

A Boy, I'm sure not an expert in these laws. I don't know if it's coming from your grandfather, you know, or like has been brought up, a lobbyist, or somebody else. But there was a process they could go through the counsel's office to determine whether, you know, it was acceptable. And I think there's also -- I mean, I know there's a gift office at the White House. I don't know how that falls in the structure of things.

I remember I got like a -- I got a toy truck. I gave a speech, and I guess my honoraria was a truck. And it was actually a neat truck. I thought it was cool. And I had just had a nephew who was born, and I thought, well, this would be great. I'm going to give him the truck.

And then I brought it back to the office and someone -- this was new, when I hadn't been on the job long.

Someone said, you know, you can't -- it's not -- you know, the governing rules might be different from the Hill. You might want to -- there's a gift office. You might want to run it by them. And I said, sure. It's a truck. And I ran it by the gift office, and they took it away from me.

Ms. Amerling. Steve, excuse me. Are you coming to a good stopping point? Because I think that time for this

round is coming to a close.

Mr. Castor. Yeah. I want to be very observant of the hour time limit. Do I get an hour five minutes this time due to what happened last time, or where do we stand in terms of the extra time that you consumed?

Ms. Amerling. I wasn't aware that I consumed extra time. All right. When you come to --

Mr. Castor. Because if my hour's up, I want to stop.

Ms. Amerling. Would you like to take a break for lunch, or would you prefer that we do another round of questions and talk about a break after that?

Mr. Shapiro. We definitely want to take a break for lunch.

The Witness. What does that mean? Does that mean two hours, then?

Ms. Sachsman. We can take a break for lunch after the next hour.

Mr. Shapiro. Okay. I'm fine with that.

Ms. Amerling. Let's go off the record.

[Recess.]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A

[REDACTED]

[Lunch recess.]

Mr. Castor. Mr. Schlapp, thanks for coming back after lunch.

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The Witness. I wasn't aware it was optional.

Mr. Castor. Which is a very good point and I do want to extend a hearty thank you for coming in here voluntarily. I'm not sure whether we're at a deposition or a non-deposition deposition. Is this a deposition?

Ms. Amerling. This is a deposition.

Mr. Castor. This is a deposition? Okay. Sometimes we have transcribed interviews, which look the same, sound the same, so I guess we are in a deposition.

Thank you for appearing voluntarily.

BY MR. CASTOR:

Q Did anyone ever -- did you initiate contact with the committee in terms of -- did you hear that the committee was conducting an investigation and did you call the committee to advise them that you might have information pertinent or did the committee first reach out to you?

A I believe I received a letter from the committee.

Q So the committee reached out to you?

A Right.

Q Affording you the opportunity to come in voluntarily and speak to the committee?

A I can't remember how that letter characterized it. I guess it was an invitation to come in.

Q Was it your understanding that if you declined the

opportunity to come in voluntarily that the committee would afford you the opportunity to come with the help of a subpoena?

A I don't know if that's explicit in the letter or not.

Q Was that your general understanding, that you would eventually be compelled to come in if you didn't come in voluntarily?

A You know, I didn't have any of these communications myself, so I don't really know if that was communicated to someone on my legal team or not, but I think that is part of the context to make these decisions, of course.

Q So you'd rather be at work today? Is that a fair thing to say?

A Yeah, or with my kids or whatever.

Q Fair enough.

When we last spoke and my time was ending we were talking about whether you took any tickets from Jack Abramoff, whether you sat in the front row at the Wizards game. You said you hadn't.

You said you hadn't had any meals that you could remember with Jack Abramoff?

A That's right.

Q Can you think of any other gifts or anything that

Mr. Abramoff gave to you other than this wedding gift, I guess?

A Yeah, I mean I have a recollection that I might have received a wedding gift from him. I think it was a -- it might have been a toaster. But that's it.

Q Okay. And you don't remember whether he gave you a gift at your engagement party?

A I don't think -- my recollection is -- it's not definite, is that I got some kind of a wedding gift from him; wedding, engagement, I don't know. I mean something around my wedding, and I'm not positive about it. I think so, and I think it was a toaster.

Q So to the best of your recollection it's fair to say we've covered the universe of courtesies or gifts extended by Mr. Abramoff to you that would have a monetary value, such as tickets, meals, gifts?

A I think that's right.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Q You said earlier that Mr. Abramoff and you conferred at an in-person meeting at the Department of Interior. I think it was 2001. And you didn't have any other recollection of Mr. Abramoff --

Mr. Shapiro. I don't believe he said 2001. What's your

best sense of the date?

The Witness. I thought that meeting was in 2002.

Mr. Shapiro. I don't know if the date is important.

The Witness. What's the question? Is the question about the date?

BY MR. CASTOR:

Q I guess what I'm trying to say is that you don't have any other recollection of Mr. Abramoff coming to the White House to meet with you?

A No, I don't.

Q On July 8, 2006 the Washington Post wrote an article that said Abramoff was in the White House seven times. The article says he met with Rove one time. He had a meeting with the Vice President's domestic policy staffer. He attended an event with 40 people at the Office of Faith-Based Initiatives. There was the get together with Indian tribal officials. Do you have any other reason to know about any other time that Mr. Abramoff was in the White House?

A Besides those that you just mentioned?

Q Yes.

A I could have sworn I remember an account of him maybe attending a Hanukkah celebration or something.

Q Indeed, that was another one.

A Oh, okay.

Q But when you heard that Abramoff was in the White House seven or eight times did that shock you? Did you think that maybe he was there 40 or 50 times or did you have any impression when you heard that news?

A It didn't surprise me that he came to the White House. It's hard to put the numbers in a context; 40 or 50 times in what kind of time frame? What was the time frame?

Q He, as far as we know, only came to the White House six or seven times.

A Over what time frame? Does it say there?

Q From 2001, the beginning of the President's taking office in January through -- I believe the news reports started in the early part of 2004, so it's essentially a three year period; 2001, 2002, 2003. Did it surprise you that as it turned out he may have only been there six, seven times?

A In all? I just I can't remember having an opinion at the time. It didn't hit me one way or the other.

Q Jonie Chung, for example, visited the White House 49 times. You know, if you go back to one of the Clinton campaign finance fellows. And he had a famous quote. Were you ever familiar with the time that he said that the White House is kind of like a subway; you need to put money in to

make the Gates open?

