

## PART ONE—FACT SUMMARY BY TRIBE

### CHAPTER I

#### MISSISSIPPI BAND OF CHOCTAW INDIANS

Lets [sic] do this, lets [sic] plan a swing to the big three [Choctaw, Coushatta, and Saginaw] as soon as is convenient to go over existing operations and hit them for new ones—Ill [sic] start working gup [sic] the reports (choctas [sic] is almost done) and the new proposals. We will take two maybe three days and take no prisoners—we are coming home with a bag of cash.

Email from Michael Scanlon to Jack Abramoff, May 31, 2002.

You know, it's the lack of care for people and just the personal greed. And who knows? I don't understand that point of view.

Nell Rogers on Jack Abramoff and Michael Scanlon, April 29, 2005.

#### A. INTRODUCTION

When the Committee first began this investigation in February 2004, many of Jack Abramoff's and Michael Scanlon's long-time friends and clients came to their defense. Among them were Chief Phillip Martin and the Mississippi Band of Choctaw Indians ("Choctaw"). Six months into the Committee's investigation, however, Chief Martin wrote to Senators John McCain and Ben Nighthorse Campbell, who were leading the investigation:

In light of information we have recently obtained from various sources, it now appears that our Tribe may in fact have been the victim of serious wrongdoing by Abramoff and Scanlon. Thus, despite my prior concerns, I appreciate your Committee's work on this matter.<sup>1</sup>

Indeed, of all the Tribes that Abramoff and Scanlon betrayed, their misdeeds were perhaps most painful for the Choctaw, which Abramoff had represented for nearly a decade. Nell Rogers, the Tribal planner who had dealt most closely with Abramoff and Scanlon, gave an impassioned, tearful account during her interview with Committee staff:

STAFF: If Jack Abramoff and Michael Scanlon were sitting in this room today and you had a chance to look them in the eye, what would you tell them?

---

<sup>1</sup> Letter from Chief Phillip Martin, Mississippi Band of Choctaw Indians, to Chairman Ben Nighthorse Campbell, and Ranking Majority Member John McCain, Committee on Indian Affairs (no Bates number) (August 9, 2004).

ROGERS: I would tell them that—there are a lot of things that I could say about being angry or bitter. But I think the worst is that they betrayed the tribe. They betrayed the Chief who had a great deal of confidence in them. They betrayed me ... But I think at the end of the day, it's the betrayal that's worse. And I think of the people whose lives they've destroyed. I think of all those young kids who worked at Greenberg and Preston Gates with them, who, fairly or unfairly, are going to have to bear that burden. And I think about the other tribes. I mean, you know, let's face it. The tribes they dealt with were not the poorest of the poor tribes. Of all those tribes, Choctaw, though, probably has the greatest needs, the biggest tribe, was the poorest tribe. And they used the success they had with Choctaw to gain entree with the other tribes. You know, not only did they betray Choctaw but they betrayed the tribe's good name and Chief's reputation. And, you know, Phillip Martin has spent his life working for not only this tribe but for Indian people. And for him to have to be smeared like this is intolerable. I've spent my whole life working. You know, it's the lack—it's the lack of care for people and just the personal greed. And who knows? I don't understand that point of view.<sup>2</sup>

#### B. BACKGROUND ON THE TRIBE

The Mississippi Band of Choctaw Indians is a federally recognized Indian tribe of nearly 10,000 members, most of whom reside on eight reservation communities located on trust lands scattered over a five-county area in East-Central Mississippi.<sup>3</sup> The Tribal capital is in Choctaw, Mississippi.<sup>4</sup> The majority of Tribal members are full-blood, Choctaw language speaking.<sup>5</sup>

The Choctaw Indians are the descendants of those Choctaw people who resisted efforts by the Federal Government around 1830–1840 to remove them to Oklahoma, then known as Indian Territory.<sup>6</sup> Although the Choctaw chose to stay in Mississippi, they did not receive their initial reservation lands until 1944 and it was not until the following year that they were federally recognized.<sup>7</sup>

The Tribe has developed a stable governmental structure providing a full panoply of governmental services.<sup>8</sup> These include a school system, police and fire protection services, courts, hospitals, clinics, and housing.<sup>9</sup>

<sup>2</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005). During his interview, Chief Phillip Martin expressed similar feelings of betrayal caused by Abramoff and Scanlon. Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>3</sup> "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 109th Cong. at 52 (June 22, 2005) (prepared statement of Phillip Martin, Chief, Mississippi Band of Choctaw Indians).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

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

<sup>8</sup> *Id.*

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

For many years the Choctaw struggled to survive. By 1964, ninety percent of the Tribe's population lived in poverty.<sup>10</sup> The Choctaw's situation improved when Chief Phillip Martin began a campaign to bring economic development to the reservation.<sup>11</sup> The Choctaw are unusual in their development because they first gained economic success through their non-gaming business ventures, before opening the Silver Star Hotel and Casino in 1994.<sup>12</sup> In 2000, the Tribe announced an expansion to include another casino, the Golden Moon, and a shopping complex.<sup>13</sup>

The Tribe now is the third largest employer in Mississippi, employing nearly 9,200 people in 25 different enterprises including greeting card manufacturing, wiring harness production for the automotive industry, a nursing home, and a world renowned golf course, the Dancing Rabbit.<sup>14</sup> The annual Tribal payroll is over \$1,237,000 and covers many non-member employees.<sup>15</sup>

### C. BACKGROUND ON ABRAMOFF AND THE TRIBE'S RELATIONSHIP— BUILDING TRUST AND CONFIDENCE

The Choctaw have long enjoyed a government-to-government relationship with the Federal Government, particularly with the United States Congress.<sup>16</sup> In the beginning, Chief Martin of the Choctaw preferred to lobby Congress himself.<sup>17</sup>

