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COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
DRAFT COMMITTEE REPORT  
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## THE ACTIVITIES OF THE WHITE HOUSE OFFICE OF POLITICAL AFFAIRS

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## EXECUTIVE SUMMARY

This report examines the operations of the White House Office of Political Affairs during the Bush Administration. It finds that the White House used the political affairs office to orchestrate an aggressive strategy to use taxpayer-funded trips to help elect Republican candidates for public office. From January 1, 2006, until the mid-term elections on November 7, 2006, cabinet secretaries and other senior officials traveled to over 300 events recommended by the political affairs office. All of these events were held with Republican candidates, and in most cases, the travel costs were paid for with federal funds.

President Bush's first director of the political affairs office was Ken Mehlman. In an interview with the Committee, he stated that "a big part" of his job was to "help elect allies of the President." He also said it was his view that "one legally could have, in the Office of Political Affairs, focused entirely on simply promoting ... the President's allies." He told the Committee that he consulted closely about "nearly all aspects of what I was doing" with the Office of White House Counsel under Alberto Gonzales.

The view that White House officials could legally promote the election of Republican congressional candidates led to an extensive effort prior to the 2006 elections. From January 1 to November 7, 2006, Bush Administration officials participated in 326 events with Republican candidates suggested by the political affairs office, more than one per day. Cabinet officials and agency heads personally attended 306 of these events. Of these 326 events, 303 required travel outside of Washington, D.C. Thirty-two officials from 12 cabinet agencies and three independent offices journeyed to 35 states to make appearances with 99 Republicans running for election in 2006. Even offices with statutory provisions prohibiting political activity, like the Office of National Drug Control Policy, were enlisted in the election effort.

This effort was coordinated by the White House Office of Political Affairs. Mr. Mehlman told the Committee that when he ran the political affairs office, he worked with Republican party committees to identify "vulnerable Republican members" as well as "battleground races, and States and places where they agreed the most help was needed." E-mails from the White House to agency officials in 2006 referred to "our top priorities going into November" and achieving "a good result on 11/7." Other e-mails exhorted agency officials: "Only 49 days left!" or "Only 19 days to go." The White House sent out memoranda with "suggested events" on a weekly basis to agency officials and tracked progress on a "surrogate matrix" that listed vulnerable Republican members and the dates cabinet secretaries and other officials would make appearances on their behalf.

The pace of these events picked up as the election neared. In July 2006, the White House sent an e-mail to the White House liaisons at 18 departments and agencies stating: "With only 4 months left before the end of the 05-06 cycle, ... we are now asking each agency to do at least 5 ... recommended events per month from now until November." On September 22, 2006, the political affairs office sent an e-mail to the Department of Veterans Affairs listing events for "our highest priority congressional incumbents" and requesting that the events occur "somewhere between October 9 – November 3<sup>rd</sup> to be most effective." The number of recommended events in which senior officials participated increased to three per day in the month before the election.

Agencies that deviated from the White House agenda were confronted. When the Secretary of Labor appeared at an event with a Republican member who was not on the White House list of targeted Republicans, the political affairs office e-mailed: “Do you know why she’[s] doing an event for Regula when we’ve explicitly asked the Cabinet to curtail events for non-priority members?” The agency responded: “Regula is chair of our Appropriations Subcommittee and specifically asked her to come out and do this. This is a grant to his district. is that ok?” When an official at the Department of Health and Human Services complained that “we can’t do all these events ... I see a big problem looming,” the Department’s White House liaison warned that “we will be pounded on to do these events.”

The Committee asked the federal agencies and the White House for information about who paid for the travel and other costs associated with the recommended events. The information the Committee received was incomplete. But it shows that the costs of attending the majority of the events outside of Washington, D.C. — at least 185 of the 303 events — were paid for with taxpayer dollars. In some instances, the White House specifically requested that travel be billed to the taxpayers to save Republican campaigns money. The White House Office of Political Affairs e-mailed the Department of Veterans Affairs to ask whether there was an “official component” to the Secretary’s trip to Washington State in July to appear with Doug Roulstone, a nonincumbent Republican House candidate at a campaign event, explaining: “Needless to say, trying to save the campaign as much \$\$ as possible.”

Another component of the work of the Office of Political Affairs was providing political briefings to agency officials. In 2006, the office provided at least 22 briefings to agency officials at either agency headquarters or in the Eisenhower Executive Office Building. Despite advice from the White House Counsel that these briefings should occur after business hours, many of the briefings took place during work hours with agency officials directed to attend.

During the investigation, the Committee took the deposition of Sara Taylor, who served as director of the Office of Political Affairs from 2005 to 2007. Ms. Taylor refused more than ten times to answer whether she intended to help elect Republicans in close races by recommending that agency officials travel to events in their districts. Ms. Taylor’s testimony contradicts the evidence in the documents produced to the Committee and statements by her predecessor, Ken Mehlman, and her subordinates at the White House. The record shows that Ms. Taylor was evasive during her deposition and misled the Committee about her actions.

The White House Office of Political Affairs has been controversial since President Reagan created the office in 1981. There is evidence that other administrations, including President Clinton’s, used the office to coordinate travel for the President or cabinet officials. But the extent of political activity by the current White House and its deep and systematic reach into the federal agencies is unprecedented. Congress should amend the Hatch Act, the federal law restricting political activity by federal officials, to eliminate the White House Office of Political Affairs. If the political affairs office is retained, its activities should be restructured to ensure that it serves the interests of the taxpayer, not the political party of the President.

# I. BACKGROUND

## A. The History of the Hatch Act

Efforts to restrict the political activities of executive branch employees date back almost to the beginning of the Republic. President Thomas Jefferson first articulated the doctrine of political neutrality for federal government employees in 1801.<sup>1</sup>

In 1907, President Theodore Roosevelt issued an executive order that provided:

No person in the Executive civil service shall use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

Persons who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.<sup>2</sup>

In 1939, Congress passed the original Hatch Act, codifying longstanding executive branch practice. A coalition of Republicans and conservative southern Democrats passed the legislation to ensure that President Franklin D. Roosevelt would not use the expanding civil service as an army of campaign workers if he sought a third term in 1940.<sup>3</sup>

Under the modern day Hatch Act, all executive branch employees, except for the President and the Vice President, must follow certain rules concerning their involvement in partisan political activity. Executive branch employees other than the President and the Vice President are prohibited from using their “official authority or influence for the purpose of interfering with or affecting the result of an election.”<sup>4</sup>

The Hatch Act also prohibits an executive branch employee from engaging in “political activity ... while the employee is on duty [or] in any room or building occupied in the discharge of official duties by an individual employed or holding office in the Government of the United States.”<sup>5</sup> An exemption to this provision applies to officials “the duties and responsibilities of whose position continue outside normal duty hours and while away from the normal duty post; and [who are] ... paid from an appropriation for the Executive Office of the President; or ... an employee appointed by the President, by and with the advice and consent of the Senate.”<sup>6</sup> The Hatch Act provides that these officials may engage in political activities while on duty in federal buildings “if the costs

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<sup>1</sup> Robert G. Vaughn, *Restrictions on the Political Activities of Public Employees: The Hatch Act and Beyond*, 44 Geo. Wash. L. Rev. 4 (May 1976).

<sup>2</sup> Exec. Order No. 642 (June 3, 1907).

<sup>3</sup> House Committee on Post Office and Civil Service, *Federal Employees Political Activities Act of 1993, Report to Accompany H.R. 20*, 103rd Cong. (1993) (H. Rept. 103-16).

<sup>4</sup> 5 U.S.C. § 7323(a)(1).

<sup>5</sup> 5 U.S.C. § 7324(a).

<sup>6</sup> 5 U.S.C. § 7324(b).

associated with the political activity are not paid for by money derived from the Treasury of the United States.”<sup>7</sup>

In a report explaining the 1993 amendments to the Hatch Act, the House Committee on Post Office and Civil Service explained that without this exemption, the statute could be read to preclude political activity at any time by White House officials.<sup>8</sup> The report noted that while the bill permitted on-the-job political activity, Congress expected that “most of the political activity that these officials engage in will be conducted off Government property and not during regular duty hours.”<sup>9</sup>

The 1993 Committee report explained:

The policy is that the taxpayers should not pay for these political activities. When a cabinet secretary makes a trip to give a political speech, the candidate benefiting from the speech should pay all the costs of the trip. When a cabinet secretary makes a trip both to engage in official Governmental business and to give a political speech, the costs should be allocated between the campaign and the Government. The committee does not expect that the pro rata portion of the salary of such an individual be reimbursed for time spent on political activities. Nor does the committee expect the cost of each incidental political phone call to be reimbursed to the Government. On the other hand, if a Government office is turned into a political boiler-room, all the costs associated with that activity should be reimbursed. The committee expects the President to continue to provide guidance to political appointees on what is proper and what is improper.<sup>10</sup>

## **B. The History of the White House Office of Political Affairs**

The White House Office of Political Affairs was established in 1981 by President Ronald Reagan.<sup>11</sup> In that year, President Reagan appointed Lyn Nofziger as his Assistant to the President for Political Affairs, in charge of the newly established Office of Political Affairs. Mr. Nofziger had been President Reagan’s Deputy Campaign Chairman during the election.<sup>12</sup>

Mr. Nofziger explained that this new office was established because President Reagan “believed at the time that it was important to centralize White House political activities so the administration could streamline activities and marshal its assets more effectively.”<sup>13</sup> According to Mr. Nofziger,

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<sup>7</sup> *Id.*

<sup>8</sup> House Committee on Post Office and Civil Service, *Federal Employees Political Activities Act of 1993, Report to Accompany H.R. 20*, 103rd Cong. (1993) (H. Rept. 103-16).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* (emphasis added).