A I don't remember that quote.

Q In the July 27, 1997 LA Times Chung said, "I see the White House as like a subway; you have to put in coins to open the gates." Given some of the campaign finance issues that happened in the previous administration do you have a recollection of whether the White House Office of Political Affairs when you took office yourself and Mr. Mehlman, did you have a recollection of whether there was an effort to be careful about the coffee fundraisers, the Lincoln bedroom types of visits, some of the more well chronicled fundraising tactics that the previous administration used?

A Well, I mean I think it was part of what the President ran on I think to a certain extent, the integrity of the office. And I certainly feel like that was certainly explained to us over and over again either by Andy Card or whoever else or at meetings that we had, to remember to keep things, remember to consider the ethics of your decisions and such.

I don't recall having any kind of a fundraising kind of anything within the gates or any aspects of that.

Q Part of the Office of Political Affairs as I understand it is you listen to various constituencies throughout the country and you let them make their pitch.

A Yes.

Q You let them provide input, you know, whether that input is acted on or not. But part of the role as I understand it is to allow people to talk to you. Is that fair to say?

A Yeah. I described it as kind of eyes and ears.

Q And is part of that process helping different individuals, constituency groups feel listened to?

A Yeah, I think that's right. I think that's right. It can go beyond that as well, but I think that's right.

Q And if there was a particular legislative initiative and there were a number of interest groups affected by the outcome of the legislation you'd meet with various, even opposing viewpoints on it?

A That's right.

Q And even if there was already an outcome in the President's mind about where he wanted to go legislatively you would still take the time and listen to the different viewpoints. Is that fair to say?

A I think that's right.

Q But you'd want to be careful in terms of not attaching a price tag to that opportunity to come in and present views to the White House, is that true?

A Definitely, if I understand you. Like would I

charge some kind of price to talk to someone? No.

Q Like if you were going to meet with a particular interest group and they were going to come to the White House and meet with you in your office, maybe you would take them to the White House mess, you certainly wouldn't hit them up for a campaign donation?

A I did not raise funds for political purposes in my job.

Q And do you have a recollection of whether the Office of Political Affairs generally had sort of a fundraising component to their outreach?

A We certainly had interaction with people who would be considered major donors to the party or who had been fundraisers for the President. We would have conversations with them, just because you gave money didn't somehow mean you were verboten. Those conversations occurred.

Q But you let the political professionals and the RNC handle the mechanics of all fundraising. Is that true?

A You mean fundraising for the party?

Q For the party and for the President.

A Yes, absolutely.

Q Are you aware of the different types of rules concerning having outside interest groups lobby Congress on the President's behalf?

A I've written -- I've seen written accounts of that and such.

Q If the President had an initiative legislatively and you were working with Congress to secure support for it are you aware of any proscription in having sort of an outside group take a role in lobbying on behalf of that?

A A nongovernment group?

Q Yes.

A No, I'm not aware of any prohibitions, although that's a very broad question. I'm sure there's some prohibitions for some groups.

Q Former Secretary of Labor Alexis Herman came under some criticism. She used to be White House staffer, the Office of Public Liaison. Is that an office that exists at the White House currently under this administration?

A Yes, it is.

Q And does that Office report in to Karl Rove?

A It does. Well, no, Karl Rove is -- yes, it does. It does report to Karl Rove.

Q What are the other offices? There was Office of Political Affairs, Office of Public Liaison and I think there's Office of Strategic Initiatives -- and the Intergovernmental Affairs.

Mr. Shapiro. You want to just clarify?

The Witness. Yes, let me clarify and answer. On your questions on fundraisers my answer was specifically related to did I raise funds in my position. Did I have a role in fundraising? Yes. It could include picking venues, who are we going to do a fundraiser for, those kinds of questions.

BY MR. CASTOR:

Q Getting back to former Secretary Herman, it was alleged that she was getting business groups to lobby on Capitol Hill for the President's proposals. Are you aware of any of the rules associated with having an outside lobbyist, an outside business group, an outside constituency to take direction from the White House to try to get Capitol Hill to act?

A No, I'm not aware of prohibitions of having people advocate for a shared agenda.

Q Have you ever had a recollection of getting some of these outside business groups together to lobby the Hill on behalf of the President?

A That wouldn't have been my role necessarily. Would I have talked to various people about what the agenda was? Yes, but it wouldn't have been my role to interface with what you call business groups.

Q Is this more along the lines of something the Office of Legislative Affairs would be working with?

A No, it would be -- it would have been the office of public liaison in this administration as well who would have had the lead.

[REDACTED]

[REDACTED]

Mr. Castor. I think my time is up, so I'll self-identify that.

Ms. Amerling. Should we take a five minute break?

[Recess.]

Ms. Amerling. Okay. Let's go back on the record.

BY MS. AMERLING:

Q Let's turn to the subject of email accounts used by White House officials. You had an official White House email

account, is that correct?

A I did.

Q And when did you get provided with that account?

A My official White House account?

Q Yes.

A I thought on the -- we had some computer problems, so I don't know if I got it on the first day or shortly thereabouts.

Q And what was the address of that email account?

A I thought it was [redacted]schlapp@who.eop.gov, something like that. I think there was a shortened version and then there was a longer one with your full name.

Q And I think you mentioned earlier you had official White House computer. Is that correct?

A Isn't that -- oh, you just asked for an official White House email account.

Q My first question was about your email account, and now I'm asking about the hardware.

A Yes, okay.

Q Did you have an official White House laptop computer or official White House desktop?

A It was a desktop computer, an official White House desktop computer.

Q And when did you first start using your official

White House email address?

A I think within -- if not the first day I think it was close thereabouts.

Q And how did you access that account?

A My White House? My official?

Q Your official White House account.

A I'm sorry. I'm just not really a computer person. I turned on the computer and I logged in and it was there.

Q Your official White House computer?

A Yes.

Q Could you access your official White House account through any other computer?

A I don't know. That's a good question. I never did.

Mr. Shapiro. Did you?

The Witness. I never did.

BY MS. AMERLING:

Q And I think you said earlier that you did not have an official White House BlackBerry, is that correct?