That changed in 1994. Either through retirement or defeat, many of the Members of Congress who provided the institutional memory on American Indian issues were gone.<sup>18</sup> At the same time, the opening of the Choctaw's Silver Star Hotel and Casino in 1994 gave rise to an array of new issues and concerns that required the Tribe to track and address them at the federal level.<sup>19</sup>

Moreover, tribes apparently began to see a slew of proposed legislation they believed were inimical to their interests.<sup>20</sup> One of the first major initiatives came from the U.S. House of Representatives, in a bill seeking to apply the unrelated business income tax ("UBIT") to tribal enterprises.<sup>21</sup> Confronted with this legislation

<sup>10</sup> *Choctaw Chronology* (visited March 21, 2006) <<http://www.choctaw.org/history/chronology.htm>> (providing a detailed chronology of Choctaw history).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

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

<sup>14</sup> "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 109th Cong. at 52 (June 22, 2005) (prepared statement of Phillip Martin, Chief, Mississippi Band of Choctaw Indians); *Economic Development History How We Got Here* (visited March 21, 2006) <[http://www.choctaw.org/economics/tribal\\_business\\_overview.htm](http://www.choctaw.org/economics/tribal_business_overview.htm)> (providing an overview of the Choctaw's economic development).

<sup>15</sup> *Economic Development History How We Got Here* (visited March 21, 2006) <[http://www.choctaw.org/economics/tribal\\_business\\_overview.htm](http://www.choctaw.org/economics/tribal_business_overview.htm)> (providing an overview of the Choctaw's economic development).

<sup>16</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>17</sup> Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005); Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>18</sup> *Id.*

<sup>19</sup> "Tribal Lobbying Matters," *Hearings before the Committee on Indian Affairs*, 109th Cong. at 12 (June 22, 2005) (testimony of Nell Rogers, planner, Mississippi Band of Choctaw Indians).

<sup>20</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>21</sup> *Id.*

and a sea of unknown faces in Congress, the Choctaw decided to hire outside lobbyists.<sup>22</sup>

Coincidentally, around the same time, Nell Rogers, the Tribe's planner responsible for legislative affairs, was speaking with a friend in California who knew Abramoff's father.<sup>23</sup> Aware that Abramoff had once been a Republican activist, Rogers' friend suggested she speak with Abramoff.<sup>24</sup>

Through further due diligence, Chief Martin and Rogers learned that Abramoff worked for Preston Gates Ellis & Rouvelas Meeds ("Preston Gates"), and that Meeds was former Congressman Lloyd Meeds from Washington State.<sup>25</sup> The Choctaw had known and respected Meeds during his tenure in Congress, as a member of at least one House committee that had jurisdiction over Indian issues.<sup>26</sup> The Tribe decided to contact Preston Gates.<sup>27</sup>

After a brief telephone call, Meeds and Abramoff traveled to the Choctaw reservation.<sup>28</sup> There they made a presentation about their firm's capabilities and connections, and discussed the Tribe's legislative concerns.<sup>29</sup> Rogers was extremely fascinated by how Abramoff proposed mobilizing other groups to assist the Choctaw in its legislative battle: "I came away thinking this is really different and unusual. It was. It was an unusual approach that you would engage other groups to help you in a campaign to say 'these are good guys.'" <sup>30</sup>

After the meeting, Chief Martin and Rogers concluded that the Choctaw needed to educate the new members of Congress about Indian Country and the issues it faced.<sup>31</sup> They therefore hired Preston Gates.<sup>32</sup> The issues on which Preston Gates would lobby were not limited to the UBIT. At the time, Rogers recalled, there seemed to be daily issues emerging that adversely affected tribes, a "sea change of proposals" that were "hostile to the tribes."<sup>33</sup>

To help the Choctaw in its campaign to educate the new Members of Congress, Abramoff mobilized his friends and colleagues at various think tanks and grassroots organizations. The Preston Gates team recast the issue from an Indian issue into a tax issue.<sup>34</sup> Abramoff then enlisted the aid of his long term friend and anti-tax activist Grover Norquist and his organization Americans for Tax Reform ("ATR"), which, according to its website, "opposes all tax increases as a matter of principle" and serves as "a national clearinghouse for the grassroots taxpayers movement."<sup>35</sup>

According to one document in the Committee's possession, Abramoff described ATR as "an effective conduit of support for

<sup>22</sup> *Id.*

<sup>23</sup> *Id.* Rogers' friend had actually attended a fundraiser that Abramoff's father had thrown in support of Abramoff's bid for the Chair of the College Republican National Committee. *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> See Jim Vandehei, *Rain Dance, Mississippi's Choctaw Find an Unlikely Ally In a GOP Stalwart*, *The Wall Street Journal*, July 3, 2000.

<sup>35</sup> *ATR opposes all tax increases as a matter of principle.* (visited May 21, 2006) <<http://www.atr.org/home/about/index.html>>.

other groups which have provided assistance to Indian gaming's efforts to fight the tax proposal."<sup>36</sup> There were a number of anti-tax grassroots groups in various states, and "it was ATR's job to make contacts with those groups, to assist them in making contacts with members of the Ways and Means Committee or other committee members."<sup>37</sup> The Choctaw apparently paid ATR a total of \$60,000 in 1996 to oppose the UBIT tax.<sup>38</sup>

Abramoff and his colleagues at Preston Gates eventually succeeded in their efforts, and the UBIT tax failed in the Senate.<sup>39</sup>