<sup>11</sup> Memorandum from Congressional Research Service to Staff, House Committee on Oversight and Government Reform, *White House Office of Political Affairs* (Dec. 13, 2007).

<sup>12</sup> Ashbrook Center for Public Affairs at Ashland University, *Lyn Nofziger Biography for Major Issues Lecture on Campaign Strategy, 1984* (Dec. 12, 1983) (online at [www.ashbrook.org/events/lecture/1983/nofziger.html](http://www.ashbrook.org/events/lecture/1983/nofziger.html)).

<sup>13</sup> *No, the GOP Won't Lose Big: 'It Will Have Done Well' If It Drops Up to 30 Seats*, Washington Post (Oct. 24, 1982).

“The idea is to make sure that the White House bestows its favors — campaign appearances, endorsements, coordination of grant announcements — in the most effective way possible.”<sup>14</sup>

Mr. Nofziger was succeeded in 1982 by his deputy, Ed Rollins, who ran the Office of Political Affairs until he left the position in 1983 to manage President Reagan’s reelection campaign. In 1984, Mr. Rollins returned to the White House and led the Office of Political Affairs until 1985. Mr. Rollins’s successor, Mitch Daniels, led a combined Office of Political and Intergovernmental Affairs until 1987, and Frank Donatelli headed the office for the duration of President Reagan’s second term.<sup>15</sup>

In 1988, President George H.W. Bush appointed James Wray as the director of the Office of Political Affairs. Mr. Wray had been the national field director for President Bush’s presidential campaign.<sup>16</sup> According to Edward Rogers, a former executive assistant to President Bush’s chief of staff, John Sununu, the President received weekly reports of his cabinet secretaries’ trips on behalf of members of Congress and, sometimes at cabinet meetings, “the President would acknowledge who was doing a good job.”<sup>17</sup> Mr. Wray served as director through 1990 and was succeeded by David Carney, Ronald Kaufman, and Janet Mullins during the final two years of the first Bush Administration.<sup>18</sup>

In 1992, President Clinton appointed Rahm Emanuel, the finance director for his presidential campaign, as the head of the Office of Political Affairs. In 1994, Mr. Emanuel was succeeded by his deputy, Joan Baggett, who had served previously as the chief of staff at the Democratic National Committee. Ms. Baggett reportedly met with cabinet secretaries and their top aides to “brief them on the dynamics of the midterm elections and talk about lawmakers with tough races on their hands.”<sup>19</sup> Following Ms. Baggett’s tenure, Douglas Sosnik served as director of the Office of Political Affairs from 1995 through 1996. Mr. Sosnik was succeeded by Craig Smith and then Minyon Moore during the remainder of the Clinton Administration.<sup>20</sup>

President George W. Bush appointed his campaign national field director, Ken Mehlman, as his first Director of the Office of Political Affairs in 2001. Mr. Mehlman served until 2003, when he left to become chairman of President Bush’s reelection effort.<sup>21</sup>

Matt Schlapp, who had served previously as Regional Political Director in the Bush/Cheney 2000 presidential campaign, succeeded Mr. Mehlman and served as director of the Office of Political

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<sup>14</sup> *As the Most Loyal of Reagan’s Loyalists, Nofziger Will Retain a Political Role*, National Journal (Oct. 24, 1981).

<sup>15</sup> Kathryn Dunn Tenpas, *Institutionalized Politics: The White House Office of Political Affairs*, 26 *Presidential Studies Quarterly* 2 (Spring 1996).

<sup>16</sup> *Id.*

<sup>17</sup> *Like His Home-State Razorbacks Clinton’s Cabinet Plays to Win*, National Journal (Apr. 9, 1994).

<sup>18</sup> Memorandum from Congressional Research Service to Staff, House Committee on Oversight and Government Reform, *White House Office of Political Affairs* (Dec. 13, 2007).

<sup>19</sup> *Like His Home-State Razorbacks Clinton’s Cabinet Plays to Win*, National Journal (Apr. 9, 1994).

<sup>20</sup> Memorandum from Congressional Research Service to Staff, House Committee on Oversight and Government Reform, *White House Office of Political Affairs* (Dec. 13, 2007).

<sup>21</sup> *White House Letter: A Politician in the White House (Gasp!) Hits His Stride*, New York Times (Oct. 28, 2002); see also House Committee on Oversight and Government Reform, Interview of Kenneth B. Mehlman, at 10 (Sept. 5, 2007).

Affairs in 2003 and 2004.<sup>22</sup> Following President Bush's reelection, Sara Taylor, a strategist on his reelection campaign, became director of the Office of Political Affairs and coordinated the office's activities through the 2006 mid-term congressional elections. Ms. Taylor left the position in May 2007.<sup>23</sup> Jonathan Felts, a former Assistant Director in the Office of Political Affairs, succeeded Ms. Taylor as the director of the office.<sup>24</sup>

### C. The Oversight Committee Investigation

The Committee began its investigation of the Bush Administration's Office of Political Affairs after a Committee hearing disclosed that Scott Jennings, the Deputy Director of the Office of Political Affairs, provided a mid-day political briefing to approximately 40 officials at the General Services Administration (GSA) during a meeting at GSA headquarters in Washington, D.C. on January 26, 2007.<sup>25</sup> During this briefing, Mr. Jennings displayed PowerPoint slides to the GSA officials describing the top 36 House Republicans the White House wanted to defend in the 2008 election, the top 20 House Democrats the White House wanted to defeat, and a slide depicting the "Battle for the Senate 2008."<sup>26</sup> According to six Republican political appointees at GSA interviewed by the Committee, the Administrator of GSA, Lurita Doan, spoke after the conclusion of Mr. Jennings's briefing and asked the assembled officials how "we" could help "our candidates" in the next election.<sup>27</sup>

On March 29, 2007, the day after the Oversight Committee hearing, Chairman Waxman initiated a broader investigation of the Office of Political Affairs. He wrote to Karl Rove, the Assistant to the President, Deputy Chief of Staff, and Senior Advisor to the President, requesting information about political briefings similar to the one Mr. Jennings delivered at GSA headquarters. Chairman Waxman asked how the presentations were developed; what policies and legal authority govern their delivery to federal officials; how frequently White House officials delivered such briefings to federal officials; whether federal funds were used to prepare these briefings; and why Mr. Jennings and his staff assistant used e-mail accounts maintained by the Republican National Committee to correspond with GSA about the January 26, 2007, political briefing.<sup>28</sup>

On April 4, 2007, Chairman Waxman wrote to Mike Duncan, Chairman of the Republican National Committee, seeking any e-mails sent or received by Mr. Rove, Mr. Jennings, or any other White

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<sup>22</sup> Memorandum from Congressional Research Service to Staff, House Committee on Oversight and Government Reform, *White House Office of Political Affairs* (Dec. 13, 2007); see also House Committee on Oversight and Government Reform, Deposition of Matthew A. Schlapp, at 7 (Aug. 27, 2007).

<sup>23</sup> House Committee on Oversight and Government Reform, Deposition of Sara M. Taylor, at 10 (July 27, 2007).

<sup>24</sup> Memorandum from Congressional Research Service to Staff, House Committee on Oversight and Government Reform, *White House Office of Political Affairs* (Dec. 13, 2007).

<sup>25</sup> House Committee on Oversight and Government Reform, *Hearing on Allegations of Misconduct at the General Services Administration*, 110th Cong. (Mar. 28, 2007) (H. Rept. 110-35).

<sup>26</sup> Briefing by Scott Jennings, Deputy Director, White House Office of Political Affairs, to General Services Administration Staff (Jan. 26, 2007) (online at [www.oversight.house.gov/story.asp?id=1224](http://www.oversight.house.gov/story.asp?id=1224)).

<sup>27</sup> Memorandum from Majority Staff to Members of the House Committee on Oversight and Government Reform, *Hearing on Alleged Witness Retaliation by General Services Administrator Lurita Doan* (June 8, 2007).

<sup>28</sup> Letter from Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, to Karl Rove, Assistant to the President, Deputy Chief of Staff, and Senior Advisor, The White House (Mar. 29, 2007).



House officials using RNC e-mail accounts relating to “(1) the January 26, 2007, PowerPoint presentation at GSA, (2) the presentation of any similar political briefings at other federal agencies or to other federal employees, or (3) the use of federal agencies or resources to help Republican candidates.”<sup>29</sup> Following the RNC’s failure to produce responsive documents, the Committee issued a subpoena to the RNC on April 25, 2007, seeking e-mails written or received by White House officials using RNC e-mail accounts relating to “the use or proposed use of federal agencies or resources to assist in any way a Republican candidate for federal or state office.”<sup>30</sup>

On April 26, 2007, Chairman Waxman wrote to the heads of 28 federal agencies and offices seeking documents and information relating to “any briefing mentioning elections or candidates provided to agency employees by officials in the White House between January 20, 2001 and April 26, 2007.”<sup>31</sup>

On August 21, 2007, Chairman Waxman wrote to the heads of 20 federal agencies to request documents and information concerning their involvement in White House “asset deployment” meetings held to discuss the use of federal resources to promote the reelection of President Bush and Republicans in Congress. This letter also requested that the agency identify any travel by the agency head to events with candidates for federal office and whether the travel expenses associated with the event were paid for by taxpayers.<sup>32</sup>

On September 13, 2007, the Committee sought historical context regarding the activities of the White House Office of Political Affairs by requesting Clinton-era documents from the National Archives. Specifically, the Committee requested “copies of any political presentations or briefings provided by the Clinton White House Office of Political Affairs to federal agency employees that mentioned future elections or candidates,” as well as “any legal guidance the Clinton White House Counsel may have provided the White House Office of Political Affairs about the political presentations.”<sup>33</sup>

In the course of this investigation, the Committee interviewed or deposed 18 current and former federal government officials concerning the White House political briefings, recommendations for travel by agency heads and other federal officials, and other practices of the Office of Political Affairs.<sup>34</sup> The Committee also received more than 63,000 pages of documents produced by the White House, the RNC, and various agencies and offices of the federal government.