A That's right. I never did.

Q So what you've described is the sum total of computer hardware that you were provided by the White House for your official White House account?

A I had --

Q Let me rephrase that. That's the sum total of official White House computer hardware that you were provided?

A One computer on my desk, a desktop.

Q Okay. And you testified earlier in response to questions from minority counsel that you held an email account provided to you by the RNC during your tenure at the White House, correct?

A That's right.

Q And at some point -- do you recall the address of that?

A I think that was [REDACTED] schlapp@georgewbush.com.

Q And you said at some point that account changed. Do you recall whether that change -- do you recall when that change occurred?

A That address changed.

Q The address changed?

A The handle, I think we were told is the proper term, right?

Mr. Shapiro. Whatever it is.

The Witness. That changed, I believe in 2003, maybe sometime in -- I think that's when it was, 2003.

BY MS. AMERLING:

Q And it started out as the George W. Bush account or

did it --

A It started out -- my first non-White House account was the George W. Bush account. My second non-White House account would have been [REDACTED]schlapp@gwb43.com.

Q And who provided this account to you?

A Can I just say for the record whether that was [REDACTED]schlapp or [REDACTED]schlapp -- it's something like that with my name, with that ending.

Q And do you remember who provided the account to you?

A Who communicated to me that I had this account?

Q Yes.

A I don't remember that.

Q Do you remember who set it up, who physically set up the account?

A I assume the RNC set up the account, but I don't remember who.

Q And the RNC provided you with one BlackBerry. Is that correct?

A Yes, that's right, one BlackBerry. Now I might have lost that BlackBerry or it could have broken, so I could have had -- I don't know how many BlackBerries I went through.

Q You had one at a given time.

A Yes, that's right; one at a given time.

Q And you also had an RNC provided laptop. Is that correct?

A That's correct.

Q And do you recall who gave you this equipment, what individuals gave you this equipment?

A No.

Q And do you recall when you were given this equipment?

A No. I think it was just given to me by my assistant.

Q Do you recall when? Was it early on?

A Well, I think it's -- there's a distinction between the BlackBerry and the laptop. My recollection, although vague, is that we did not have BlackBerries through at least September of 2001 because I remember that we couldn't communicate during the chaos in the aftermath of that tragedy and we -- there was a lot of written press accounts about how members of Congress could communicate and they already had their BlackBerries, I think. At least, that's what I recall, so I think we got our BlackBerries shortly thereafter.

Q Do you recall when you were provided the RNC laptop?

A I thought that was very early on, but I really

don't know the dates.

Q But it's likely you got the laptop before you got the BlackBerry?

A Yes, I think that's right.

Q And could you access your RNC email accounts through both your BlackBerry and your RNC laptop?

A It was one in the same.

Q Well, there's different --

A Restate the question.

Q You could access your RNC email account through your RNC BlackBerry.

A Yes.

Q And you could also access your RNC email account through your RNC laptop?

A Yes, I guess I would look at my RNC BlackBerry as my traveling email, maybe.

Q And could you access your RNC email account through your official White House computer?

A I never did. I don't know if I could have.

Q Did you ever communicate on your RNC BlackBerry by using a pin code as opposed to the email account?

Mr. Shapiro. Do you know what that is?

The Witness. I don't know what that is.

Ms. Amerling. Okay.

BY MS. AMERLING:

Q How did you get the idea to have an RNC email account for use while you're at the White House?

A I don't think it was my idea.

Q Whose idea was it?

A I really don't know.

Q Do you remember any discussions about setting these accounts up among White House officials?

A No, I wasn't involved in those meetings where they made those decisions.

Q And how often did you use your RNC email account from within the White House?

A As deputy director, not that frequently or I would say less frequently than when I was political director.

Q When you were political director how frequently did you use your RNC email account?

A I used it every day, every day I was at work.

Q Do you think you used it every hour?

A No, I don't think I used it every hour.

Q What percentage of your email communications that you did during your time at the White House were conducted over nongovernmental accounts?

A Way less than 50 percent. Total guesses here, I mean I couldn't even tell you how many emails I got in a day,

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so I don't -- but my recollection is not that frequent use.

Q And did you take any steps to ensure that official communications that you received over your RNC email accounts were preserved?

A Yeah, I made my best efforts. First of all, I think on a lot of my emails that were sent or received from my George W. Bush or GWB accounts that many times there would be a White House email within the chain of emails because oftentimes people were sending emails, either people on their staff or your assistant to keep track of actions that needed to happen or whatnot.

So the intent was to -- you know, the George W. Bush account was for kind of his campaign-related activity and your official activities should if at all possible be on the White House system.

Q When you conducted official business over RNC email, did you -- what steps did you take to make sure that would be preserved?

A Well, what I would usually do is forward it to myself at my WHO address or forward it to myself and my assistant or forward it to myself and maybe a subordinate.

Q And who was your assistant?

A While I was political director?

Q Well, let's start with then, while you were

political director.

A Tracy Jucas.

Q And while you were deputy?

A I'm sorry -- I didn't mean to -- J-u-c-a-s. I didn't mean to -- and what was your question?

Q And how about when you were deputy political director?

A Was several.

Q Who were your assistants?

A Doug Hoelscher, Dave McMaster, and I thin John Ganter, too.

Q You testified earlier today that you recall getting a briefing from the White House Counsel about responsibilities for preserving presidential records.

A Yes.

Q My recollection correct there?

A Well, I think the briefing was -- I don't know if it was a briefing just on the presidential records act or just a variety of policies and procedures we should be aware of.

Q Do you recall ever getting explicit instructions on using official accounts for official business, official email accounts for official business?

A I don't know if I do remember getting a briefing on

that.

Q Did you ever instruct other White House staff about the appropriate use of political email accounts? And by political email accounts, when I use that phrase I'm referring to the RNC-provided account that you described.

A I think people understood that your -- and the people who worked for me understood that the George W. Bush accounts were for your kind of campaign-related activity and your official accounts were for your official business, whereas it was probably impossible to keep the streams completely always separated and the right things. But the desire was to use those accounts for those purposes and not to avoid something or avoid compliance with a policy or whatever.

Q How did you know that the people who worked for you believed that?