Three years later, however, the Choctaw were still battling congressional attempts to tax its Tribal revenue. In so doing, in September 1999, the Choctaw paid ATR another \$25,000.<sup>40</sup> Rogers believed that the payment was in furtherance of ATR's opposition to a sales tax issue at the time.<sup>41</sup> According to Rogers: "Well, we did not support the general work of ATR unless we had a tax issue. That's what I mean by saying general work. We would have expected them to take a position opposing—we did expect them to take a position opposing the sales tax."<sup>42</sup>

On this issue, Abramoff enlisted other allies. The Choctaw paid Americans for Economic Growth ("AEG") \$45,000 in 1999 for its work opposing the sales tax.<sup>43</sup> The payments were intended for grassroots work and the anti-tax program in 1999.<sup>44</sup> Rogers understood that AEG would be "contacting their supporters, contacting members of Congress" and "staffers that they might have known to talk to them about the tribe—this was after they had been to visit [the Choctaw reservation]—to let them know what the tribe was about. That was our understanding of what they would do."<sup>45</sup>

The outside groups were not limited to grassroots organizations. Abramoff put together visits to the Choctaw reservation for reporters and public policy groups, with the goal of demonstrating the Tribe's success in an environment unfettered by unnecessary gov-

<sup>36</sup> February 22, 1996, List of Suggested Contributions, Republicans and Conservative Organizations (GTG-E000106655-57)

<sup>37</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27-29, 2005).

<sup>38</sup> *Id.* This apparently was not the only time that Abramoff and his clients had sought to hire Norquist and ATR. During the UBIT battle for the Choctaw, Abramoff discussed with a colleague the possibility of Brown Forman, a company in the wine and spirits business, retaining Norquist as a lobbyist:

I spoke this evening with Grover. He said that, if they want the taxpayer movement, including him, involved on this issue and anything else which will come up over the course of the year or so, they need to become a major player with ATR. He recommended that they make a \$50,000 contribution to ATR. It seems that, on another "sin tax" matter, he is getting a similarly large contribution to get involved. ... He would prefer donations to ATR.

Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Mark Ruge, Preston Gates Ellis & Rouvelas Meeds (GTG-E000106493) (October 22, 1995). Abramoff said that keeping the arrangement with Norquist and ATR secret was important. After all, Abramoff wrote, "[w]e do not want opponents to think that we are trying to buy the tax payer [sic] movement." Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Pamela Garvie, Preston Gates Ellis & Rouvelas Meeds (Greenberg Traurig production) (GTG-E000106492) (October 24, 1995).

<sup>39</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27-29, 2005).

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

ernment regulation.<sup>46</sup> One group that visited the reservation was the National Center for Public Policy Research (“NCPPr”), which was headed by long-time Abramoff friend Amy Ridenour. Ridenour visited the Tribe, “wrote some articles about the tribe, the tribe’s economic development, cultural preservation of the tribal community. And we had made a contribution—had said that we would make a contribution to the National Center.”<sup>47</sup> The Tribe paid NCPPr \$5,000 in 1999.<sup>48</sup> Others who attended were representatives from think tanks including Doug Bandow from the Cato Institute.<sup>49</sup>

The Choctaw’s campaign against the sales tax was ultimately successful.

The UBIT and sales tax issues were only two among the many issues on which Abramoff and his team lobbied for the Choctaw. As time passed, and Abramoff and his team repeatedly succeeded in their lobbying efforts for the Choctaw, the Tribe developed a great deal of trust and confidence in Abramoff and his capabilities.<sup>50</sup> Another Abramoff trait that engendered trust with the Choctaw was that he “always presented himself as a deeply religious person ... his conversations were spiked with references to a good cause or working for a good cause. And he talked quite a bit about his religious beliefs and what he could and what he couldn’t do.”<sup>51</sup>

It was during the UBIT battle that Abramoff assumed primary responsibility for the Choctaw account.<sup>52</sup> In fact, he remained ultimately responsible for the account throughout his tenure at Preston Gates and, later, at Greenberg Traurig.<sup>53</sup>

#### D. SUBSTANTIAL FEES AND CONDUITS—SETTING THE STAGE FOR SCANLON

As the Tribe’s trust and confidence in Abramoff grew, Rogers would often discuss with Abramoff issues affecting the Tribe, both at a local and national level.<sup>54</sup> In 1999, Rogers and Abramoff discussed various legislative proposals in Mississippi and elsewhere that threatened the market share of the Choctaw’s casino operations, and which the Tribe wanted to somehow counter.<sup>55</sup> It just so happened that a few months earlier, Ralph Reed, the former executive director of the Christian Coalition and one of Abramoff’s long-time friends, had reached out to Abramoff: “Hey, now that I’m done with electoral politics, I need to start humping in corporate accounts! I’m counting on you to help me with some contacts.”<sup>56</sup> Abramoff saw an opportunity: he suggested a grassroots effort and

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.* According to one news article, Bandow resigned from the Cato Institute, after admitting he received money from Abramoff to write between 12 and 24 articles in the mid ’90s addressing topics important to Abramoff’s clients. Eamon Javers, *Op-Eds for Sale*, BusinessWeek Online, December 16, 2005.

