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COMMITTEE ON EDUCATION  
AND THE WORKFORCE  
U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6100

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MARCIA L. FUDGE, OHIO

August 27, 2012

Mr. Mike Pigott  
Founding Partner and Senior Counsel  
McNeely, Pigott, & Fox, LLC  
611 Commerce Street, Suite #2800  
Nashville, TN 37203

Dear Mr. Pigott:

The appropriate expenditure of taxpayer funds by the U.S. Department of Labor (DOL) is of the utmost importance to the committee. Last week, multiple news sources reported that, in September 2009, DOL spent \$495,000 in "stimulus" funding to hire your public relations firm, McNeely, Pigott, & Fox, LLC (MP&F), to promote Job Corps' "existing and new training initiatives in high-growth and environmentally friendly career areas."<sup>1</sup> We understand this contract used taxpayer dollars to purchase advertisements on MSNBC during "Countdown with Keith Olbermann" and "The Rachel Maddow Show"—political programs. Upon further review of public records, we found DOL has awarded almost \$2 million to your firm for public relations services since 2009.<sup>2</sup>

Last week, the committee transmitted to DOL a letter outlining several inquiries and requests for information related to its contracting with your firm. A copy of that correspondence is attached.

To assist the committee in conducting its oversight of DOL's award of "stimulus" funding to your firm, please provide the following to the House Committee on Education and the Workforce **no later than September 10, 2012:**

<sup>1</sup> Jim McElhatton, *Labor Department spends stimulus funds for ads during Olbermann, Maddow shows*. The Washington Times. (August 21, 2012). <http://www.washingtontimes.com/news/2012/aug/21/stimulus-funds-spent-obama-ads-olbermann-maddow/>. Judson Berger, *Labor Department spent \$500G in stimulus on green-job ad blitz on Olbermann, Maddow*. FoxNews.com. (August 22, 2012) <http://www.foxnews.com/politics/2012/08/22/labor-department-spent-500g-in-stimulus-funds-on-ads-during-olbermann-maddow/>

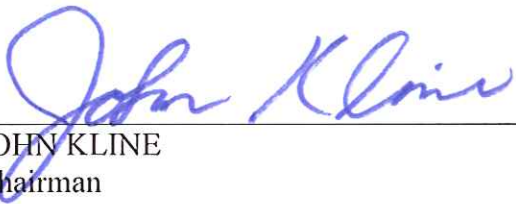
<sup>2</sup> In total DOL has awarded MP&F \$1,975,000.00 in economic stimulus funding since September 2009. <http://www.recovery.gov/Transparency/RecoveryData/Pages/RecipientAwardsList.aspx?duns=183142371> (Accessed August 23, 2012)

Mr. Mike Pigott  
August 27, 2012  
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1. All documents and communications related to awards numbered DOLU099A29434 and DOLJ099628680, including MP&F's applications for business with DOL and the contracts awarded.
2. All documents and communications related to the public relations strategy for Job Corps, since January 20, 2009, including but not limited to all documents and communications relating to the decision to make media purchases on MSNBC during the specific time slots the Job Corps ads ran.
3. A list of the dates, attendees, and topics for all meetings and telephone conversations between MP&F and DOL relating to the public relations strategy for Job Corps, and all documents and communications relating to such meetings or telephone conversations.
4. All documents and a breakdown of all compensation, including but not limited to travel vouchers, receipts, invoices, statements of hours worked, and bills, submitted for payment or reimbursement to DOL from MP&F personnel.

If you are unable to provide the requested information and materials by the date specified, please inform the committee in writing why you cannot meet the deadline and the date by which you will provide the requested information. If you have additional questions or comments, please contact Joe Wheeler and Mandy Schaumburg of the committee staff at (202) 225-7101.

Sincerely,



JOHN KLINE  
Chairman  
Committee on Education and the Workforce



DAVID "PHIL" ROE  
Chairman  
Subcommittee on Health, Employment,  
Labor, and Pensions



VIRGINIA FOXX  
Chairwoman  
Subcommittee on Higher Education and  
Workforce Training



TIM WALBERG  
Chairman  
Subcommittee on Workforce Protections

Enclosure

CC: The Honorable George Miller, Senior Democratic Member, Committee on Education and the Workforce

## Responding to Committee Document Requests

1. In complying with this request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i. e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when they were requested.
8. When you produce documents, you should identify the paragraph in the Committee's request to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.

10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full, compliance shall be made to the extent possible and shall include an explanation of why full compliance is not possible.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. The time period covered by this request is included in the attached request. To the extent a time period is not specified, produce relevant documents from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be date-stamped sequentially and produced sequentially.
18. Two sets of documents should be delivered, one set to the Majority Staff in Room 2181 of the Rayburn House Office Building and one set to the Minority Staff in Room 2101 of the Rayburn House Office Building.
19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

## Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email, regular mail, telexes, releases, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.
5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.