A Well, I can't -- I guess I can't know everything they did, but I do feel like we had a team of people there who were honorable, respectable people that were respectful of the policies.

Q But you don't have any recollection of them receiving instructions from you or anyone else about using them?

A Yeah, I do. I think we did have -- and I thought I

talked about this earlier, but we did have a -- White House counsel's office did talk to us generally, although I don't specifically recall this being a large component of the training. It could very well have been part of it.

Q By 'us' you mean everyone in the Office of Political Affairs?

A I'm sorry, yeah. There was a briefing by the White House counsel's office for the Office of Political Affairs on policies they needed us to be aware of.

Q And do you remember when that took place?

A I think it took place early in my tenure as the political director, so my guess would have been 2003.

Q And did you have any discussions with anyone from the White House about deleting emails that were sent or received on your political email account?

A I don't know. I think there was a standard -- there was a policy that they had about they would delete them after so much time. I don't remember --

Q 'They' meaning the RNC?

A Yes.

Q And can you describe what you know about that policy?

A I don't think I know much about it. It wasn't -- I don't believe it was a decision that I had much to do with.

Q How did you come to learn of that policy?

A I don't know, but -- I don't know for sure.

Q Do you know when you came to learn that?

A It could have been -- I need to confer.

[Witness conferred with counsel.]

The Witness. Just trying to be respectful of investigations. That would have been on the -- I think maybe in regard to the whole leak investigation. I think maybe then they asked us to do some searches of our emails. I know they did on White House emails.

BY MS. AMERLING:

Q And when you use the term 'leak investigation' are you referring to the investigation of the leak of Valerie Plame's identity as a CIA employee?

A Yes.

Q And who asked you to do searches? You said 'they asked.'

A I think it was a directive from Judge Gonzales.

Q So Gonzales asked you to do searches of your --

A He didn't ask me specifically. He asked the White House staff. There was a guidance that came out. I believe it was in the form of an email but it might have just been a memo, that we were going to comply with the investigation, and here are the steps you need to take to turn over

information.

Q And you think this guidance came out sometime shortly after --

A No, no.

Q Do you know when this guidance came out?

A I think that's when I might have learned that there was a policy on how long emails were kept or -- I'm not 100 percent certain, but I think that might have been when I did.

Q And did you learn this from -- was this part of the information that the White House Counsel's office was providing staff at that time?

A I'm sorry, one more time.

Q How did you -- was it the White House Counsel's office that apprised you of the fact that there was some sort of deletion that went on with RNC emails?

A I don't think so.

Q But you think you learned it at around this time?

A I didn't learn that their emails had been deleted as much as I think I encountered the fact that there might have been some kind of policy about how long they're keeping emails. I don't know what that policy is today. I don't know what they --

Q And I'm trying to understand how you learned this.

A Right.

Q -- You told us you had a sense of the timing of when you might have learned it. Do you know who might have shared this information with you?

A Probably the RNC.

Q Do you know who at the RNC you talked with?

A No.

Q Who would you have been talking to at the RNC?

A Well, I mean hypothetically?

Q About -- well, if an issue is coming up in respect to the retention of your RNC emails were there people at the RNC that you spoke with about those issues?

A Well, as far as retention is concerned, if there were any emails that had to do with that investigation I would have turned them over so they would have been retained upon turning them in to the judge's office. But in terms of who I -- I don't know once again whether my assistant was talking to like the systems person at the RNC or I was. I can't remember.

Q Who was the systems person at the RNC with whom you spoke?

A I don't know. I don't know if I did speak to a systems person.

Q You don't recall having a point of contact at the RNC for issues relating to use of your emails?

A There was a person who helped us with like, you know, the -- like if your BlackBerry was broken.

Q And who was that person?

A I'm embarrassed to say I can't remember his name.

Q Let's talk a little bit more about the email search that you referenced relating to the leak investigation. When you got guidance, you said White House staff got guidance and that includes you, correct?

A Yes, yes.

Q You got guidance from the counsel's office?

A Yes.

Q Did that guidance include instructions on searching nongovernmental email accounts to respond?

A I can't remember.

Q Do you recall whether you searched your nongovernmental email accounts in response to that guidance?

A I think I had an attempt to search my RNC account, which would have been my only other account.

Q How did you go about doing that?

A Once again, I'm sorry. I can't -- I don't know.

Q But you believe that your RNC account, email account was searched as part of responding to a request from the White House Counsel's office for White House staff to search their emails for responsive emails?

A That's correct. That was certainly my intent.

Q And do you know whether emails were provided to the White House counsel from your email account, from your RNC email account as a result of such a search?

A I don't recall if I had any or not. I did have emails. I just can't remember if any came from my RNC account. I don't think I had any.

Q Was that the only time that you received a directive from the White House Counsel to search your emails in response to investigative request?

A I'm trying to remember if I might have gotten a request concerning the Abramoff issue as well. I don't know if I would have been there or not.

Q Do you recall --

A I don't know.

Q Okay.

A I suppose it's a pretty easy thing to check, but I don't know.

Q Do you recall whether you received a request from the White House Counsel's office to search your email for responsive email in response to an investigative request relating to an Enron investigation?

A Oh, I remember. I don't think I had any emails with that. I don't know if the request was made of me, if

that was like the other directive on the leak investigation. I don't know whether they asked me or not, but I don't believe I had anything to turn in if it was.

I don't remember having to turn over documents on that topic.

Q Does it ring a bell that there was a request relating to Enron?

A Yes.

Q Why does that ring a bell if you were not searching your own emails?

A Well, because someone could have been talking in the hallway or something about -- you know, whenever you had a deadline on something like that someone might say, "hey, have you done your search on such and such."

Q You don't think you received --

A I can't recall whether I didn't receive it or I just didn't have anything. My recollection is I had nothing to turn in.

Q And do you know when that Enron-related request occurred?

A No.

Mr. Shapiro. Don't look at me. I have no idea.

The Witness. You were moving in.

Mr. Shapiro. I'm just trying to clarify. Is your best

recollection on that that you did search and had nothing to produce or that you don't know whether --

The Witness. I can't recall whether I was someone who had to search or I did have to search and had nothing or just had nothing because I wasn't asked to search, but in either case I didn't -- I don't think I had any interaction on the issues they were concerned about.