<sup>50</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> Email from Ralph Reed, Century Strategies, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG–E000079102) (November 12, 1998).

recommended the Choctaw hire Reed to orchestrate an anti-gaming effort.<sup>57</sup>

The Tribe agreed to hire Reed to mobilize grassroots opposition to various legislative proposals throughout the Gulf Coast<sup>58</sup> that would have increased gaming, thereby diminishing the Choctaw casino's market share.<sup>59</sup> No one from the Choctaw had any direct contact with Reed; rather, Abramoff served as the liaison with Reed and his firm, which eventually became a subcontractor to Preston Gates.<sup>60</sup>

In March 1999, Abramoff and his associate, Shawn Vasell, spoke with Reed about the Choctaw's grassroots needs.<sup>61</sup> According to a draft engagement letter from Reed to Abramoff, Reed was hired to defeat a bill that had passed the Alabama House of Representatives "authorizing dog tracks in the state to install video poker and other casino-style games on their sites."<sup>62</sup> Reed promised to "build a strong grassroots network across the state against the extension of video poker and [REDACTION]."<sup>63</sup> He claimed that no firm had better relationships than his with the grassroots conservatives in Alabama, including the Alabama Christian Coalition, the Alabama Family Alliance, the Alabama Eagle Forum, the Christian Family Association, and "leading evangelical pastors such as Frank Barker of Briarwood Presbyterian Church in Birmingham."<sup>64</sup> Reed boasted that "Century Strategies has on file over 3,000 pastors and 90,000 religious conservative households in Alabama that can be accessed in this effort."<sup>65</sup>

Reed promised to leverage his contacts for the Tribe:

Working closely with your existing team at Preston Gates, we can play on [sic] operational role in building a strong anti-video poker grassroots structure that will leverage the considerable contacts and reputation of our principals within Alabama, the conservative faith community, and state elected officials.<sup>66</sup>

Reed proposed a \$20,000 monthly retainer for his services, and ended his letter by writing, "We look forward to bringing about the desired results for you."<sup>67</sup>

After receiving Reed's proposed engagement agreement, Abramoff responded, "Ralph, I spoke with Nell this evening. She wants much more specifics. They are not scared of the number, but

---

<sup>57</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>58</sup> The Committee has seen no evidence that the Choctaw undertook or authorized any work by Abramoff or Scanlon, or anyone else, to oppose gaming in other Southern states, such as Louisiana and Texas.

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> Email from Ralph Reed, Century Strategies, to Shawn Vasell, Preston Gates Ellis & Rouvelas Meeds (GTG–E000111956) (March 26, 1999).

<sup>62</sup> Ralph Reed document production (Bates number 5908–09) (March 26, 1999) (letter from Ralph Reed to Jack Abramoff).

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

want to know precisely what you are planning to do for this amount.”<sup>68</sup>

When Reed told Abramoff he was devoting half his staff to the project for two weeks, but needed the green light to begin, Abramoff directed:

Please page me with a page of no more than 90 words ... informing me of your completion of the budget and giving me a total budget figure with category breakdowns. Once I get this, I will call Nell at Choctaw and get it approved.<sup>69</sup>

On April 6, 1999, Abramoff informed Reed that he “spoke with our managing partner [at Preston Gates] and he has approved the subcontractor arrangement” and instructed Reed to “get me invoices as soon as possible so I can get Choctaw to get us checks asap.”<sup>70</sup>

When Abramoff believed he could not get money quickly enough to Reed, Abramoff suggested that the Choctaw pay Reed directly: “Ralph, I am not sure that I can get this wire moving fast enough today. Give me your wire info and I’ll do what I can.”<sup>71</sup> Abramoff then asked, “Any chance that a wire from Choctaw directly would be OK?”<sup>72</sup> Reed’s response is unknown; however, the Committee has seen no evidence that the Choctaw paid Reed or his firms directly.

By mid-April, things were moving. In an e-mail entitled “Disbursement on behalf of Choctaw Indians,” Abramoff assured Reed that the money was on its way.<sup>73</sup> Using the Choctaw’s money, Reed paid for grassroots activities including, telemarketing (patch-through, tape-recorded messages and call-to-action phone calls), targeted mail, legislative counsel and local management, rallies, petitions, “voter contact, television and radio production, the remainder of phones, the statewide fly-around, the pastor’s and activist rally, the church bulletin inserts, and other items.”<sup>74</sup>

Reed also claimed that he was leveraging his contacts within the Christian community for the Choctaw’s benefit. Reed reported to Abramoff that there would be “a saturation statewide radio buy with a new ad by Jim Dobson that he will record tomorrow.”<sup>75</sup> Reed assured Abramoff, “We are opening the bomb bay doors and holding nothing back. If victory is possible, we will achieve it,”<sup>76</sup> and, one day later, again promised, “All systems are go on our end and nothing is being held back.”<sup>77</sup>

<sup>68</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG-E000111956) (March 29, 1999).

<sup>69</sup> Email between Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, and Ralph Reed, Century Strategies (GTG-E000111992) (April 4, 1999).

<sup>70</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (Bates number 7029) (April 6, 1999) (Ralph Reed document production).

<sup>71</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG-E000111977) (April 9, 1999).

<sup>72</sup> *Id.*

<sup>73</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG-E000111974) (April 12, 1999).

<sup>74</sup> Email from Ralph Reed, Century Strategies, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG-E000112006) (April 21, 1999).

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> Email from Ralph Reed, Century Strategies, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG-E000112006) (April 22, 1999).

By May 10, 1999, the Choctaw had paid Reed \$1,300,000 through Preston Gates, with another \$50,000 outstanding.<sup>78</sup> For reasons unclear to the Committee, in late 1999 the Tribe discontinued paying Reed through Preston Gates. Rogers recalled that there came a time when either Reed or Preston Gates (or both) became uneasy about money being passed through Preston Gates to Reed.<sup>79</sup> Abramoff thus searched for another conduit.

