

Portraits in Oversight:

John McCain and the Abramoff Tribal Lobbying Scandal

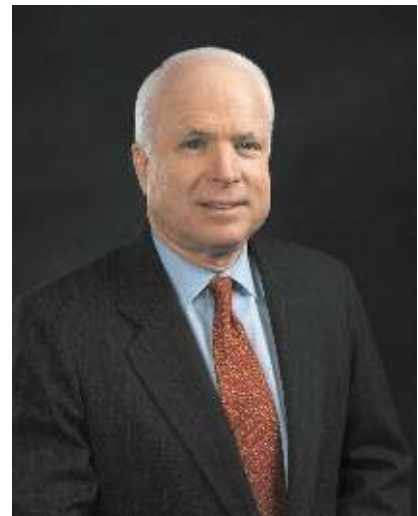


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“Etched in the history of our great nation is a long and lamentable chapter about the exploitation of Native Americans. It began with the sale of Manhattan, and it has continued ever since. Every kind of charlatan and every type of crook has deceived and exploited America’s native sons and daughters. While these accounts of unscrupulous men are sadly familiar, the tale we hear today is not. What sets this tale apart, what makes it truly extraordinary, is the extent and degree of the apparent exploitation and deceit.”

Senator John McCain at hearing of Senate Committee of Indian Affairs on September 29, 2004

On February 22, 2004, the *Washington Post* [published a detailed account](#) of the exorbitant fees that several Native American tribes were paying Washington lobbyists [Jack Abramoff](#) and [Michael Scanlon](#). The article caught the attention of [Senator John McCain](#) of Arizona, who launched an investigation into the Washington world of political lobbying.¹ The two-year McCain inquiry exposed an extensive web of corrupt lobbying practices and led to high-profile resignations, prison sentences, and lobbying reforms.



Senator John McCain of Arizona, 2004
(Source: [Senate Historical Office](#))

It all started with Jack Abramoff who joined the lobbying firm Preston Gates & Ellis in 1994, where he worked until joining Greenberg Traurig in 2001. Around the same time, Michael Scanlon established the public relations firm Capitol Campaign Strategies (CCS). A former communications director for [Rep. Tom Delay](#) who was then the House Majority Leader, Mr. Scanlon had worked on Mr. Abramoff’s team at Preston Gates & Ellis. Together, the two concocted a scheme they called “Gimme Five,” in which Mr. Abramoff courted Native American tribes that owned casinos, convinced them to hire Mr. Scanlon’s lobbying services, deceived them about the work being performed, and helped grossly overcharge them. The two lobbyists then split tens of millions of dollars in illicit profits.

Sen. McCain decided to investigate the allegations in the *Post* story, and though he served as chair of the Senate Commerce Committee, he was also a senior member of the Indian Affairs Committee. Believing that Native Americans would be more comfortable working with the Indian Affairs Committee, Sen. McCain met with the

¹ Stone, P. H. (2006). *Heist: Superlobbyist Jack Abramoff, his Republican allies, and the buying of Washington* [eBook edition]. Farrar, Straus and Giroux, p. 153.

committee chair, [Sen. Ben Nighthorse Campbell, Republican](#) of Colorado, and requested support for an investigation. Sen. Campbell agreed and let Sen. McCain's staff take the lead.² The Committee held five hearings on the Abramoff scandal, made 70 formal document requests resulting in the production of about 750,000 pages, and interviewed about 60 witnesses.³ The inquiry uncovered a succession of dirty tricks, corrupt practices, and inflated fees.



Senator Campbell chided Jack Abramoff during a hearing of the Indian Affairs Committee: "You're the problem, buddy, with what is happening to American Indians." (Source: Casino Jack and the United States of Money)

As committee chair, Sen. Campbell presided over the first two hearings. At the first hearing on [September 29, 2004](#), the committee disclosed that Native American tribes had paid a staggering amount of money to the two lobbyists. The committee determined that, over a three-year period, six tribes – the Agua Caliente Band of Cahuilla Indians, the Coushatta Tribe of Louisiana, the Mississippi Band of Choctaw Indians, the Pueblo of Sandia of New Mexico, the Saginaw Chippewa Tribe of

Michigan, and the Ysleta del Sur Pueblo of Texas (also called the Tigua) – had paid Mr. Scanlon's various companies at least \$66 million. Mr. Abramoff's share of that amount was about \$21 million. Sen. McCain noted:

The \$66 million does not include payments made by the tribes for lobbying services provided by Greenberg Traurig. The \$66 million does not include the substantial payments made by these tribes directly to other entities owned or managed by Abramoff, such as the Capital Athletic Foundation. The \$66 million does not include the substantial political and dubious charitable contributions that the tribes made at Mr. Abramoff's direction. ... The \$66 million only includes the payments by the tribes to Mr. Scanlon's Capital [sic] Campaign Strategies.⁴

At the hearing, Tom Rodgers, a Native American lobbyist and whistleblower, said he'd been collecting evidence related to Mr. Abramoff for years. He related how, in January 2003, he was initially contacted by the Saginaw Chippewa Tribe who confided that Mr. Abramoff had been threatening the tribe

² Stone, P.H. (2006). p. 153.

³ S. Rep. No. 109-325. (2006). p. 6 – 7.

⁴ Tribal lobbying matters: Hearing before the Committee on Indian Affairs United States Senate, 108th Cong. (2004). S. Hrg. 108-720, p. 7. <https://www.govinfo.gov/app/details/CHRG-108shrg96229/CHRG-108shrg96229>

for questioning his invoices, and how he learned of other tribes in similar circumstances. Mr. Rodgers sent key documents to journalist Susan Schmidt at the *Washington Post*, spurring the February 2004 article, and also offered his assistance when the Indian Affairs Committee began its investigation.⁵ “We had no idea,” Mr. Rodgers would later say, “that it would lead to the resignation of [House Majority Leader] Tom DeLay, to the conviction of [Rep.] Bob Ney, to [Rep. Delay’s Deputy Chief of Staff] Tony Rudy, to [lobbyist] Neil Volz. So many people were pulled into this web – [executive director of Christian Coalition] Ralph Reed, [Rep.] John Doolittle, [White House Deputy Chief of Staff] Karl Rove, [Rep.] Dick Armey, [Sen.] Conrad Burns, [Rep.] Don Young, [president of Americans for Tax Reform] Grover Norquist. It was all about the money. It’s the selling of America.”⁶

[Richard Milanovich](#), chair of the Agua Caliente Band of Cahuilla Indians, and Bernie Sprague, sub-chief of the Saginaw Chippewa Tribe, also testified at the first hearing, disclosing that Mr. Abramoff and Mr. Scanlon had pressured the tribes for fees and even interfered with their tribal elections to elect candidates who would help award them lucrative contracts.⁷



Jack Abramoff appeared before the Indian Affairs Committee on September 29, 2004 (Source: [Wikimedia](#))

Invoking the Fifth Amendment, both Mr. Abramoff and Mr. Scanlon also appeared at the committee’s hearings but declined to answer any questions.

At the second hearing on [November 17, 2004](#), Marc Schwartz provided a detailed account of the lobbyists’ interactions with the Tigua Tribe where he’d been a consultant since 1998. Mr. Schwartz testified that, in 2002, Mr. Abramoff contacted him shortly after the tribe’s casino closed and offered his services for free to reopen it. He said that Mr. Abramoff also insisted that Mr. Scanlon’s services would be critical to the effort and that Mr. Scanlon would need to be paid.⁸

⁵ Crabtree, S. (2010, January 26). *The man who blew the whistle on Jack Abramoff tells the story of how he did it*. The Hill. <https://thehill.com/business-a-lobbying/77951-man-who-blew-the-whistle-on-abramoff-tells-his-story>

⁶ Gibney, A. (Director). (2010).

⁷ S. Hrg. 108-720, 2004, p. 19 – 24.

⁸ S. Hrg. 108-720, 2004, p. 228 – 229.