BY MS. AMERLING:

Q Do you know if other White House staff searched their political email accounts in response to investigative requests?

A I don't know. I don't know what others might have done.

Q And you said when you searched your emails, both official and political in response to the request relating the leak investigation you had some responsive emails. You don't know which accounts they were from when you --

A My recollection is they were White House emails.

Q And to whom did you provide those emails?

A To the -- I believe we were supposed to turn them in to the counsel's office. There was a deadline to turn them in.

Q Now when you were deputy director did you ever ask for an official White House BlackBerry?

A No. Well, let me -- I don't know whether I asked for it or -- I don't know.

Q Did any of the other staff in the Office of Political Affairs during the time you were deputy have an official White House BlackBerry?

A I don't think any of us had the official BlackBerry.

Q And do you know who at the White House was responsible for determining whether a White House employee would receive an official White House BlackBerry?

A I assumed that would have been made in the Chief of Staff's office.

Q And would the same be true for other computer hardware like a decision about whether a White House official would receive a laptop?

A I would assume, yeah.

Q And then when you were political director did you ever ask for an official White House BlackBerry?

A I don't recall. I mean I don't think I did ask for one.

Q And when you were political director did anyone in the Office of Political Affairs have an official White House BlackBerry?

A I don't believe they did.

Q Did anyone ask for one?

A That I don't know.

Q Recently Scott Jennings testified before the Senate Judiciary Committee and he said he asked for an official White House BlackBerry early in his employment at the White House and was told that "it wasn't the custom to give political affairs staffers these devices." That's from his August 2 testimony. Is that consistent with your understanding of the White House practice, that it wasn't the custom of providing -- it wasn't the custom for the White House to provide Office Political Affairs staff BlackBerries?

A That's my understanding.

Q And what was the reason for that custom?

A I don't know.

Q Did you ever ask what the reason was?

A I always had -- like I said, you go through the history of how we got our BlackBerry. There's a chance that we would have gotten our BlackBerries maybe before others had official White House BlackBerries, and might have been some questions about why are they RNC BlackBerries, why aren't they White House BlackBerries, but more just kind of curiosity than anything else.

Q What percentage of your work was devoted to official White House business?

A I would say -- I was doing my job. I was spending a large percentage of my time on -- I mean I don't know how you'd count up the hours, but it was --

Q Would you say the vast majority of your time was spent on official business?

A Yes.

Q While you were at the White House?

A Yes.

Q And would you say the same is true for your colleagues within the Office of Political Affairs?

A Yes.

Q Did you have any concerns that --

A I mean I just don't know how to quantify it, you know.

Q Sure, but you're comfortable with vast majority?

A There's plenty of things that devote -- I mean I can't -- once again, I can't characterize what everyone did every time of the day. I can certainly speak for myself.

Q Given the Presidential Records Act requirements about record keeping preservation did you have any concern that, given the high volume of official business you did in a given day that there would be a gap in records preservation if you didn't have an official White House BlackBerry?

A Well, I suppose my -- since I wasn't intending to

somehow dodge the Presidential Records Act, and I was trying to do my best efforts to comply with the regulation that I didn't think that somehow having a RNC BlackBerry was allowing me some kind of an ability not to comply with it. And I had a regular practice, like I said, of forwarding emails back to kind of follow up on things and such.

And my brain doesn't work so smoothly that if I read an email on my BlackBerry and then know it's official and then when I go into work the next day I'll remember the fact that I had read that BlackBerry and need to either set up a meeting and make a phone call. There were too many inputs, so I needed to have some kind of tracking system to know what I needed to do. So I didn't feel like -- certainly I wasn't using any of those devices as some kind of dodge or something.

Q You said earlier that following September 11 and reports that members of Congress and others could communicate over their BlackBerries White House wanted to improve its communication systems, and you think at that point you got a BlackBerry.

A It was just -- even that day we couldn't -- you didn't know where your people were.

Q So why did the BlackBerry you received -- why was that an RNC BlackBerry as opposed to an official White House

BlackBerry?

A I can't characterize why the decision was made one way or the other.

Q You never heard anybody discuss that issue?

A No, and I wasn't involved in the decision.

Q Just so we're clear -- this is a mechanics question -- when you were using your RNC BlackBerry, could you get your official White House e-mails? Could you access your official White House e-mails?

A I can't answer the question on what capabilities that little device had. All I can tell you is that I opened up my inbox and answered RNC e-mails on my RNC BlackBerry, and did not use that device to answer any other e-mail accounts because I didn't have any other e-mail accounts besides my White House account. And if I could have accessed it, I never learned how to do it.

Q Let me change subjects here.

A Sure.

[REDACTED]

[REDACTED]

Q Okay. Let's turn to the subject of Mr. Abramoff's contacts with the White House.

A Okay.

Q While you were at the White House, did you ever become aware that any member of the Abramoff team sought White House assistance regarding the Choctaw Tribe's interest in securing funds for a jail?

A I don't specifically recall.

Q Do you have any knowledge of a gaming compact for the Jena Tribe of the Choctaw Indians that was under consideration by the Department of the Interior in 2001 and 2002?

A I don't. I don't recall having a -- I don't remember if I was involved in anything like that.

Q Were you aware of any efforts by Jack Abramoff or his other colleagues at Greenberg Traurig on behalf of the Saginaw Chippewa in 2002 to secure a \$3 million grant for a school construction program in the Department of the Interior appropriations bill?

A I don't know.

Q Were you aware of the interest of the Sandia Pueblo Tribe in protecting lands in the Sandia Mountains in New Mexico?

A I don't. I don't know if I was.

Q Do you have any recollection of meetings attended by the President at the White House that involved Jack Abramoff and Grover Norquist?

A Is your question am I aware of a meeting between Grover, Jack Abramoff, and the President?

Q Yes.

A No. I'm not aware of that.

Q Are you aware of any meetings that the President attended at the White House that involved Grover Norquist and Jack Abramoff's clients?

A Just a big room with their clients?

Q Excuse me?

A I'm confused. Maybe you could ask it again.

Q Are you aware of any meetings at the White House attended by the President that involved Grover Norquist and Jack Abramoff's clients?

A I don't think so.

Mr. Shapiro. Meaning any client?