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<sup>29</sup> Letter from Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, to Mike Duncan, Chairman, Republican National Committee (Apr. 4, 2007).

<sup>30</sup> House Committee on Oversight and Government Reform, Subpoena to Mike Duncan, Chairman, Republican National Committee (Apr. 25, 2007).

<sup>31</sup> See, e.g., Letter from Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, to Mike Johanns, Secretary, Department of Agriculture (Apr. 26, 2007).

<sup>32</sup> See, e.g., Letter from Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, to Samuel W. Bodman, Secretary, Department of Energy (Aug. 21, 2007).

<sup>33</sup> Letter from Chairman Henry A. Waxman and Ranking Member Tom Davis to Allen Weinstein, Archivist of the United States (Sept. 13, 2007).

<sup>34</sup> See Interviews of Michael Berkholtz (Mar. 12, 2007); Matthew R. Sisk (Mar. 12, 2007); Dennis R. Smith (Mar. 12, 2007); Justin Busch (Mar. 13, 2007); Jennifer E. Millikin (Mar. 13, 2007); Christiane Monica (Mar. 13, 2007); Douglas A. Simon (July 25, 2007); David A. Higbee (Aug. 23, 2007); Kenneth B. Mehlman (Sept. 5, 2007); J. Scott Jennings (Oct. 9, 2007); Matthew Smith (Dec. 6, 2007, and Jan. 10, 2008); Lori A. McMahon (Feb. 20, 2008); and Mike A. Hulén (Mar. 6, 2008). See also Depositions of Emily W. Murphy (Mar. 15, 2007); Sara M. Taylor (July 27, 2007);

## II. FINDINGS

### A. The Interview of Ken Mehlman

The Committee staff interviewed Ken Mehlman, President George W. Bush's first Director of the Office of Political Affairs on September 5, 2007. He told the Committee that he understood that officials in the political affairs office could work full time for the election of Republican candidates. Mr. Mehlman stated that "a big part" of his job was to "help elect allies of the President."<sup>35</sup> He asserted that not only were these efforts legal under the Hatch Act, but they could have been the exclusive focus of White House officials. As he stated:

If one wanted to, one could have — one legally could have, in the Office of Political Affairs, focused entirely on simply promoting, helping with the President's allies.<sup>36</sup>

The White House Counsel at this time was Alberto Gonzales. Mr. Mehlman told the Committee that he consulted closely with Mr. Gonzales's staff in assessing what his office could and could not do. Mr. Mehlman told the Committee:

What I recall is discussing with the White House counsel nearly all aspects of what I was doing as political director, what I was discussing with people. And so the answer to that question, I recall, would have been "yes."<sup>37</sup>

According to Mr. Mehlman, the Office of Political Affairs worked with the National Republican Congressional Committee (NRCC) to identify "vulnerable Republican incumbents" as well as "battleground races, and States and places where they agreed the most help was needed and where the most help would be effectively used."<sup>38</sup> He said: "it would have been unproductive for the NRCC to have one set of focus areas and the administration to have another one."<sup>39</sup>

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Matthew A. Schlapp (Aug. 27, 2007); Susan Richmond Johnson (Oct. 4, 2007); and Mindy A. McLaughlin (Apr. 3, 2008).

<sup>35</sup> House Committee on Oversight and Government Reform, Interview of Kenneth B. Mehlman, at 158-59 (Sept. 5, 2007).

<sup>36</sup> *Id.* at 203-204.

<sup>37</sup> *Id.* at 161.

<sup>38</sup> *Id.* at 151-152. The complete exchange was:

Q: How did you determine where help was needed? Did OPA have its own list?

A: Usually working with the NRCC. Again, it would have been unproductive for the NRCC to have one set of focus areas and the administration to have another one. And I viewed what we were doing as being complementary to the Speaker going in and people like that.

Q: And this would be a list by the NRCC of vulnerable Republican incumbents?

A: Vulnerable, and battleground races, and States and places where they agreed the most help was needed and where the most help would be effectively used.

<sup>39</sup> *Id.* at 152.

## B. The “Asset Deployment” Program

Under Mr. Mehlman, the Office of Political Affairs established what it called an “asset deployment” team to mobilize agency heads to travel to events with Republican candidates.<sup>40</sup> The asset deployment team included various members of the Office of Political Affairs, as well as the chiefs of staff and White House liaisons of at least 12 departments and agencies.<sup>41</sup> It was established in 2002.

White House Counsel Alberto Gonzales and his staff were involved with the creation of the asset deployment program. On June 13, 2002, as the asset deployment team was being assembled, the White House Office of Political Affairs sent an e-mail inviting the agency liaisons to a discussion of the “Asset Deployment” program with representatives of the Counsel’s Office.<sup>42</sup>

On July 8, 2002, Cabell Hobbs, the scheduler at the White House Office of Political Affairs, sent an e-mail requesting that the “Asset Deployment Team” convene in the Old Executive Office Building to see “an overview of the Top Senate and House races and discuss the key niche issues for 2002.”<sup>43</sup> Mr. Mehlman sent a follow-up e-mail a week later, writing: “At last week’s meeting, we briefed you on some key races to get your thoughts on some appropriate surrogates. ... please send any suggestions you have ... by COB today.”<sup>44</sup> Documents obtained by the Committee demonstrate that the White House convened its “asset deployment team” for more than a dozen meetings and conference calls between June 2002 and the 2002 mid-term elections.<sup>45</sup>

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<sup>40</sup> E-mail from Adrian Gray, Deputy Director of Scheduling, The White House, to L. Jones, *et al.* (June 4, 2002) (Education Department 08196). This e-mail also stated:

Tomorrow morning, Ken and Karl are meeting with the House and Senate leadership. As part of that meeting, they will need to be armed with a list of every public event that administration officials (Cabinet, Sub-Cabinet & White House Senior Staff) have done with members of the House & Senate — or candidates for House & Senate. So I have been asked to come up with such list by COB today (welcome to my life...). So, I really need your all’s help on this.

<sup>41</sup> E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (June 21, 2002) (Education Department 08208).

<sup>42</sup> E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Julian Flannery, *et al.* (June 13, 2002) (Education Department 08170-A) (also in attendance were officials from the offices of Cabinet Affairs and Strategic Affairs).

<sup>43</sup> E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 8, 2002) (Interior Department 01-01-07 p. 2). *See also* e-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 8, 2002) (Interior Department 01-01-07 p. 3) (rescheduling the meeting to the following day).

<sup>44</sup> E-mail from Ken Mehlman, Director, White House Office of Political Affairs, to Julian Flannery, *et al.* (July 15, 2002) (Interior Department 01-01-07 p.4).

<sup>45</sup> *See, e.g.*, Calendar entries of Brian Waidmann, Chief of Staff, Department of the Interior (June 24, 2002, through Jan. 7, 2003) (Interior Department 01-01-01 pp.1-4, 01-01-02 p. 1) (entries titled “Asset Deployment Meeting” for five conference calls); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Julian Flannery, *et al.* (June 13, 2002) (Education Department 08170-A) (scheduling meeting to discuss “Asset Deployment” on June 17, 2002); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 15, 2002) (Education Department 08171-A) (reminding “Asset Deployment Team” of July 15, 2002, conference call); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 19, 2002) (Education Department, 08172-A) (reminding “Asset Deployment Team” of July 22, 2002, conference call); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Sue Ellen Wooldridge, *et al.* (Sept. 23, 2002) (Education Department 08176-A) (inviting “Asset Deployment Team” to attend party at the White House “In recognition of your hard work” on October 4, 2002); E-mail from Cabell Hobbs, Surrogate

On October 18, 2002, a White House political affairs official e-mailed officials at the Department of the Interior concerning the electoral viability of several Republican members of Congress seeking visits by Secretary Gale Norton. The e-mail described vulnerable Republican members of Congress and asked “will she go West?”<sup>46</sup> According to the e-mail:

Tom Latham (IA-04): He is running as an incumbent in his newly drawn district. Ames is the biggest city, in case they wanted a FR. Latham is up, but remains under 45%. The contact for Latham is Chris Dudley. ...

Rick Renzi (AZ-01): I know she did something for Renzi in Phoenix a few weeks ago, but they would like her to visit their district in Flagstaff/Prescott area. Recent polling has Renzi down 1% — well within the margin of error. The contact for Renzi is Joe Galli. ...

Bob Breaprez (CO-07): I know she’s been there before, but he may want her back to help with Get-out-the-vote in his district. He is currently down, but will win if he turns out his base. This is still a ‘maybe.’ The contact would be Sean Murphy. ...