Abramoff turned to his long-time friend Norquist to have his group ATR serve as a conduit for the Choctaw money.<sup>80</sup> Earlier, on May 20, 1999, Norquist had asked Abramoff, "What is the status of the Choctaw stuff. I have a \$75K hole in my budget from last year. ouch [sic]." <sup>81</sup> Thus, in the fall of 1999, Abramoff reminded himself to "call Ralph re Grover doing pass through."<sup>82</sup> When Abramoff suggested the Choctaw start using ATR as a conduit, the Tribe agreed.<sup>83</sup>

In late 1999, the Choctaw paid ATR \$325,000.<sup>84</sup> In a 2005 interview with *The Boston Globe*, Norquist said that ATR had sent \$300,000 of that \$325,000 to Citizens Against Legalized Lottery ("CALL").<sup>85</sup> Norquist explained that he sent the money to CALL because the Tribe wanted to block gambling competition in Alabama.<sup>86</sup>

Out of the Choctaw's \$325,000, ATR apparently kept \$25,000 for its services. According to Rogers, Norquist demanded that he receive a management fee for letting ATR be used as a conduit:

But I remember when we discussed needing a vehicle for doing the pass-through to Century Strategies that Jack had told me that Grover would want a management fee. And we agreed to that, frankly didn't know any other way to do it at that time.<sup>87</sup>

On a similar project in early 2000, Reed and Abramoff discussed using four groups instead of one as conduits to pay Reed: NCPPR, ATR, Toward Tradition and one unidentified group.<sup>88</sup> Abramoff later advised Reed that "Rabbi Lapin [head of Toward Tradition] does not have a c4"<sup>89</sup> and asked Reed for "the name of the c4 you want to use (include address) and we'll divide it among the three

<sup>78</sup> Email from [REDACTED] to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG-E00018933) (May 10, 1999).

<sup>79</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>80</sup> See Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to himself (GTG-E000079255) (September 24, 1999).

<sup>81</sup> Email from Grover Norquist, Americans for Tax Reform, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG-E000114915) (May 20, 1999).

<sup>82</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to himself (GTG-E000079255) (September 24, 1999).

<sup>83</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>84</sup> *Id.*

<sup>85</sup> Michael Kranish, *Antitax Activist Says He got \$1.5M from Tribes*, *The Boston Globe*, May 13, 2005.

<sup>86</sup> *Id.*

<sup>87</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>88</sup> See Email from Ralph Reed, Century Strategies, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG-E000020203) (January 27, 2000) (listing the names of the heads of the groups they contemplated using as conduits).

<sup>89</sup> Abramoff's designation of groups as a c4 or c3 group apparently refers to their tax exempt status under either subsection (c)(3) or (c)(4) of section 501 of the Internal Revenue Code.

groups.”<sup>90</sup> Within days, Abramoff advised Reed that Amy Ridenour, president of NCPPR, “does not have a c4, only a c3, so we are back to ATR only.”<sup>91</sup> Abramoff asked Reed, “Let me know if it will work just to do this through ATR until we can find another group.”<sup>92</sup>

Though Reed did not respond, on February 2, 2000, Abramoff informed Reed, “We’ll have \$300K for Monday and more shortly thereafter.”<sup>93</sup> This project apparently was centered on opposing a video poker initiative.<sup>94</sup> The Choctaw made the first of three \$300,000 payments to ATR on February 7, 2000. Abramoff warned Reed, however, that “I need to give Grover something for helping, so the first transfer will be a bit lighter.”<sup>95</sup>

During this time, Abramoff advised Reed that the Choctaw might be limited in the amount of money it could devote to his activities.<sup>96</sup> In response, Reed assured Abramoff that he was also seeking money from “national anti-gambling groups, Christian CEOs, and national pro-family groups.”<sup>97</sup>

The Tribe was nevertheless able to continue funding Reed’s efforts. On February 17, 2000, Abramoff advised Reed that “ATR will be sending a second \$300K today.”<sup>98</sup> This money, too, came from the Choctaw.<sup>99</sup> Norquist kept another \$25,000 from the second transfer, which apparently surprised Abramoff.<sup>100</sup>

On March 2, 2000, Abramoff told Rogers he needed “more money asap” for Reed, and requested “a check for \$300K for Americans for Tax Reform asap.”<sup>101</sup>

Abramoff’s executive assistant Susan Ralston asked him, “Once ATR gets their check, should the entire \$300K be sent to the Alabama Christian Coalition again?”<sup>102</sup>

Abramoff replied, “Yes, but last time they sent \$275K, so I want to make sure that before we send it to ATR I speak with Grover to confirm.”<sup>103</sup>

Rogers did not speak with anyone at ATR about using ATR as a conduit.<sup>104</sup> As far as Rogers knew, ATR was not involved and

---

<sup>90</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG–E000020287) (January 28, 2000).

<sup>91</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (Bates number 7096) (February 2, 2000) (Ralph Reed document production).

<sup>92</sup> *Id.*

<sup>93</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG–E000020517) (February 3, 2000).

<sup>94</sup> See Email from Ralph Reed, Century Strategies, to Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG–E000020467) (February 17, 2000); see also Michael Kranish, *Antitax Activist Says He got \$1.5M from Tribes*, *The Boston Globe*, May 13, 2005.

<sup>95</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG–E000020508) (February 7, 2000).

<sup>96</sup> See Email between Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, and Ralph Reed, Century Strategies (Bates number 7096) (February 2, 2000) (Ralph Reed document production).

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

<sup>98</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Ralph Reed, Century Strategies (GTG–E000020467) (February 17, 2000).

<sup>99</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>100</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to himself (GTG–E000078903) (February 22, 2000).

<sup>101</sup> Email from Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds, to Nell Rogers, Mississippi Band of Choctaw Indians (GTG–E000110996) (March 2, 2000).

<sup>102</sup> Email between Susan Ralston, Preston Gates Ellis & Rouvelas Meeds, and Jack Abramoff, Preston Gates Ellis & Rouvelas Meeds (GTG–E000110996) (March 3, 2000).