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 TIMOTHY H. BISHOP, NEW YORK  
 DAVID LOEBACK, IOWA  
 MAZE K. HIRONO, HAWAII  
 JASON ALTMIRE, PENNSYLVANIA  
 MARCIA L. FUDGE, OHIO

August 24, 2012

The Honorable Hilda L. Solis  
 Secretary  
 U.S. Department of Labor  
 200 Constitution Avenue, NW  
 Washington, D.C. 20210

Dear Secretary Solis:

The appropriate expenditure of taxpayer funds by the U.S. Department of Labor (DOL) is of the utmost importance to the committee. This week, multiple news sources have reported that in September 2009 DOL spent \$495,000 in so-called "stimulus" funding to hire a public relations firm, McNeely, Pigott, and Fox Public Relations, LLC ("MP&F"), to promote Job Corps' "existing and new training initiatives in high-growth and environmentally friendly career areas."<sup>1</sup> We understand this contract used taxpayer dollars to purchase advertisements on MSNBC during "Countdown with Keith Olbermann" and "The Rachel Maddow Show." Despite the fact that these funds were made available as part of the *American Recovery and Reinvestment Act*—legislation President Obama said was critical for immediate job creation—an examination of public records show that the contract that resulted in the advertisements on MSNBC created no jobs.<sup>2</sup> Upon further review of public records, we have found that DOL, since 2009, spent almost \$2 million on public relations services from MP&F, resulting in the creation of one job in the last reported quarter.<sup>3</sup>

<sup>1</sup> Jim McElhatton, *Labor Department spends stimulus funds for ads during Olbermann, Maddow shows*. The Washington Times. (August 21, 2012). <http://www.washingtontimes.com/news/2012/aug/21/stimulus-funds-spent-obama-ads-olbermann-maddow/>. Judson Berger, *Labor Department spent \$500G in stimulus on green-job ad blitz on Olbermann, Maddow*. FoxNews.com. (August 22, 2012) <http://www.foxnews.com/politics/2012/08/22/labor-department-spent-500g-in-stimulus-funds-on-ads-during-olbermann-maddow/>

<sup>2</sup> Award Number DOLU099A29434  
<http://www.recovery.gov/Transparency/RecoveryData/Pages/RecipientProjectSummary508.aspx?AwardIDSUR=19751&qtr=2009Q3> (Accessed August 23, 2012)

<sup>3</sup> Award Number DOLJ099628680  
<http://www.recovery.gov/Transparency/RecoveryData/pages/RecipientProjectSummary508.aspx?AwardIdSur=51336&AwardType=Contract>. (Accessed August 23, 2012) In total DOL has awarded MP&F \$1,975,000.00 in economic stimulus funding since September 2009.  
<http://www.recovery.gov/Transparency/RecoveryData/Pages/RecipientAwardsList.aspx?duns=183142371> (Accessed August 23, 2012)

The Honorable Hilda L. Solis  
August 24, 2012  
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To better evaluate DOL's use of economic stimulus funding on this public relations contract, please provide the following to the House Committee on Education and the Workforce **no later than September 7, 2012**:

1. All documents and communications related to the contracting processes for the awards numbered DOLU099A29434 and DOLJ099628680, including DOL's contract with MP&F.
2. All documents and communications related to the development, implementation, and performance outcomes of the public relations strategy for Job Corps since January 20, 2009, including, but not limited to, all documents and communications relating to the decision to make media purchases on MSNBC during the specific time slots the Job Corps ads ran.
3. A list of the dates, attendees, and topics for all meetings and telephone conversations between DOL and MP&F relating to the development, implementation, and performance outcomes of the public relations strategy for Job Corps and all documents and communications relating to such meetings or telephone conversations.
4. The statutory or regulatory language that authorized the use of recovery funds for public relations by Job Corps.
5. All procurement records related to DOL's advertising and public relations expenses since January 20, 2009.

If you are unable to provide the requested information and materials by the date specified, please inform the committee in writing why you cannot meet the deadline, and the date by which you will provide the requested information. If you have additional questions or comments, please contact Joe Wheeler and Mandy Schaumburg of the committee staff at (202) 225-7101.

Sincerely,



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JOHN KLINE  
Chairman  
Committee on Education and the Workforce



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PHIL ROE  
Chairman  
Subcommittee on Health, Employment,  
Labor, and Pensions

The Honorable Hilda L. Solis  
August 24, 2012  
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VIRGINIA FOXX  
Chairwoman  
Subcommittee on Higher Education and  
Workforce Training



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TIM WALBERG  
Chairman  
Subcommittee on Workforce Protections

Enclosure

CC: The Honorable George Miller, Senior Democratic Member, Committee on Education and  
the Workforce