The Witness. A client or --

BY MS. AMERLING:

Q Client, where his clients were in attendance at such a meeting?

A No. I'm not.

Q Did you ever hear that Karl Rove knew of, directed, or approved an arrangement under which Mr. Abramoff sought contributions to Americans for Tax Reform in connection with meetings his client had with the President?

A One more time?

Q Did you ever hear that Karl Rove knew of, directed, or approved of an arrangement under which Jack Abramoff sought contributions to Americans for Tax Reform in connection with meetings that Mr. Abramoff's client had with the President?

A And the question is, am I aware that Karl was aware of this?

Q Did you ever hear that he knew of or directed such

an arrangement?

A No. No. No.

Q Are you aware of any other meetings at which the President and Mr. Abramoff were both present?

A I think we talked earlier about he might have been at a Hanukkah party. I don't know if that's really a meeting, but they could have met at it. And I think didn't we go over the seven reported meetings? I don't know who those were with. But do I have any independent knowledge besides the one that I thought he was at, a Hanukkah party? I don't know of any other meetings.

Q Did Grover Norquist ever contact you on behalf of Jack Abramoff?

A I don't know. I talked -- I don't know.

Ms. Amerling. I've completed my round.

Mr. Castor. We're going to go off the record for a moment.

[Recess.]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ms. Amerling. Thank you again for your time today.

The Witness. Thank you.

[Concluded on following page.]

[Whereupon, the deposition of MATTHEW AARON SCHLAPP was concluded at 4:14 p.m.]

I have read the foregoing pages, which are a correct transcript of the answers given by me to the questions therein recorded.

Deponent _____

Date _____

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CERTIFICATE OF DEPONENT

I have read the foregoing 192 pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

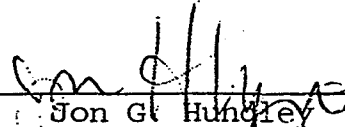
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C E R T I F I C A T E

THE UNITED STATES OF AMERICA)
)
IN THE DISTRICT OF COLUMBIA)

I, Jon G. Hundley, Notary Public, before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing pages was duly sworn by me; that the testimony of said witness was reported by me by stenomask, and thereafter reduced to typewritten form; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.



Jon G. Hundley
Notary Public in and for the
District of Columbia

My commission expires:

January 14, 2012

ERRATA SHEET
FOR DEPOSITION OF MATTHEW SCHLAPP

<u>PAGE</u>	<u>LINE</u>	<u>CORRECTION</u>
11	18	Remove the punctuation from the end of the sentence and add a period. Change noted by Committee staff.
16	17	Change "Vassel" to "Vasell." Change noted by Committee staff.
26	11	Change "to" to "with." Change noted by Committee staff.
29	16	Change "230" to "23." Change noted by Committee staff.
48	2	Change "go" to "got." Change noted by Committee staff.
51	9, 12, 18, 21,23	Change "Stevens" to "Stephens." Changes noted by Committee staff.
55	6	Change "Aaron" to "Erin." Change noted by Committee staff.
61	15, 19	Change "Sherzerberg" to "Sherzer." Change noted by Committee staff.
64	6	Remove the period after "it." Change noted by Committee staff.
75	24	Change "Wong" to "Huang." Change noted by Committee staff.
77	10	Add "I" after "while." Change noted by Committee staff.
145	20	Change "Jonie Chung" to "Johnny Chung." Change noted by Committee staff.
169	24	Remove the punctuation from the end of the sentence and add a question mark. Change noted by Committee staff.
174	10	Change "thin" to "think." Change noted by Committee staff.
183	15	Add "to" after "relating." Change noted by Committee staff.

September 12, 2007

Kristin Amerling
Chief Counsel
U.S. House of Representatives
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Dear Ms. Amerling:

Pursuant to Rule 22 of the Rules of the Committee on Oversight and Government Reform, we have reviewed the transcribed testimony from the August 27, 2007 deposition of our client, Matthew Schlapp. As you know, Mr. Schlapp was not provided an opportunity to review the vast majority of his records (e-mails, calendars, and other documents) before or during his deposition. This has obviously served as an impediment to the presentation of a full and complete account of the matters discussed in the deposition. We nevertheless believe that the transcription we reviewed is in material respects an accurate record of the answers Mr. Schlapp provided to the recorded questions.

Upon review, we hereby submit two minor technical clarifications to be made to the transcript of the deposition. We request that these changes be made to the official transcript or included as an appendix:

[REDACTED]

WILMERHALE

Ms. Kristin Amerling
September 12, 2007
Page 2

[REDACTED]

We hope this information is helpful, and appreciate the opportunity provided by the Committee to review the transcription. If you have any questions, please do not hesitate to contact either of us.

Sincerely,



Howard M. Shapiro
Reginald J. Brown

cc: Mr. Keith Ausbrook, Minority Counsel

From: Abramoff, Jack (Dir-DC-Gov)
Sent: Sunday, September 23, 2001 7:41 AM
To: Rudy, Tony (Shld-DC-Gov)
Subject: Re: Fw: Re:

Super

Jack Abramoff

-----Original Message-----

From: Rudy, Tony (Shld-DC-Gov) <rudy@gtlaw.com>
To: Abramoff, Jack (Dir-DC-Gov) <abramoffj@gtlaw.com>
Sent: Sun Sep 23 08:29:34 2001
Subject: Re: Fw: Re:

I did. Told him [REDACTED] will call and jack oliver did
Tony Rudy

-----Original Message-----

From: Abramoff, Jack (Dir-DC-Gov) <abramoffj@gtlaw.com>
To: Rudy, Tony (Shld-DC-Gov) <rudy@gtlaw.com>
Sent: Sun Sep 23 08:17:30 2001
Subject: Re: Fw: Re:

Tell him this is our only personnel ask and our candidate is the most qualified so we hope
he will get this.