Mr. Schwartz testified that Mr. Abramoff told the Tigua Tribe that making political contributions would help the tribe find “friends” on Capitol Hill that could help reopen the casino, and the tribe donated approximately \$300,000 as he directed. Mr. Schwartz said that a short time later, Mr. Abramoff reported that Republican [Rep. Bob Ney](#) of Ohio was a “friend” to the tribe and would insert language into the [Bipartisan Campaign Reform Act of 2002](#) on reopening their casino, but the tribe needed to contribute an additional \$32,000 to Rep. Ney’s political action committee (PAC). Mr. Schwartz said



Jack Abramoff, unidentified Scottish aide, Ralph Reed, David Safavian, and Rep. Bob Ney golf at St. Andrews in Scotland in August 2002 (Source: Department of Justice)

that, relying on Mr. Abramoff’s advice, the tribe paid the funds. He testified that about three months later, Mr. Abramoff told the tribe that Rep. Ney had asked the tribe to cover a \$50,000 trip to Scotland and that the money could be donated through Mr. Abramoff’s own charity, the Capital Athletic Foundation (CAF). Mr. Schwartz stated that Mr. Abramoff claimed that other tribes had made that type of payment before for House Majority Leader Tom Delay. He said the Tigua Tribe nonetheless declined the request.

According to Mr. Schwartz, once the election reform bill with the language about reopening their casino moved to the Senate, Mr. Scanlon assured the tribe that Democratic Sen. [Chris Dodd](#) of Connecticut would support the tribe’s provision. He said that Mr. Abramoff later informed the tribe that Sen. Dodd had “gone back on his word” and removed the measure. He said that Rep. Ney also called the tribe to express his disbelief at Sen. Dodd’s action. During the committee hearing, however, a statement from Sen. Dodd was read in which he denied any knowledge of the events and noted that, in fact, the election reform bill had never contained the language that Rep. Ney had supposedly included on the tribe’s behalf.

[Carlos Hisa](#), Lieutenant Governor of the Tigua Tribe, also testified at the hearing.⁹ He said that Mr. Abramoff and Mr. Scanlon had failed to provide any of the services they had promised despite the tribe’s paying them a total of \$4.2 million. He testified that the tribe was particularly devastated when it learned from news reports that Mr. Abramoff and Mr. Scanlon had worked as lobbyists for another Texas tribe to pressure the Texas government to close the Tigua Tribe’s casino and only then had offered their services to

⁹ S. Hrg. 108-720, 2004, p. 233-245.

reopen it. He said media reports had also disclosed that Mr. Abramoff paid \$2 million to [Ralph Reed, a leader in religious circles](#), to sway government and public opinion against gambling at the casinos, and that Mr. Reed was one of the individuals on the golf trip to Scotland that Mr. Abramoff had attempted to get the Tigua Tribe to fund. A dramatic moment in the hearing came when, in response to a question by Sen. [Kent Conrad](#) of North Dakota about his reaction to learning of Mr. Abramoff's role in helping to shut down the tribe's casino, Lt. Gov. Hisa replied: "Outrage. A rattlesnake will warn you before it strikes. We had no warning."¹⁰



Ralph Reed speaking at the Tea Party Patriots American Policy Summit in Phoenix, Arizona on February 26, 2011 (Source: [Gage Skidmore](#))

Lt. Gov. Hisa also disclosed at the hearing that, while Mr. Abramoff had initially offered his services for free, he later informed the tribe that he expected to be paid once the casino reopened. Lt. Gov. Hisa testified that Mr. Abramoff had suggested that, to cover his \$125,000 to \$175,000 monthly fee, the tribe take out life insurance policies on tribal elders with Mr. Abramoff as the beneficiary. That way, when the leaders died, Mr. Abramoff would collect the payout. Lt. Gov. Hisa said the tribal council rejected that proposal. He also told the committee that Mr. Abramoff had counseled the tribe to assert sovereign immunity and refuse to cooperate with the committee's inquiry, dismissing it as the result of "a personal issue" Mr. Abramoff had with Sen. McCain.

At the beginning of 2005, Sen. McCain succeeded Sen. Campbell as chair of the Indian Affairs Committee and worked closely with then vice-chair Democratic Sen. [Byron Dorgan](#) of North Dakota, to continue the tribal lobbying inquiry. The senators created a roadmap for the next phase of the investigation and, according to Pablo E. Carrillo, Sen. McCain's chief investigative counsel on the inquiry, "The agreement between Sen. McCain and Sen. Dorgan engendered a bipartisanship that ran through the entire investigation, which both principals viewed as vital to how it should be conducted."¹¹ Additionally, because the committee realized early in the investigation that members of Congress might be ensnared in the scandal, the senators viewed it as critical for the committee to conduct its inquiry in a way that would reflect well on the Senate. According to Mr. Carrillo, the minority staff was invited to all witness interviews and meetings and were provided copies of all notes and report drafts, and committee

¹⁰ S. Hrg. 108-720, 2004, p. 244.