<sup>103</sup> *Id.*

<sup>104</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

was not considering getting involved in any of the efforts the Choctaw ultimately paid Reed and others to oppose.<sup>105</sup> Based on everything Rogers knew, ATR simply served as a conduit to disguise the source of the Choctaw money ultimately paid to grassroots groups and Reed.<sup>106</sup> Rogers told Committee staff that she understood from Abramoff that ATR was willing to serve as a conduit, provided it received a fee.<sup>107</sup>

The Choctaw's intent and understanding was that the money would pass through ATR and ultimately reach either Reed or a grassroots organization engaging in anti-gaming activities.<sup>108</sup> It was never intended as a contribution to support ATR's general anti-tax work.<sup>109</sup> As far as Rogers was concerned, ATR was serving as a conduit on a project that had nothing to do with taxes and that was designed to oppose gaming.<sup>110</sup>

At some point, Rogers recalled that Norquist apparently began getting nervous about his role as a pass-through.<sup>111</sup> Rogers thought that part of Norquist's discomfort derived from press accounts reporting that ATR was one of the largest contributors to an organization that was fighting against the expansion of gaming.<sup>112</sup>

The question arises why the Choctaw paid money to Reed through various conduits, such as Preston Gates and ATR, rather than directly. Rogers told Committee staff, "I always assumed it's because Ralph was more comfortable with that."<sup>113</sup> Rogers understood from Abramoff that "Ralph Reed did not want to be paid directly by a tribe with gaming interests. It was our understanding that the structure was recommended by Jack Abramoff to accommodate Mr. Reed's political concerns."<sup>114</sup> Nevertheless, the work Reed and his company Century Strategies performed and for which they were paid through Preston Gates and ATR was on the Tribe's behalf and for its benefit.<sup>115</sup> The Tribe has no complaints about the quality of work Reed undertook on its behalf.<sup>116</sup>

Once ATR ceased serving as a conduit, Abramoff and Reed looked for other conduits for the Tribe to route money to Reed's Century Strategies. After he left Preston Gates for Greenberg Traurig in 2001, Abramoff suggested the Tribe pay into entities owned or controlled by Michael Scanlon. In 2001, the Choctaw paid money into American International Center ("AIC"), which Abramoff described as vehicle for passing money through to Reed.<sup>117</sup> By the

<sup>105</sup> *Id.*

<sup>106</sup> *Id.* Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>107</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Washington, D.C. (June 16, 2005). Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>108</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>109</sup> *Id.*

<sup>110</sup> *Id.*

<sup>111</sup> *Id.*

<sup>112</sup> *Id.*

<sup>113</sup> *Id.*

<sup>114</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Washington, D.C. (June 16, 2005).

<sup>115</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

Committee's accounting, the Tribe paid AIC \$1,485,656 in 2001, and \$1,170,000 in 2002.<sup>118</sup>

#### E. ABRAMOFF BRINGS SCANLON TO THE CHOCTAW

In late 2001, the Choctaw were again looking for a grassroots specialist to help with certain state issues.<sup>119</sup> Because of the Tribe's and Rogers' relationship with and trust in Abramoff, they asked him to recommend a grassroots specialist.<sup>120</sup> This time, Abramoff did not turn to Reed; he instead introduced the Tribe to Scanlon.<sup>121</sup>

Abramoff and Scanlon traveled together to Mississippi to meet with the Choctaw.<sup>122</sup> Abramoff introduced Scanlon as an independent consultant and an expert in grassroots operations.<sup>123</sup> Abramoff claimed that Scanlon worked with the Christian community in grassroots campaigns, get out the vote campaigns and public relations campaigns.<sup>124</sup> He also said Scanlon was Congressman Tom DeLay's former staffer and later described him as "DeLay's dirty tricks guy."<sup>125</sup>

Abramoff recommended that the Tribe hire Scanlon.<sup>126</sup> Abramoff did not recommend anyone else.<sup>127</sup> Trusting in and relying on Abramoff, the Tribe did so.<sup>128</sup> From the outset, the Tribe understood that Scanlon would hire vendors to perform much of the work, and that Scanlon and his company Capitol Campaign Strategies would provide the strategy, hire and coordinate the vendors, and make the contacts.<sup>129</sup> Although the Tribe expected Scanlon would take a reasonable fee for his work, it intended that most of its payments to Scanlon would be used for grassroots activities such as polling, surveying, media, and analysis.<sup>130</sup> The Choctaw never intended that any of the money it paid Scanlon would go to Abramoff.<sup>131</sup>

The Tribe, and in particular Chief Martin, were always concerned about how high Scanlon's fees were.<sup>132</sup> Rogers sometimes asked Scanlon for a reduced budget.<sup>133</sup> To justify Scanlon's charges, both Abramoff and Scanlon explained that the cost of Scanlon's work was consistent with the cost of the work Reed had done for the Choctaw.<sup>134</sup> They also explained that it was "the cost

<sup>118</sup> *Id.*

<sup>119</sup> *Id.*

<sup>120</sup> *Id.*

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*

<sup>123</sup> *Id.*

<sup>124</sup> *Id.* Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>125</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>126</sup> *Id.*

<sup>127</sup> Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>128</sup> *Id.* Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>129</sup> *Id.*

<sup>130</sup> *Id.*

<sup>131</sup> Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>132</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>133</sup> *Id.*

<sup>134</sup> *Id.*

of operating under the radar.”<sup>135</sup> In some instances, Scanlon did reduce his original, proposed budget, but not often.<sup>136</sup>

In addition to combating market threats, Scanlon promised to turn the Choctaw into a political powerhouse at the state level. And so, on October 16, 2001, Abramoff asked Scanlon, “By the way, even with this [project] done, don’t we have a large longer term project to do for them there? Remember we promised when we had dinner with the Chief that we would make them the most powerful folks in the state.”<sup>137</sup>