Jack Abramoff

-----Original Message-----

From: Rudy, Tony (Shld-DC-Gov) <rudy@gtlaw.com>
To: Abramoff, Jack (Dir-DC-Gov) <abramoffj@gtlaw.com>; Ring, Kevin (Shld-DC-Gov)
<ringk@gtlaw.com>
Sent: Sat Sep 22 14:54:56 2001
Subject: Fw: Re:

Tony Rudy

-----Original Message-----

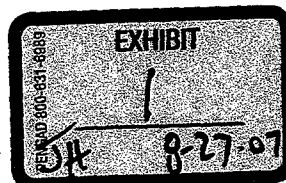
From: [REDACTED] Schlapp@who.eop.gov <[REDACTED] Schlapp@who.eop.gov>
To: rudy@gtlaw.com <rudy@gtlaw.com>
Sent: Sat Sep 22 14:48:41 2001
Subject: Re:

Al Short

OIA just being looked at now. Who is your lead candidate?

(Embedded
image moved rudy@gtlaw.com
to file: 09/22/2001 02:44:51 PM
pic01006.pcx)

1



GTG-R006725

1123648

Record Type: Record

To: Matthew A. Schlapp/WHO/EOP@EOP

cc:
Subject: Re:

That's great. Do you know who?

Let me say you guys have been incredible. The president is running all 12 cylinders and nothing is holding him back. Bombs away! Any word of oia? Tony Rudy

-----Original Message-----

From: [REDACTED] Schlapp@who.eop.gov <[REDACTED] Schlapp@who.eop.gov>
To: rudyt@gtlaw.com <rudyt@gtlaw.com>
Sent: Sat Sep 22 14:39:53 2001
Subject: Re:

we finally have someone to take his place

(Embedded
image moved rudyt@gtlaw.com
to file: 06/18/2001 05:16:43 PM
pic17176.pcx)

Record Type: Record

To: Matthew A. Schlapp/WHO/EOP

cc:
Subject:

Hope things are well. I don't know if you remember this but we spoke about it a few months ago. There is a Clintonista and [REDACTED] donor who is a political appointee of Albright. He is scheduled to be renewed on the 23rd of this month unless action is taken. He ran a partisan operation at the department of interior which the auditor general called the worst violation of the hatch act he had seen in 25 years. All his actions were targeted against House Republicans.

Is there anyway you can weigh in with presidential personnel? Monica Kladakis knows about the problem.

His name is Allen Stayman.
Thanks.
Tony
Tony Rudy

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To reply to our email administrator directly, please send an email to postmaster@gtlaw.com.

From: Abramoff, Jack (Dir-DC-Gov) [/o=GTLAW/ou=WDC/cn=Recipients/cn=abramoffj] on behalf of Abramoff, Jack (Dir-DC-Gov)
Sent: Saturday, January 26, 2002 7:10 PM
To: Rudy, Tony (Shld-DC-Gov)
Subject: RE: Re: Oia

Can you call him Monday?

-----Original Message-----

From: Rudy, Tony (Shld-DC-Gov)
Sent: Friday, January 25, 2002 5:20 PM
To: Abramoff, Jack (Dir-DC-Gov); Ring, Kevin (Shld-DC-Gov)
Subject: Fw: Re: Oia

<< File: pic20623.pcx >>
Tony Rudy

-----Original Message-----

From: [REDACTED] Schlapp@who.eop.gov <[REDACTED] Schlapp@who.eop.gov>
To: rudyt@gtlaw.com <rudyt@gtlaw.com>
Sent: Fri Jan 25 17:08:31 2002
Subject: Re: Oia

this one is not easy; we should talk.

(Embedded
image moved rudyt@gtlaw.com
to file: 01/25/2002 05:05:44 PM
pic20623.pcx)

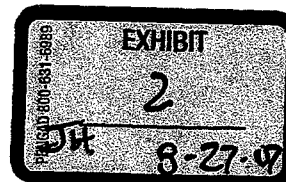
Record Type: Record

To: Matthew A. Schlapp/WHO/EOP@EOP
cc:
Subject: Oia

Hope things are well. I was wondering if there was any news on the long held open oia position. We were pushing Mark Zachares but that appears to be stalemated. We hear Brad Keena is up for it. He is a good guy. Hear anything? Tony Rudy

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1



GTG-R006863

308868

From: Abramoff, Jack (Dir-DC-Gov) [/o=GTLAW/ou=WDC/cn=Recipients/cn=abramoffj] on behalf of Abramoff, Jack (Dir-DC-Gov)
Sent: Wednesday, January 30, 2002 8:24 PM
To: Ring, Kevin (Shld-DC-Gov)
Subject: RE: FW: FW: Matt Schlapp just called

Yes, we care. He is not suitable for this and seems to me that he would be a disaster. He is a liar (or Matt is) because the two people Matt claims are clamoring for him claim not to know him at all.

-----Original Message-----
From: Ring, Kevin (Shld-DC-Gov)
Sent: Wednesday, January 30, 2002 9:16 PM
To: Abramoff, Jack (Dir-DC-Gov); Rudy, Tony (Shld-DC-Gov)
Subject: Re: FW: FW: Matt Schlapp just called

Do we care about Crane for some reason?
Kevin Ring

-----Original Message-----
From: Abramoff, Jack (Dir-DC-Gov) <abramoffj@gtlaw.com>
To: Ring, Kevin (Shld-DC-Gov) <ringk@gtlaw.com>; Rudy, Tony (Shld-DC-Gov) <rudyt@gtlaw.com>
Sent: Wed Jan 30 21:11:36 2002
Subject: FW: FW: Matt Schlapp just called

I am really pissed at this point. They are positioning this to get it to Radewagen. A-holes.

-----Original Message-----
From: Susan Ralston - @GWB [REDACTED] Ralston@rnchq.org]
Sent: Wednesday, January 30, 2002 8:30 PM
To: abramoffj@gtlaw.com
Subject: Re: FW: Matt Schlapp just called

From what I heard, crane didn't look good. Also, radewagen knows KR but KR is not pushing him Susan Ralston

Please send all replies to [REDACTED]ralston@georgewbush.com -----Original Message-----
From: abramoffj@gtlaw.com <abramoffj@gtlaw.com>
To: Susan Ralston - @GWB [REDACTED] Ralston@rnchq.org>
Sent: Wed Jan 30 19:57:03 2002
Subject: FW: Matt Schlapp just called

Please don't say anything to Matt about this just yet (so we don't look like we are running behind his back to you), but this whole OIA thing with their new candidate is very fishy. The guy they were pushing now (Crane) is not suited for this at all. Plus, they claim that [REDACTED] and Grover are pushing for him. I spoke to both of them: they have never heard of him. This is so darned frustrating.