Just an FYI ... Marilyn Musgrave (a race I know the Secretary is following) has expanded her lead and is now above 50%. Looking very good there (thanks in part to the Secretary’s help!).<sup>47</sup>

Although the Committee requested records that would show the number of trips that cabinet officials took on behalf of Republican candidates in the 2002 mid-term elections and the 2004

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Scheduler, The White House, to Ken Mehlman, *et al.* (Jan. 7, 2003) (Education Department 08178-A) (reminding “Asset Deployment Team” of January 7, 2003, conference call); E-mail from Adrian Gray, Deputy Director of Scheduling, The White House, to Libby Camp, *et al.* (Sept. 22, 2003) (Education Department 08180) (scheduling “Asset Deployment” meeting at the White House on October 1, 2003); E-mail from Meredith Terpeluk, to Libby Camp, *et al.* (Nov. 21, 2003) (Education Department 08182) (scheduling “Asset Deployment” meeting on December 4, 2003); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 8, 2002) (Interior Department 01-01-07) (rescheduling “Asset Deployment” meeting for July 9, 2002); E-mail from Adrian Gray, Deputy Director of Scheduling, The White House, to Sue Ellen Wooldridge, *et al.* (Sept. 4, 2002) (Interior Department 01-01-09) (scheduling “Asset Deployment Meeting” for September 6, 2002); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Adrian Gray, Deputy Director of Scheduling, The White House, *et al.* (Oct. 10, 2002) (Interior Department 01-01-12) (scheduling “Asset Deployment Conference Call” for October 22, 2002); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, Matt Schlapp, Deputy Political Director, The White House, and Adrian Gray, Deputy Director of Scheduling, The White House (Aug. 16, 2002) (Interior Department 01-05-02) (scheduling conference call on August 19, 2002, for “Asset Deployment Team”); E-mail from Stacey Lukens to Laurie Rich, *et al.* (July 18, 2002) (Education Department 08209) (confirming her attendance at July 19, 2002, meeting on “asset deployment”); E-mail from Cabell Hobbs, Surrogate Scheduler, The White House, to Ken Mehlman, *et al.* (July 29, 2002) (Education Department 08174) (contacting “Asset Deployment Team” about August 7, 2002, meeting). The agencies that received these event lists included the Departments of Agriculture, Commerce, Education, Energy, Interior, Labor, Transportation, Treasury, Health and Human Services, Housing and Urban Development, and Veterans Affairs, as well as the Environmental Protection Agency, the Office of National Drug Control Policy, and the Small Business Administration.

<sup>46</sup> E-mail from Adrian Gray, Deputy Director of Scheduling, The White House, to Monica Piper, *et al.* (Oct. 18, 2002) (Interior Department 01-01-11).

<sup>47</sup> *Id.* See also E-mail from Adrian Gray, Deputy Director of Scheduling, The White House, to Brian Waidmann, *et al.* (Oct. 17, 2001) (Interior Department 01-01-04).

presidential election, most agencies were unable to provide information for these time periods. However, there is evidence that the number of trips was high. In 2004, Matt Schlapp, then the director of the Office of Political Affairs, delivered a political presentation to federal agency officials that reviewed the number of events President Bush, Vice President Cheney, and other agency officials attended on behalf of Republican candidates and the Republican party in the 2002 mid-term elections. A slide entitled “2002 Races” stated:

POTUS:	151 Events
VPOTUS:	97 Events
Other:	1,047 Events
Total:	1,295 <sup>48</sup>

On some occasions, officials were reluctant to attend official events if they had no “political assignment” from the White House.<sup>49</sup> On September 17, 2004, Ramona Jones, the Director of Scheduling and Advance at the Department of the Interior, sent an e-mail to White House official Douglas Schwartz and Doug Domenech, the liaison to the White House at the Department of the Interior, concerning a request for Secretary Norton to attend an official event in Fairbanks, Alaska. Ms. Jones’s e-mail stated:

If we get a political assignment from the WH we will go wherever that is plus the official visit in Fairbanks. GAN feels she can be uniquely helpful in AK b/c of DOI’s profile there, but if no political assignment comes our way, we will surrogate the official to someone else and likely skip AK this round.<sup>50</sup>

Three days later, Mr. Domenech e-mailed Mr. Schwartz about the same trip, writing: “We have an official request, but it is not worth going to AK unless OPA also gives us a reason to go. Waiting on them.”<sup>51</sup>

## C. The 2006 Mid-Term Elections

### 1. Coordination of the Strategy

To coordinate the efforts of federal agencies in the 2006 elections, the White House Office of Political Affairs developed “target lists” of Republicans who were vulnerable or in close races. Mindy McLaughlin, the Associate Director of Scheduling, told the Committee that Sara Taylor, the

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<sup>48</sup> Slide Presentation by Matt Schlapp, Director, White House Office of Political Affairs, at Slide 8 (2004) (HOGRO2U-0602 to 0607).

<sup>49</sup> E-mail from Ramona Jones, Director of Scheduling and Advance, Interior Department, to Douglas Schwartz, White House Official, and Doug Domenech, White House Liaison, Interior Department (Sept. 17, 2004) (Interior Department 01-05-14 p. 3).

<sup>50</sup> E-mail from Ramona Jones, Director of Scheduling and Advance, Interior Department, to Douglas Schwartz, White House Official, and Doug Domenech, White House Liaison, Interior Department (Sept. 17, 2004) (Interior Department 01-05-14 p. 3).

<sup>51</sup> E-mail from Doug Domenech, White House Liaison, Interior Department, to Douglas Schwartz, White House Official (Sept. 20, 2004) (Interior Department 01-05-14 p. 1).

political affairs director, provided these lists to White House staff and updated the lists throughout the year.<sup>52</sup> According to Ms. McLaughlin:

I received, along with other members of the Office of Political Affairs, a document that listed the individuals that the White House, in particular its Office of Political Affairs, considered to be allies of the President that we wanted to support.<sup>53</sup>

Ms. McLaughlin told the Committee that she understood that Republican candidates were added to or removed from the target list depending on the closeness of their election:

Q: What did you take it to mean if a Member was taken off the list?

A: My personal opinion would be that they were probably doing better in their ability to win their election and therefore they weren't on the list.

Q: And what did it mean to you if a Member was added to the list?

A: I would have personally taken that as they were not doing so well in their chance of being reelected.<sup>54</sup>

The Office of Political Affairs used the target lists to develop recommendations for travel by cabinet secretaries and other agency officials to events in the districts of Republican candidates. Since they were often filling in for the President at these events, the agency officials were called “surrogates.”<sup>55</sup> The Office of Political Affairs sent memos suggesting where each cabinet secretary should travel to each agency’s White House liaison and often to the cabinet secretary’s chief of staff.<sup>56</sup> The memos were drafted following a standard form and each was titled: “Secretary \_\_\_\_\_ Suggested Event Participation.”

The Office of Political Affairs updated these “Suggested Event” memos weekly in the months before the election, briefly describing the event, the Republican candidate, the agency official who

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<sup>52</sup> House Committee on Oversight and Government Reform, Deposition of Mindy A. McLaughlin, at 95 (Apr. 3, 2007); *see also* House Committee on Oversight and Government Reform, Interview of J. Scott Jennings, at 71-72 (Oct. 9, 2007).

<sup>53</sup> House Committee on Oversight and Government Reform, Deposition of Mindy A. McLaughlin, at 95 (Apr. 3, 2007).

<sup>54</sup> *Id.* at 94-98.

<sup>55</sup> *Id.* at 151-53.

<sup>56</sup> *See, e.g.*, E-mail from Jason Huntsberry, Associate Director, White House Office of Political Affairs, to Doug Domenech, White House Liaison, Interior Department (Aug. 5, 2005) (Interior Department 01-05-42); E-mail from Doug Domenech, White House Liaison, Interior Department, to Jason Huntsberry, Associate Director, White House Office of Political Affairs (Aug. 9, 2005) (Interior Department 01-05-42); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Anthony Hulen, *et al.* (July 6, 2006) (Labor Department 001-788); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Jamie Burke, *et al.* (Sept. 21, 2006) (RNC-GOC-2587). The agencies that received these event lists included the Departments of Agriculture, Commerce, Education, Energy, Homeland Security, Interior, Justice, Labor, State, Transportation, Treasury, Health and Human Services, Housing and Urban Development, and Veterans Affairs, as well as the Environmental Protection Agency, the Office of National Drug Control Policy, and the Small Business Administration.

would attend the event, the date of the event, and its status, including whether the event had been scheduled, declined, withdrawn, or completed.<sup>57</sup>

The Office of Political Affairs kept close tabs on whether agencies were fulfilling White House recommendations. According to Ms. McLaughlin, if a candidate requested an event with a cabinet secretary, the White House first considered whether the candidate was included on the target list of vulnerable Republican candidates.<sup>58</sup> When a Republican candidate was not on the target list, the Office of Political Affairs informed the agency that the White House did not consider the event a priority and usually did not include the event in “Suggested Event” memos.<sup>59</sup>

To keep track of the suggested events, the Office of Political Affairs used a “surrogate matrix,” which was a master tracking spreadsheet listing the status of suggested events for all agencies involved in the program.<sup>60</sup> On October 25, 2006, Scott Jennings e-mailed various White House and RNC officials a “surrogate matrix schedule (courtesy Mindy McLaughlin) for the targeted campaigns.”<sup>61</sup> The attachment was titled “Final Push Surrogate Matrix” and listed 73 Republican House candidates in various “tiers.” It also included the names of each cabinet secretary appearing in the district and the date of the appearance.<sup>62</sup> No events were listed after November 4, 2006.