Scanlon was referring to a grandiose plan he called Operation Orange. The Tribe did not agree to Operation Orange in its entirety, but instead directed Scanlon to pursue discreet parts of it aimed at threats to its casino’s market share.<sup>138</sup> Contemporaneously, the Tribe saw evidence that Scanlon was carrying out parts of Operation Orange it had commissioned.<sup>139</sup> The Tribe paid roughly \$4,500,000 over two years for Scanlon’s efforts related to Operation Orange.<sup>140</sup>

Over the same two years, the Tribe also paid Scanlon another \$1,000,000 for a separate project.<sup>141</sup> Rogers understood that Scanlon and his companies were conducting polls, performing research, including opposition research, directly lobbying opinion makers, using third parties, and engaging in letter campaigns.<sup>142</sup> Scanlon told the Choctaw he was mobilizing Christian grassroots groups, such as Global Christian Outreach Network and Concerned Citizens Against Gaming Expansion.<sup>143</sup>

In earlier grassroots efforts to protect its market share, the Tribe had grown accustomed to sending payments through conduits at Abramoff’s direction. Abramoff and Scanlon continued the practice of directing the Tribe to route money through conduits. Abramoff and Scanlon identified the following as pass-through vehicles for the Choctaw: American International Center, Capital Athletic Foundation, Scanlon-Gould Public Affairs, and, National Center for Public Policy Research.<sup>144</sup> Common among all of them was that they were all entities over which Abramoff or Scanlon exercised considerable control.

Ultimately, the Choctaw paid approximately \$17,500,000 to companies owned or controlled by Scanlon. Unknown to the Choctaw, Scanlon secretly kicked back to Abramoff about \$6,364,000—about 50% of his total profit from the Tribe. Additionally, at Abramoff and Scanlon’s direction, the Tribe paid another \$2,000,000 to non-

<sup>135</sup> *Id.*

<sup>136</sup> *Id.*

<sup>137</sup> Email between Jack Abramoff, Greenberg Traurig, and Michael Scanlon, Capitol Campaign Strategies (Bates number 1131592) (October 16, 2001).

<sup>138</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>139</sup> *Id.*

<sup>140</sup> *Id.*

<sup>141</sup> *Id.*

<sup>142</sup> *Id.*

<sup>143</sup> *See Id.* Unknown to the Choctaw was that these organizations were bogus. A full explanation about how Scanlon apparently used such bogus organizations as a part of his and Abramoff’s “gimme five” scheme is set forth below in Part 2, Chapter 1, “Capitol Campaign Strategies” section, Page 3, “CCS’ Use of Fictitious Grassroots Organizations.”

<sup>144</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

profit organizations where Abramoff was a director.<sup>145</sup> The payments from the Tribe to Abramoff and Scanlon-related entities is as follows:

PAYMENTS BY CHOCTAW TO ABRAMOFF/SCANLON ENTITIES

*Payments by Tribe to Capitol Campaign Strategies (CCS)*

06/29/01 .....	\$200,000
07/18/01 .....	\$43,650
07/31/01 .....	\$50,000
08/29/01 .....	\$1,500,000
09/27/01 .....	\$1,000,000
10/18/01 .....	\$207,000
11/02/01 .....	\$1,670,000
11/13/01 .....	\$2,350,000
12/31/01 .....	\$250,000
02/22/02 .....	\$1,600,000
10/15/02 .....	\$800,000
12/11/02 .....	\$330,000
12/11/02 .....	\$600,000
09/03/03 .....	\$48,333
09/03/03 .....	\$48,334
09/03/03 .....	\$48,333
09/11/03 .....	\$500,000
10/16/03 .....	\$450,000
10/16/03 .....	\$300,000
11/18/03 .....	\$300,000
11/18/03 .....	\$150,000
12/10/03 .....	\$300,000
<b>Total .....</b>	<b>\$12,745,650</b>

*Payments by Tribe to Scanlon Gould Public Affairs (SGPA)*

04/29/02 .....	\$1,000,000
10/15/02 .....	\$1,000,000
<b>Total .....</b>	<b>\$2,000,000</b>

*Payments by Tribe to American International Center (AIC)*

02/27/01 .....	\$200,000
04/09/01 .....	\$150,000
05/02/01 .....	\$175,000
05/11/01 .....	\$960,654
02/22/02 .....	\$1,000,000
12/11/02 .....	\$170,000
<b>Total .....</b>	<b>\$2,655,654</b>

*Payments by Tribe to Capital Athletic Foundation (CAF)*

01/03/02 .....	\$500,000
08/05/02 .....	\$500,000
<b>Total .....</b>	<b>\$1,000,000</b>

*Payments by Tribe to National Center for Public Policy Research (NCPPR)*

10/15/02 .....	\$1,000,000
<b>Total .....</b>	<b>\$1,000,000</b>

**Grand Total .....** **\$19,401,304**

<sup>145</sup> Discussion and analysis of how Abramoff and Scanlon successfully perpetrated their "gimme five" scheme on the Tribe, on an entity-by-entity basis, is contained in Part 2 of the this Report.

The Tribe would not discover, until after this Committee started its investigation, the scam that Abramoff and Scanlon were running on it.