-----Original Message-----
From: Rudy, Tony (Shld-DC-Gov)
Sent: Wednesday, January 30, 2002 2:43 PM
To: Abramoff, Jack (Dir-DC-Gov)
Cc: Ring, Kevin (Shld-DC-Gov); Williams, Michael E. (Dir-DC-Gov)
Subject: Matt Schlapp just called

Long call. Had ton of questions regarding OIA. Crane had a poor interview. Knew nothing of the issue. [REDACTED] with [REDACTED] was on the interview pushing him. Schlapp says [REDACTED] did mention him at some point. I told him that both [REDACTED] and Grover do not know him. Bad news: He said good things about Radawagon: "Rove is close to him." There was a

1

GTG-R000043

000306173



meeting at 5pm at Interior that may have just been cancelled. Promised to keep me informed. Also asked me a bunch of policy questions about CNMI and Guam

Tony Rudy
Greenberg Traurig
800 Connecticut Avenue, NW
Suite 500
Washington, DC 20515
(202) [REDACTED]

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To reply to our email administrator directly, please send an email to postmaster@gtlaw.com.

From: Abramoff, Jack (Dir-DC-Gov)
Sent: Thursday, January 10, 2002 5:51 PM
To: [REDACTED] Schlapp@who.eop.gov
Subject: RE: did not get the fax yet

Thanks.

-----Original Message-----

From: [REDACTED] Schlapp@who.eop.gov [REDACTED] Schlapp@who.eop.gov]
Sent: Thursday, January 10, 2002 6:48 PM
To: abramoffj@gtlaw.com
Subject: Ré: did not get the fax yet

<< File: pic14875.pcx >> just got the resume from PPO; faxing it to the number you gave me right now

(Embedded
image moved abramoffj@gtlaw.com
to file: 01/10/2002 06:18:28 PM
pic14875.pcx)

Record Type: Record

To: Matthew A. Schlapp/WHO/EOP@EOP

cc:
Subject: did not get the fax yet

Please let me know if you think it will be tonight still, or tomorrow. If tonight, I might want you to send to my home fax, since I have to leave for a meeting soon. Thanks Matt.

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To reply to our email administrator directly, please send an email to postmaster@gtlaw.com.



From: Abramoff, Jack (Dir-DC-Gov) [/o=GTLAW/ou=WDC/cn=Recipients/cn=abramoff] on behalf of Abramoff, Jack (Dir-DC-Gov)
Sent: Friday, January 11, 2002 12:07 PM
To: Ring, Kevin (Shld-DC-Gov)
Subject: RE: fax from Matt Schlapp

That's horrible news! We need more intel.

-----Original Message-----

From: Ring, Kevin (Shld-DC-Gov)
Sent: Friday, January 11, 2002 11:09 AM
To: Abramoff, Jack (Dir-DC-Gov)
Subject: RE: fax from Matt Schlapp

Kimo talked to Radewagon's wife and she said Cohen is a great choice.

-----Original Message-----

From: Abramoff, Jack (Dir-DC-Gov)
Sent: Friday, January 11, 2002 11:04 AM
To: Ring, Kevin (Shld-DC-Gov)
Subject: RE: fax from Matt Schlapp

I am just worried that he might be a Radewagon guy, since he is a Samoan, as is Radewagon's wife. Can you have someone call Radewagon from the Hill asking about this guy, saying that he is a candidate for OIA and the Hill is checking up on him?

-----Original Message-----

From: Ring, Kevin (Shld-DC-Gov)
Sent: Friday, January 11, 2002 10:12 AM
To: Abramoff, Jack (Dir-DC-Gov)
Subject: RE: fax from Matt Schlapp

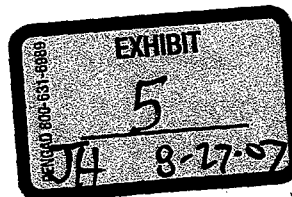
Geez. This guy is unbelievably qualified. Not only that, he raised money for both George Sr. and George W. Although he seems like a squish, that political background no doubt is going to help him.

He's never been in DC for a job, so we are going to have a limited number of people to ask about him.

-----Original Message-----

From: Abramoff, Jack (Dir-DC-Gov)
Sent: Friday, January 11, 2002 10:00 AM
To: Gertner, Ilisa (AdmAst-DC-Gov); Ring, Kevin (Shld-DC-Gov)
Cc: Bozniak, Allison R. (AdmAst-DC-Gov/Adm)
Subject: fax from Matt Schlapp
Importance: High

I just faxed our machine the resume of the guy they want to hire for OIA. Kevin, can you check him out as soon as possible? we need to find out if he is a bad guy and if so why. Ilisa, please get Kevin the fax. Thanks.



GTG-R006221

Unknown

From: Abramoff, Jack (Dir-DC-Gov) [/o=GTLAW/ou=WDC/cn=Recipients/cn=abramoffj] on behalf of Abramoff, Jack (Dir-DC-Gov)
Sent: Friday, January 11, 2002 10:01 AM
To: 'Matt Schlapp'
Subject: Cohen

We are checking up on him and will get back to you asap on it.



GTG-R000026

000303320

From: Gibson, Duane R. (Shld-DC-Gov/Adm)
Sent: Tuesday, June 25, 2002 3:41 PM
To: Matt Schlapp (E-mail)
Subject: Corps Assistant Secretary



DLFRESUM ASA(civ
works)detail...

Matt--this is a resume of a friend of mine, Lee Forsgren, who is up for the Assistant Secretary of the Army having responsibility over the civil works program at the Corps of Engineers.

Several Members and Senators have endorsed Lee, and he is an exceptional candidate who knows the wetlands and civil works program very, very well.

If his candidacy advances to your office, you guys would be wise to select Lee. He is a solid Republican and would represent the President's interests very well--substantively and politically.

Hope all is well. By the way, last week I was in the Miami-Dade office building of all places representing one of our clients--the Mayor!

Duane R. Gibson
Greenberg Traurig
800 Connecticut Ave. N.W.
Suite 500
Washington, D.C. 20006
202 [REDACTED] (Phone)
202 [REDACTED] (FAX)
gibsond@gtlaw.com