## 2. Number of Events

During the period from January 1, 2006, to November 7, 2006, election day, the White House Office of Political Affairs suggested that cabinet secretaries and other officials participate in 732 events. Administration officials participated in 425 of the 732 suggested events. Of these 425 events, 326 were appearances with Republican candidates; 92 were Republican party events, such as speeches, conferences, and political fundraising dinners; and 7 were appearances with other Republican officials, such as incumbent Republican senators not up for reelection in 2006.

On average, Administration officials participated in more than one event per day with Republican candidates from January 1, 2006, to November 7, 2006. In October 2006, the month before the election, the rate of events increased to three per day. See Figure 1.

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<sup>57</sup> House Committee on Oversight and Government Reform, Deposition of Mindy A. McLaughlin, at 16-17, 168 (Apr. 3, 2007).

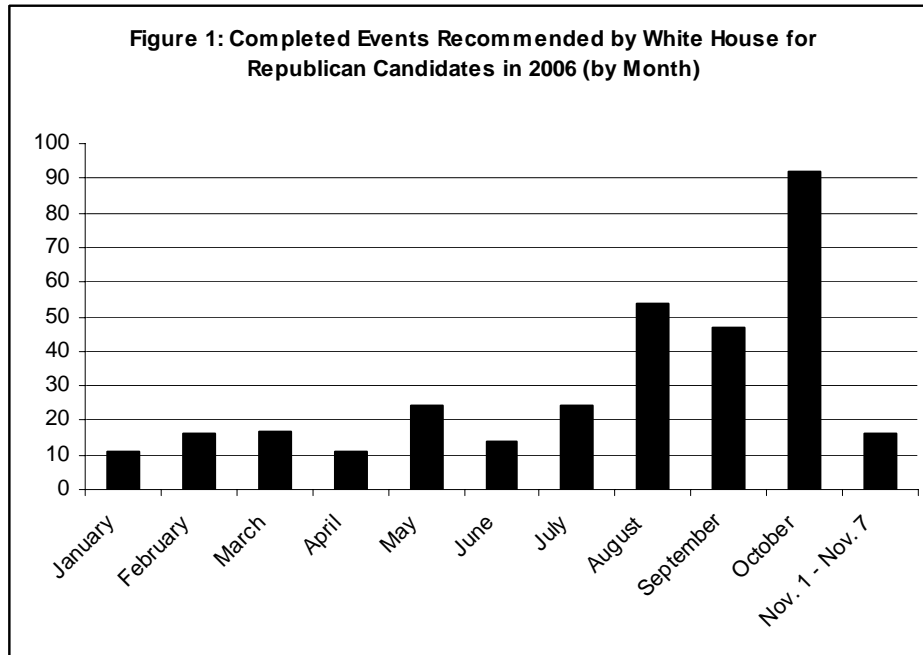
<sup>58</sup> *Id.* at 93-94.

<sup>59</sup> *Id.* at 136-37.

<sup>60</sup> *Id.* at 19-20; see, e.g., White House Office of Political Affairs, *2006 Master Tracking Sheet* (undated) (HOGRRNC-0293 to 0314).

<sup>61</sup> E-mail from Scott Jennings, Deputy Director, White House Office of Political Affairs, to Sara Taylor, *et al.* (Oct. 25, 2006) (HOGRRNC-0897A).

<sup>62</sup> White House Office of Political Affairs, *Final Push Surrogate Matrix* (undated) (HOGRRNC-0889 to 0892, 895-896).



Cabinet secretaries and agency heads participated in 306 of the events with Republican candidates recommended by the White House Office of Political Affairs. The other 20 events with Republican candidates were attended by deputy secretaries or other senior officials. Of all agency officials, Commerce Secretary Carlos Gutierrez attended the most events on behalf of Republican candidates, participating in 59 events recommended by the White House in 2006. Agriculture Secretary Mike Johanns, Housing and Urban Development Secretary Alphonso Jackson, Veterans Affairs Secretary Jim Nicholson, and Labor Secretary Elaine Chao all participated in 20 or more events with Republican candidates. The nation’s “drug czar,” John Walters, participated in 19 events even though federal law provides that the Director of the Office of National Drug Control Policy “may not participate in Federal election campaign activities.”<sup>63</sup> See Table 1.

<sup>63</sup> 21 U.S.C. § 1703(a)(5).



**Table 1: Completed Events Recommended by White House for Republican Candidates in 2006 (by Official)**

<b>Cabinet Secretary</b>	<b>Number of Events</b>
Commerce Secretary Gutierrez	59
Agriculture Secretary Johanns	38
Labor Secretary Chao	25
Housing and Urban Development Secretary Jackson	24
Veterans Affairs Secretary Nicholson	24
Environmental Protection Agency Administrator Johnson	19
Education Secretary Spellings	19
Office of National Drug Control Policy Director Walters	19
Interior Secretary Kempthorne	16
Energy Secretary Bodman	16
Acting Transportation Secretary Cino	16
Health and Human Services Secretary Leavitt	13
Small Business Administration Administrator Preston	10
Transportation Secretary Mineta	4
Homeland Security Secretary Chertoff	2
Attorney General Gonzales	2
Other Agency Officials	20
<b>Total</b>	<b>326</b>

The 326 events recommended by the White House and attended by Administration officials benefited 99 Republican candidates for office. Of the 326 events, 269 events were held with 72 Republican incumbents and 59 events were held with 27 challengers. (Two events jointly benefitted a Republican challenger and incumbent.) Sixteen of the Republicans were candidates for Senate, 72 were candidates for the House, and 11 were candidates for governor or other state office. Forty-nine candidates won their races and 50 lost. Sixty-two of the candidates were in races considered close according to the Cook Report.

Bush Administration officials participated in 20 events with Rick Santorum, the former Senator from Pennsylvania, more than any other candidate. Administration officials participated in 12 events with Congresswoman Heather Wilson from New Mexico, ten events with Congressman Steve Chabot from Ohio, and ten events with Congressman Mike Sodrel from Indiana. Other beneficiaries of multiple events included Geoff Davis (R-KY), Nancy Johnson (R-CT), and Scott Garrett (R-NJ) with nine events each; Mark Kennedy (R-MN) and Rick O'Donnell (R-CO) with eight events each; Conrad Burns (R-MT) with seven events; and Chris Chocoma (R-IN), Chris Shays (R-CT), Clay Shaw (R-FL), Jim Talent (R-MO), John Doolittle (R-CA), Jon Kyl (R-AZ), and Republican challenger Doug Roulstone with six events each.

The vast majority of the events with Republican candidates — 303 of the 326 recommended events — occurred outside of Washington, D.C. At the request of the White House, 32 officials from 12 cabinet agencies and three independent offices journeyed to 35 states to make appearances with the 99 Republican candidates. Administration officials traveled to Pennsylvania for 34 events, Ohio for 22 events, Minnesota for 18 events, Connecticut for 16 events, and Colorado and Washington for 15

events each. Other states that received multiple events included Indiana (13 events), New Jersey (12 events), and Arizona, California, New Mexico, and New York (11 events each).

Appendix A contains copies of the memoranda from the White House Office of Political Affairs listing each recommended event and describing its status. Appendix B contains similar information organized by Republican candidate.

### 3. Travel to “Official” Events Paid for by Federal Taxpayers

Under the Hatch Act, travel by cabinet officials to political events is supposed to be paid for by the campaign, not the federal taxpayer. In 2006, however, the majority of the 303 events outside of Washington, D.C., with Republican candidates recommended by the White House and attended by Administration officials were deemed “official” events and the costs of travel and other expenses were billed to the federal taxpayer.

The federal agencies were able to identify who paid for travel to 180 of the events attended by Administration officials. Over two-thirds of these events (121 events) were deemed official. Another 10 events were considered “mixed” events with some expenses paid by the taxpayer and other expenses paid by a political campaign. Only 49 events were considered “political” with travel expenses paid for entirely by a campaign or political party.

The federal agencies were unable to provide the Committee with information about who paid for travel to 123 of the 303 events attended by Administration officials. The White House memoranda recommending events for agency heads indicate that at least 64 of these 123 events were considered “official” events. This means that travel to at least 185 of the 303 events — and possibly more — was paid for by federal taxpayers.<sup>64</sup>

On some occasions, White House officials urged agencies to use taxpayer funds to pay for travel to political events. On September 5, 2006, Jon Seaton, an official in the Office of Political Affairs, sent an e-mail to the White House Liaison at the Department of Veterans Affairs regarding events Secretary Nicholson attended in Washington State on July 6, 2006, with Doug Roulstone, a Republican candidate for the House of Representatives. In his e-mail, Mr. Seaton asked whether there was any “official component” to the travel, explaining: “Needless to say, trying to save the campaign as much \$\$ as possible.”<sup>65</sup> According to the Department of Veterans Affairs, the July 6, 2006, events were considered official.<sup>66</sup>

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<sup>64</sup> In 18 instances, the designations in the White House memoranda from 2006 conflict with the designations provided by the agencies in response to the Committee’s August 21, 2007, request for information about the status of the events. In seven instances, the White House memoranda designated as “political” events that the agency informed the Committee were “official”; in one instance, the White House memoranda designated as “official” an event that the agency informed the Committee was “political.” In six instances, the White House memoranda designated as “political” events that the agency informed the Committee were “mixed”; in four instances the White House memoranda designated as “official” events that the agency informed the Committee were “mixed.” The Committee considers the designations provided by the agencies in response to the Committee’s official request to be controlling.