#### F. ABRAMOFF HAS THE CHOCTAW FUND HIS PET PROJECTS

##### 1. 2000 Scotland Golf Trip

In 2000, Abramoff had the Choctaw pay twice to the NCPPR: \$25,000 on May 19 and \$40,000 on June 27.<sup>146</sup> It has been widely reported that the NCPPR used those funds to finance partially a golf trip to Scotland for Abramoff, Congressman DeLay and his staff, and others.<sup>147</sup> The Tribe never intended for those funds to be used to finance a trip for any member of Congress; rather, it was intended as a donation for some anti-tax and anti-NACS [National Association of Convenience Stores] work.<sup>148</sup> Any use of the funds to finance that Scotland trip was done without the Choctaw's knowledge or authorization.<sup>149</sup>

##### 2. Sports Suites

For three years, the Choctaw paid into what Abramoff labeled the "Sports Suites" program: \$170,374 in 1999, \$233,679 in 2000, and \$223,679 in 2001.<sup>150</sup> Rogers understood that "Sports Suites company to be a company basically that was a Jack Abramoff company but that several tribes paid shares into so that the suites could be used for fundraisers or similar kinds of events."<sup>151</sup> Abramoff told Rogers that he would represent the tribal participants as the owners of the Sports Suites.<sup>152</sup> Rogers said she would find it objectionable if Abramoff used the Sports Suites boxes for the benefit of other clients or his family, unless they paid for their use of the Sports Suites.<sup>153</sup>

Rogers believed that Choctaw derived benefit from participating in the Sports Suites program:

In some regards I do [believe the Tribe derived a benefit] because the box had copies of the Choctaw Revolution.<sup>154</sup> It had the tribal profile. It had information about manufacturing opportunities or economic development opportunities on the reservation. And we actually had calls or ran into people who had picked up information about the tribe and who had contacted the tribe because of that. And there were fundraisers held for members of Congress there, including some in our delegation as well as other members who had interest in Indian issues or who had re-

<sup>146</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>147</sup> *Id.*

<sup>148</sup> *Id.* Interview of Phillip Martin, Chief, Mississippi Band of Choctaw Indians, in Washington, D.C. (May 17, 2005).

<sup>149</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>150</sup> *Id.*

<sup>151</sup> *Id.*

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

<sup>153</sup> *Id.*

<sup>154</sup> *The Choctaw Revolution: Lessons for Federal Indian Policy* was a book written about the success of the Choctaw in 1998 by Peter Ferrara and published by ATR. The Choctaw reportedly paid Ferrara for his work on the book. Eamon Javers, "Op-Eds for Sale," BusinessWeek Online (December 16, 2005).

sponsibility for Indian issues. So in that regard, I think that the tribe did have some benefit.<sup>155</sup>

### 3. *Liberty Consulting Services, LLC*

On January 30, 2002, Abramoff instructed his assistant Illisa Gertner to send an invoice for Liberty Consulting Services (“Liberty”) in the amount of \$5,000 for “Consulting Services.”<sup>156</sup> Abramoff instructed Gertner to include a cover sheet saying, “Per my email about Alexander Strategy Group, attached please find the invoice for Liberty.”<sup>157</sup> Abramoff told the Tribe that Liberty “was another lobbying group that was going to oppose NACS [National Association of Convenience Stores]. ...”<sup>158</sup> The Choctaw paid Liberty Consulting a total of \$25,000 in 2002.<sup>159</sup>

Unknown to the Choctaw, Liberty was actually a company set up by Tony Rudy, while he was serving on Congressman DeLay’s staff, as his Deputy Chief of Staff.<sup>160</sup> When Rudy pled guilty to committing conspiracy on March 31, 2006, he admitted, among other things, that Liberty performed no services to justify receipt of the payments from the Choctaw:

From February 2002 through July 2002, Abramoff, with Rudy’s knowledge and consent, arranged for payments totaling \$25,000 to be made to Liberty Consulting by one of Firm B’s [Greenberg Traurig] clients, a Native American Tribe in Mississippi [Choctaw]. The payments were made in five monthly installments, which were usually sent by mail. Rudy knew that no additional services were being provided to the client for payments.<sup>161</sup>

## G. CONCLUSION

All the money that Scanlon and Abramoff bilked from the Choctaw had very significant consequences for the Tribe. During her interview, Rogers identified numerous unmet needs of the Tribe, where the lost money would have been critical: “[s]cholarships; health care, in particular; education; courts; police.”<sup>162</sup>

Nonetheless, after the first few *The Washington Post* articles ran, Abramoff attempted to have the Choctaw dissuade the Committee from investigating. Rogers said Abramoff “asked me if I would ask the Chief to approach Senator McCain and suggest that each of the tribes, since they had their own police departments and courts, conduct their own internal investigations.”<sup>163</sup>

Even as details of his and Scanlon’s “gimme five” scheme began to emerge, Abramoff attempted to conceal his and Scanlon’s wrong-

<sup>155</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>156</sup> See Email from Jack Abramoff, Greenberg Traurig, to Illisa Gertner, Greenberg Traurig (GTG–E000107717–18) (January 30, 2002) (attaching Liberty Consulting Services invoice).

<sup>157</sup> *Id.*

<sup>158</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>159</sup> *Id.*

<sup>160</sup> Plea Agreement, Factual Basis for the Plea at para. 7, *U.S. v. Tony C. Rudy* (Dist. D.C., March 31, 2006) (CR–06–082).

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

<sup>162</sup> Interview of Nell Rogers, planner, Mississippi Band of Choctaw Indians, in Choctaw, Mississippi (April 27–29, 2005).

<sup>163</sup> *Id.*

doing from the Tribe. In a telephone conversation with Rogers, Abramoff claimed that he used his school as a conduit to pass Choctaw money to grassroots organizations. According to Rogers:

He [Jack] said that he—he said, “Well, Nell, I have to tell you, I took some of the money Mike had”—yeah. He said, “I took some of the money that Mike had and I gave it to the school and they passed the money through. And the people they passed it to will never tell.”<sup>164</sup>

---

<sup>164</sup> *Id.*