<sup>65</sup> E-mail from Jon Seaton, Associate Director, White House Office of Political Affairs, to Matt Smith, White House Liaison, Department of Veterans Affairs (Sept. 5, 2006) (Veterans Affairs 506-07). See also E-mail from Jonathan Felts, Associate Director, White House Office of Political Affairs, to Mindy McLaughlin, Associate Director of Scheduling, The White House, and Matt Smith, White House Liaison, Department of Veterans Affairs (May 10,

#### 4. E-mails about the Events

The documents that the Committee received from the federal agencies and the White House underscore the political nature of the events recommended by the Office of Political Affairs. In e-mails to federal agencies, the White House referred to the events as “our top priorities going into November.”<sup>67</sup> The e-mails also reminded agency officials that there were “Only 49 days left!”<sup>68</sup> or “Only 19 days to go.”<sup>69</sup>

In most instances, the recommended events were designed to help Republican candidates in their general elections. In some cases, however, the White House asked agency officials to help Republican candidates in contested primaries. In an e-mail to the Department of Labor, one White House official wrote:

Can you add Senator Burns (R – MT) to the list of places the DepSec could visit for an official event? The Senator is in need of some surrogates prior to his June 6<sup>th</sup> primary. ... Burns is an important seat for us to hold this year.<sup>70</sup>

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2006) (Veterans Affairs 229-30); E-mail from Matt Smith, White House Liaison, Department of Veterans Affairs, to Jonathan Felts, Associate Director, White House Office of Political Affairs, and Mindy McLaughlin, Associate Director of Scheduling, The White House (May 10, 2006) (Veterans Affairs 1467-68); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Matt Smith, White House Liaison, Department of Veterans Affairs (May 18, 2006) (Veterans Affairs 189-90); E-mail from Matt Smith, White House Liaison, Department of Veterans Affairs, to Mindy McLaughlin, Associate Director of Scheduling, The White House (May 31, 2006) (Veterans Affairs 1117-18); E-mail from Scott Jennings, Deputy Director, White House Office of Political Affairs, to Matt Smith, White House Liaison, Department of Veterans Affairs (June 28, 2006) (Veterans Affairs 385-87); E-mail from Matt Smith, White House Liaison, Department of Veterans Affairs, to Mindy McLaughlin, Associate Director of Scheduling, The White House (Sept. 13, 2006) (Veterans Affairs 1038-39); E-mail from Matt Smith, White House Liaison, Department of Veterans Affairs, to Steven Soper, Associate Director, White House Office of Political Affairs (Sept. 20, 2006) (Veterans Affairs 804).

<sup>66</sup> Letter from Paul J. Hutter, Acting General Counsel, Department of Veterans Affairs, to Chairman Henry A. Waxman (Sept. 21, 2007) (after Committee staff notified the Department that it had reported as “official” an event with a non-incumbent candidate for office, the Department informed Committee staff that it would seek reimbursement for this event from the campaign).

<sup>67</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Jamie Burke, *et al.* (Sept. 21, 2006) (RNC-GOC-2587).

<sup>68</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Douglas Simon, White House Liaison, Office of National Drug Control Policy (Sept. 19, 2006) (Office of National Drug Control Policy 60).

<sup>69</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, White House Office of Political Affairs, to Lori Yates, *et al.* (Oct. 19, 2006) (RNC-GOC-2954). *See also* E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Darren Bearson, *et al.* (Oct. 10, 2006) (RNC-GOC-21); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Bryan Slater, *et al.* (Oct. 10, 2006) (RNC-GOC-26); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Darren Bearson, *et al.* (Oct. 17, 2006) (RNC-GOC-367); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Anthony Hulen, White House Liaison, Agriculture Department (Oct. 17, 2006) (RNC-GOC-1554); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Lori Yates, *et al.* (Oct. 19, 2006) (RNC-GOC-1737); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Lori McMahan, White House Liaison, Transportation Department (Oct. 3, 2006) (RNC-GOC-2082); E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Brianne Kohs, *et al.* (Oct. 9, 2006) (RNC-GOC-3840-41).

<sup>70</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Julie Mulvey, *et al.* (May 11, 2006) (Labor Department 756-57). *See also* E-mail from Steve Tupper, Chief of Strategic

As the year progressed, the White House asked the agencies to increase the pace of their travel to events with Republican candidates. In July 2006, the Office of Political Affairs wrote: “With only 4 months left before the end of the 05-06 cycle, ... we are now asking each agency to do at least 5 OPA recommended events per month from now until November.”<sup>71</sup>

When cabinet secretaries took trips that were not recommended by the White House, the Office of Political Affairs raised questions. On August 9, 2006, Ms. McLaughlin sent an e-mail to Bryan Slater at the Department of Labor asking why the Secretary of Labor was attending an event with a Republican member of Congress who was not facing a difficult reelection campaign. Ms. McLaughlin wrote:

Do you know why she’[s] doing an event for Regula when we’ve explicitly asked the Cabinet to curtail events for non-priority members? Especially in Ohio, where there are tons of folks to help?<sup>72</sup>

Mr. Slater responded:

Regula is chair of our Appropriations Subcommittee and specifically asked her to come out and do this. This is a grant to his district. is that ok?<sup>73</sup>

None of the recommendations made by the White House Office of Political Affairs included Democrats. On a few occasions, however, Democrats did participate in the events.<sup>74</sup> This too prompted questions from the White House. In an e-mail to the Department of Commerce, Ms. McLaughlin wrote:

Can you find out why [Assistant Secretary] Sandy Baruah is doing his event in San Diego with Susan Davis (D, CA-53) instead of the folks we had recommended? (Issa, Hunter). I didn’t know she was being included until I saw it on the press release.<sup>75</sup>

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Communications and Publications, U.S. Agency for International Development, to Michele Johnson (June 24, 2005) (U.S. Agency for International Development 193-196).

<sup>71</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Anthony Hulen, *et al.* (July 6, 2006) (Labor Department 001-788) (Justice Department WAX0AGAD 97) (sent to White House Liaisons at the Departments of Agriculture, Justice, Interior, Labor, State, Transportation, Homeland Security, Commerce, Energy, Education, Health and Human Services, Housing and Urban Development, and Veterans Affairs, as well as the Environmental Protection Agency, Office of National Drug Control Policy, Small Business Administration, and Office of Management and Budget).

<sup>72</sup> E-mail from Mindy McLaughlin Associate Director of Scheduling, The White House, to Bryan Slater, White House Liaison, Labor Department (Aug. 9, 2006) (Labor Department 01-808 to 809).

<sup>73</sup> E-mail from Bryan Slater, White House Liaison, Labor Department, to Mindy McLaughlin Associate Director of Scheduling, The White House (Aug. 9, 2006) (Labor Department 01-808 to 809).

<sup>74</sup> Through research of public and agency documents, the Committee identified 13 events recommended by the White House that were attended by Democrats.

<sup>75</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Christy Simon, Deputy Director, Commerce Department Office of White House Liaison (Mar. 10, 2006) (Commerce Department DOC-H-00021); *see also* E-mail from Jason Huntsberry, Associate Director, White House Office of Political Affairs, to Mindy McLaughlin, Associate Director of Scheduling, The White House (Sept. 25, 2006) (Veterans Affairs 466-68).

The documents show that agency officials feared repercussions if they failed to follow the White House's recommendations. On June 13, 2006, an official at the Department of Health and Human Services wrote an e-mail to the Department's White House liaison to express concerns:

Jamie, we can't do all of these. They are under a misunderstanding that every day we travel we can do 1 or 2 events, it just won't work. ... They need to not be setting high expectations with these candidates/ congressional folks. ... I can see a big problem looming for us.<sup>76</sup>

The agency's White House liaison responded: "after the meeting Rich and I had at folks at the WH yesterday afternoon sadly, I suspect we will be pounded on to do this events."<sup>77</sup>

Agencies that fulfilled the White House recommendations received accolades from top White House officials. On November 22, 2006, Doug Simon, the liaison to the White House for the Office of National Drug Control Policy, wrote to Director Walters and other top ONDCP officials:

I just wanted to give you all a summary of a post November 7<sup>th</sup> update I received the other night. Presidential Personnel pulled together a meeting of all of the Administration's White House Liaison's and the WH Political Affairs office. Karl Rove opened the meeting with a thank you for all of the work that went into the surrogate appearances by Cabinet members and for the 72 Hour deployment. He specifically thanked, for going above and beyond the call of duty, the Dept. of Commerce, Transportation, Agriculture, **AND the WH Drug Policy Office**. This recognition is not something we hear everyday and we should feel confident that our hard work is noticed. All of this is due to our efforts in preparing the Director and Deputies for their trips and events. Director Walters and the Deputies covered thousands of miles to attend numerous official events all across the country. The Director and the Deputies deserve the most recognition because they actually had to give up time with their families for the god awful places we sent them.<sup>78</sup>

Mr. Simon also sent an e-mail to Ms. McLaughlin at the White House Office of Political Affairs, thanking her for having Mr. Rove "give us the kudos last night."<sup>79</sup> She responded: "Yes, you guys were super helpful. We wanted KR to know exactly who our superstars were."<sup>80</sup>

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<sup>76</sup> E-mail from Allyson Bell, Director of Surrogate Scheduling, Health and Human Services, to Jamie Burke, White House Liaison, Health and Human Services (June 13, 2006) (Health and Human Services 340); *see also* E-mail from Kyle Sampson, Deputy Chief of Staff, Justice Department, to Theodore Ulyot, Chief of Staff, Justice Department (Aug. 27, 2005) (Justice Department WAX0AGAD 193).

<sup>77</sup> E-mail from Jamie Burke, White House Liaison, Health and Human Services, to Allyson Bell, *et al.* (June 13, 2006) (Health and Human Services 340).

<sup>78</sup> E-mail from Douglas A. Simon, White House Liaison, Office of National Drug Control Policy to Michael Bishop, *et al.* (Nov. 22, 2006) (Office of National Drug Control Policy Simon-22) (emphasis in original).

<sup>79</sup> E-mail from Douglas A. Simon, White House Liaison, Office of National Drug Control Policy, to Mindy McLaughlin, Associate Director of Scheduling, The White House (Nov. 17, 2006) (unnumbered).

<sup>80</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Douglas A. Simon, White House Liaison, Office of National Drug Control Policy (Nov. 20, 2006) (unnumbered).

## 5. Presentations of Grants

In some instances, agency officials were asked to present grants at events recommended by the Office of Political Affairs. On May 5, 2006, Ms. McLaughlin e-mailed the Department of Labor:

We had heard that the Secretary had done a grant announcement [of] a \$5 million project in Northern CA from DC this week. I believe this grant affects the constituents of Cong. Pombo and Cong. Doolittle, 2 of our targeted folks. Do you think we can send a DoL surrogate out there to physically hand out a check? I think it would be helpful in terms of good press in a much needed area.<sup>81</sup>

Similarly, Ms. McLaughlin asked the General Services Administration: “I’m particularly interested in any grant announcements (or anything where checks are handed out) that might be good press for incumbents.”<sup>82</sup>

On several occasions, the Director of the Office of National Drug Control Policy announced federal grants or federal actions at events recommended by the White House. On August 29, 2006, ONDCP Director Walters appeared with Republican Representative Jim Gibbons at a press conference in Reno, Nevada, to announce that Washoe County had been designated part of a “High Intensity Drug Trafficking Area,” a designation that brings with it \$500,000 in federal funding to assist local law enforcement efforts.<sup>83</sup> Director Walters made a similar announcement with Republican Senator Jim Talent at a press conference in Union, Missouri.<sup>84</sup> On October 11, 2006, Director Walters appeared with Republican Representative Jon Porter in Henderson and Las Vegas, Nevada, to announce \$500,000 in federal funding for a Clark County, Nevada, anti-drug program.<sup>85</sup>

The White House memoranda recommending the events with Rep. Gibbons, Senator Talent, and Rep. Porter did not label them as “grant awards.” Instead, the White House described all three as “Drug Event w/ \_\_\_\_\_,” followed by the name of the Republican candidate. The White House memoranda listed eight additional ONDCP events using the same title, but the Committee was unable to determine whether they involved grant announcements. Among the memoranda sent to other agencies, the White House described eight additional events as “grant announcements”: three were grant awards from the Environmental Protection Agency; two were grant awards from the Department of Education; two were grant awards from the Department of Veterans Affairs; and one was a grant award from the Department of Labor.

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<sup>81</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Bryan Slater, *et al.* (May 5, 2006) (Labor Department 731).

<sup>82</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Meghan Espinoza, Confidential Assistant to the Administrator, General Services Administration (Mar. 3, 2006) (General Services Administration W907-83 to W907-84).

<sup>83</sup> Washoe County to Receive New Federal Resources to Fight Drug Trafficking, U.S. Fed News (Aug. 29, 2006); Rep. Gibbons, White House ‘Drug Czar’ to Hold Press Conference in Reno, Nevada, U.S. Fed News (Aug. 25, 2006).

<sup>84</sup> *Four Missouri Counties Get Federal Funds to Fight Meth*, Associated Press (Oct. 3, 2006); Office of National Drug Control Policy, *Franklin, Jefferson, Cole, Boone Counties to Receive New Federal Resources to Fight Drug Trafficking* (Oct. 2, 2006); Office of Senator Kit Bond, *Bond-Talent-Hulshof Announce HIDTA Designation for Four Additional Missouri Counties* (Oct. 2, 2006).

<sup>85</sup> *Drug Czar Criticizes Nevada Proposal to Legalize Marijuana*, Associated Press (Oct. 12, 2006).

## D. Political Briefings

The White House Office of Political Affairs also used the target lists of vulnerable Republican candidates in briefings to officials at federal agencies. During Mr. Mehlman's tenure, the Office of Political Affairs conducted presentations for political appointees from at least 17 agencies.

Although the briefings varied from presentation to presentation, most included a section on the "Political Landscape" with electoral maps showing House, Senate, and Gubernatorial candidates in the next election. Mr. Mehlman's presentation often included a slide entitled "Competitive House Districts."<sup>86</sup> He used this slide to focus agency employees on "places that in the past have had very competitive elections," "where the politician is most uncertain as to where he or she will be on issues," and "places where you can help in the future in a way that is appropriate."<sup>87</sup>

Mr. Mehlman told the Committee in his interview that he discussed the specific content of these briefings with the White House Counsel's office, Senior Advisor to the President Karl Rove, and Chief of Staff Andy Card.<sup>88</sup>

After Sara Taylor assumed the position of director of the Office of Political Affairs in 2005, she sought advice from her predecessor, Mr. Mehlman, about the content and propriety of delivering these political presentations to agency officials.<sup>89</sup> In response, Mr. Mehlman explained:

I always ran it by counsel first. Usually did polling update, thematic issues update and very basic update on top races. The races part is the trickiest so it doesn't look like they're helping elect people. Also included substantial personnel update and target states for their travel.<sup>90</sup>

Under Ms. Taylor's tenure, the Office of Political Affairs provided at least 22 briefings to officials from at least 20 agencies, either in the Eisenhower Executive Office Building or on agency property.<sup>91</sup>

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<sup>86</sup> House Committee on Oversight and Government Reform, Interview of Kenneth B. Mehlman, at 141 (Sept. 5, 2007).

<sup>87</sup> *Id.*; see also E-mail from Rob Siedlecki, Special Assistant to the Assistant Secretary, Department of Health and Human Services, to Ken Mehlman, Director, White House Office of Political Affairs (Jan. 28, 2002) (HOGRO2U-919 to 922); E-mail from Ken Mehlman, Director, White House Office of Political Affairs, to Rob Siedlecki, Special Assistant to the Assistant Secretary, Department of Health and Human Services (Jan. 30, 2002) (HOGRO2U-916 to 918).

<sup>88</sup> House Committee on Oversight and Government Reform, Interview of Kenneth B. Mehlman, at 112, 114-15 (Sept. 5, 2007).

<sup>89</sup> E-mail from Sara Taylor, Director, White House Office of Political Affairs, to Ken Mehlman, Chairman, Republican National Committee (Apr. 17, 2005) (HOGRO02-1937).

<sup>90</sup> E-mail from Ken Mehlman, Chairman, Republican National Committee, to Sara Taylor, Director, White House Office of Political Affairs (Apr. 17, 2005) (HOGRO02-1937).

<sup>91</sup> Letter from Emmet T. Flood, Special Counsel to the President, to Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform (May 14, 2007). See, e.g., Briefing by Scott Jennings, Deputy Director, White House Office of Political Affairs, to General Services Administration (Jan. 26, 2007) (online at [www.oversight.house.gov/story.asp?id=1224](http://www.oversight.house.gov/story.asp?id=1224)); see also Briefing, *Presidential Personnel, Political Affairs & White House Liaison Meeting* (Oct. 26, 2005) (Department of State, unnumbered).

Several documents produced to the Committee refer to a White House Counsel recommendation that briefings by the Office of Political Affairs should occur after 5 p.m.<sup>92</sup> However, the Office of Political Affairs did not consistently follow this recommendation. According to documents obtained by the Committee, officials from the Office of Political Affairs presented numerous briefings for agency employees during business hours.<sup>93</sup>

On several occasions, agency officials directed agency employees to attend political briefings as mandatory. For example, Sandy Baruah, the Assistant Secretary of Commerce for Economic Development at the Department of Commerce, wrote an e-mail to various Department officials on April 20, 2006, stating: “Don’t forget today’s mandatory briefing with WH Political Director Sara Taylor. 5 PM. DOC Auditorium. Do not walk in late. Thanks.”<sup>94</sup>

In one e-mail obtained by the Committee, Ms. McLaughlin wrote that an official at the Department of Housing and Urban Development had requested a political briefing by Karl Rove to “‘put the fear of God’ in them about continuing to work hard and sign up for 72 hour.”<sup>95</sup>

### E. The Deposition of Sara Taylor

The Committee conducted a deposition of Sara Taylor, who served as the director of the Office of Political Affairs from February 2005 through May 2007. In this deposition, Ms. Taylor refused more than ten times to answer whether she intended to help elect Republicans in close races by recommending that agency officials travel to events in their districts.<sup>96</sup> Instead, she testified that these events might benefit agency officials rather than the Republican candidates, asserting: “I considered that this would be a good experience for the Cabinet official because it would be an opportunity to talk about an issue that the President cares about.”<sup>97</sup>

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<sup>92</sup> See, e.g., E-mail exchange between Meredith MacIntyre, White House Official, and Doug Domenech, White House Liaison, Interior Department (Apr. 22 - 24, 2005) (HOGRO02-0296 to 0297); E-mail from Sara Taylor, Director, White House Office of Political Affairs, to Barry Jackson, *et al.* (June 12, 2006) (HOGRO02-0082); E-mail from Jason Huntsberry, Associate Director, White House Office of Political Affairs, to Drew Deberry, White House Liaison, Agriculture Department (May 20, 2005) (HOGRO02-0080 through 81); House Committee on Oversight and Government Reform, Interview of J. Scott Jennings, at 132-33, 146-47 (Oct. 9, 2007); House Committee on Oversight and Government Reform, Deposition of Sara M. Taylor, at 131-32 (July 27, 2007); House Committee on Oversight and Government Reform, Deposition of Matthew A. Schlapp, at 97 (Aug. 27, 2007).

<sup>93</sup> See, e.g., E-mail from Leslea T. Byrd, White House Office of Cabinet Liaison, to Brian Gunderson, *et al.* (Aug. 11, 2006) (Homeland Security Department Aug. 10, 2007, Production, p. 4); Letter from Stephanie Daigle, Environmental Protection Agency, to Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, *Briefings for EPA Political Appointees* (May 18, 2007); Agenda and Talking Points for Secretary Snow, Department of the Treasury (Jan. 20, 2006) (Treasury Department 550-51, 554-55); Letter from Matt Eames, Director, Office of Congressional and Legislative Affairs, Department of the Interior, to Henry A. Waxman, Chairman, House Committee on Oversight and Government Reform, *Detailed Response: Regular Politicals Staff Meeting, March 8, 2004* (June 8, 2007).

<sup>94</sup> E-mail from Sandy Baruah, Assistant Secretary, Commerce Department, to Economic Development Administration Non-Career Appointees (Apr. 20, 2006) (Commerce DOC-D-39). See also E-mail from White House Liaison, Commerce Department, to Political Appointees, Commerce Department (Apr. 13, 2006) (Commerce DOC-D-40).

<sup>95</sup> E-mail from Mindy McLaughlin, Associate Director of Scheduling, The White House, to Sara Taylor, *et al.* (Sept. 6, 2006) (HOGRO02-1905).

<sup>96</sup> See, e.g., House Committee on Oversight and Government Reform, Deposition of Sara M. Taylor, at 13-16, 80-83 (July 27, 2007).

<sup>97</sup> *Id.* at 14.



In addition, Ms. Taylor stated that she recommended that Administration officials travel to events to be responsive to requests from members of Congress. She testified:

[W]e were trying to be helpful to them, and many of these people were sitting Members of Congress and when a sitting Member of Congress calls me, I try to do my best to get back to him or her quickly and be helpful to their request.<sup>98</sup>

Ms. Taylor denied that she or other officials in the Office of Political Affairs placed Republican candidates on the White House target lists because they were in close races or because they were considered vulnerable. When asked how the specific members on the list were selected, she answered: “I can’t tell you specifically why. Probably because they were calling the most.”<sup>99</sup>

Ms. Taylor testified that having a cabinet secretary travel to an event with a Republican candidate in his or her district would not necessarily help the candidate get elected. When asked when such an event would not help a candidate, Ms. Taylor answered:

It would not help the candidate if the Cabinet Secretary was there and said something that was counter to the candidate’s view on an issue. It would not help the candidate if no press showed up. It would not help the candidate if the event was poorly attended. It would not help the candidate if, again, the person, official, speaker, whatever you want to call this individual, didn’t advocate their election. You can stand up all you want in a room with people and talk about an issue, but if you don’t tell the audience to vote for the person, I don’t know that it does him or her a lot of good.<sup>100</sup>

When asked whether she in fact recommended that agency officials travel to attend these events in order to help Republican candidates get elected, Ms. Taylor testified:

I don’t assume that somebody traveling in their official capacity is helpful in a, quote, political context. I don’t assume that. And so I don’t make that assumption. ... I don’t make an assumption that it’s helpful. You’re asking me could it ever be helpful? You know, it could, it could not.

At this point in the deposition, Ms. Taylor’s counsel intervened to suggest that an appearance by a cabinet secretary could actually be harmful to a Republican candidate’s electoral chances. Ms. Taylor then responded by stating: “Absolutely. It could absolutely be.”<sup>101</sup>

Ms. Taylor’s testimony contradicts the evidence in the documents produced to the Committee by her own office at the White House and by numerous federal agencies. Her testimony also contradicts statements made to the Committee by her predecessor, Ken Mehlman, and her

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<sup>98</sup> *Id.* at 82-83.

<sup>99</sup> *Id.* at 13.

<sup>100</sup> *Id.* at 15.

<sup>101</sup> *Id.* at 82.

subordinates at the White House. The record shows that Ms. Taylor was evasive during her deposition and misled the Committee about her actions.

### III. RECOMMENDATIONS

The White House Office of Political Affairs has been controversial since President Reagan created the office in 1981. In President Reagan's Administration and every administration since, there have been reports that the office was used improperly to coordinate political travel for the President or cabinet officials.

Some of the reports of abuses by the office involve the Clinton Administration. In 1997, the *Associated Press* reported that federal officials attended "message meetings" emphasizing 12 "target states" and "swing voters" important to President Clinton's re-election in 1996.<sup>102</sup> The same year, the *Washington Times* reported that an official in the Office of Political Affairs requested that Attorney General Janet Reno participate in a "public crime event" to help a Democratic candidate in a close race.<sup>103</sup> In 1996, the House Government Reform Committee's Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations held a hearing on cabinet-level travel by President Clinton's Administration and asserted that three Cabinet secretaries may have used taxpayer funds to pay for political events or hometown travel while on official business.<sup>104</sup>

The extent of political activity by the current White House and its deep and systematic reach into the federal agencies are unprecedented, however. This point was acknowledged by Ed Rollins, the head of the Office of Political Affairs under President Reagan, who said that the Bush White House "has expanded from what was ever done before."<sup>105</sup>

As part of this investigation, the Committee sought historical context regarding the activities of the Office of Political Affairs by requesting Clinton-era documents from the National Archives, including "copies of any political presentations or briefings provided by the Clinton White House Office of Political Affairs to federal agency employees that mentioned future elections or candidates."<sup>106</sup> In response, the National Archives reported it was unable to locate any such documents.<sup>107</sup>

Under Chairman Dan Burton, this Committee issued broad requests for documents and testimony concerning travel by federal agency officials and communications by the White House Office of

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<sup>102</sup> *Commerce Chief's Diary Details Mix of Politics, Government Business*, Associated Press (Mar. 19, 1997).

<sup>103</sup> *Cabinet Members Were Pushed to go on Campaign Trail; Most Fulfilled White House's Requests*, Washington Times (Dec. 1, 1997).

<sup>104</sup> *GOP Subcommittee Chairman Hits Administration of Executive Travel*, Associated Press (May 17, 1996). See also *Charting the Cabinet's Travels; House Committee Focuses on Trips Homes by Administration Officials*, Washington Post (May 17, 1996).

<sup>105</sup> *White House Letter; A Politician in the White House (Gasp!) Hits His Stride*, New York Times (Oct. 28, 2002).

<sup>106</sup> Letter from Chairman Henry A. Waxman and Ranking Member Tom Davis to Allen Weinstein, Archivist of the United States (Sept. 13, 2007).

<sup>107</sup> Letter from Allen Weinstein, Archivist of the United States, to Chairman Henry A. Waxman (Nov. 14, 2007).

Political Affairs under President Clinton.<sup>108</sup> The Committee received no evidence of practices by the Clinton White House resembling the coordinated and comprehensive strategy the Bush White House employed to use taxpayer resources to support Republican candidates for office.

When Congress drafted the Hatch Act, it envisioned that political activity by White House officials would be incidental to their official duties. Congress also prohibited the use of taxpayer funds to aid political candidates. These principles were flouted by President Bush's White House. Under the Bush Administration, the Office of Political Affairs ran a full-fledged political operation that enlisted agency heads across government in a coordinated effort to elect Republican candidates to Congress. Officials were directed to make hundreds of trips — most at taxpayer expense — for the purpose of increasing the electability of Republicans. This is a gross abuse of the public trust.

In effect, the Bush Administration established precisely the type of “political boiler-room” that Congress warned against when it amended the Hatch Act in 1993.

The Hatch Act is a civil statute. Its violations can be punished by removal from office or other administrative sanctions. Once officials like Ken Mehlman, Matt Schlapp, Sara Taylor, Scott Jennings, and others leave the administration — as they all have done — there is no effective remedy for any Hatch Act violations they committed. For this reason, the Committee is making no referral to the Department of Justice or the Office of Special Counsel for further investigation.

To prevent a repetition of the abuses of the White House Office of Political Affairs, Congress should revise the Hatch Act. American taxpayers should not pay the salaries of White House officials when they are engaged in helping to elect members of the President's political party. They should also not pay the travel expenses of cabinet and other senior officials who fly across the country to boost the reelection chances of vulnerable members of Congress.

For these reasons, the Committee recommends that Congress develop legislation to eliminate the White House Office of Political Affairs. If this is not politically feasible, Congress should adopt reforms to ensure that the office serves the interests of the taxpayer rather than the political party of the President.

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<sup>108</sup> See Letter from Chairman Henry A. Waxman to Ranking Member Tom Davis (Sept. 10, 2007) (detailing how the Committee during the Clinton Administration demanded and received documents from federal agencies, the White House, and the Democratic National Committee on various relevant subjects).