¹¹ Interview of Pablo E. Carrillo, former chief investigative counsel, Senate Indian Affairs Committee, January 14, 2022.

members from both sides of the aisle were regularly briefed on investigative developments. At one hearing, Sen. Dorgan stated: “We on the minority side have worked closely with you, and I admire very much the tenacity with which you have been willing in this committee to investigate.”¹²

The committee held its third hearing on [June 22, 2005](#), chaired by Sen. McCain. The hearing focused on the Mississippi Band of Choctaw Indians who had employed Mr. Abramoff since 1995. The tribe’s representatives testified that the tribe had been happy with his



Sen. Dorgan appeared on Washington Journal to discuss the oversight hearing of the Indian Affairs Committee on November 3, 2005 (Source: [C-SPAN](#))

services when he was at Preston Gates & Ellis and followed him when he moved to Greenberg Traurig.¹³ They explained that the tribe followed his counsel when it hired Mr. Scanlon, approved an extensive plan for grassroots advocacy projects, and sent payments to a variety of companies, including CAF, the American International Center (AIC), and the [National Center for Public Policy Research](#) (NCPPR). The tribe stated, however, that it was never informed that CAF was Mr. Abramoff’s personal charity, that AIC was one of Mr. Scanlon’s shell companies, or that Mr. Abramoff sat on the NCPPR’s board. The committee disclosed at the hearing that the payments made by the tribe had not financed any of the promised grassroots projects but produced profits split between the two lobbyists as part of their “Gimme Five” scheme.¹⁴

At the hearing, the committee released copies of Abramoff emails, tax documents, and other evidence establishing the facts. For instance, Abramoff emails showed that he had repeatedly padded his billable hours and even forged invoices for companies he claimed were performing work for the Mississippi Choctaw tribe only to direct the payments to himself and Mr. Scanlon. CAF’s 2002 tax records showed that the Mississippi Choctaw was the largest contributor to Mr. Abramoff’s charity that year, even though the tribe indicated that its payments were intended to support “groups doing grassroots public advocacy work for the tribe,” not an unfamiliar charity.¹⁵

[Amy Ridenour](#), NCPPR president, testified that her organization, which received significant tribal funds, had been duped by Mr. Abramoff. She explained the Mississippi

¹² S.Hrg. 109-135 pt. 3, p. 2.

¹³ Tribal lobbying matters: Hearing before the Committee on Indian Affairs United States Senate, 109th Cong. (2005). S. Hrg. 109-135 pt. 1, p. 5-17. <https://www.govinfo.gov/app/details/CHRG-109shrg22150/CHRG-109shrg22150>

¹⁴ S. Hrg. 109-135 pt. 1, p. 15.

¹⁵ S. Hrg. 109-135 pt. 1, p. 17.

Choctaws had started making modest donations to the organization in 1997. In 2002, the tribe donated \$1 million and, four months later, Mr. Abramoff told her that the money was intended for a project to educate the public about how the Choctaw tribe had successfully built businesses in Mississippi.¹⁶ She said that Mr. Abramoff told her that the tribe had instructed NCPPR to disperse the funds to CAF and CCS. She testified that of the \$2.5 million donated by the tribe to the NCPPR, all but



Charlie Benn of the Mississippi Choctaw reads his opening statement at hearing on June 22, 2005 (Source: C-SPAN)

\$50,000 was paid to Mr. Abramoff and Mr. Scanlon, and the remaining \$50,000 was paid to Nurnberger and Associates to repay a personal loan given to Mr. Abramoff years earlier. Ms. Ridenour testified that she had repeatedly asked Mr. Abramoff to document the work being done on the project but never received any evidence. So, she said, in July 2003, NCPPR halted its participation in the program. She also disclosed that, in 2000, Mr. Abramoff had convinced NCPPR to fund a trip to England for some congressmen, including Rep. DeLay, to meet with members of Parliament and later tacked on the cost of a golf trip in Scotland without informing her.

Among other witnesses, the hearing heard from David Grosh about how he and another childhood friend of Mr. Scanlon, Brian Mann, had served as directors of AIC which became a conduit for millions of dollars paid by the tribes. Mr. Grosh testified that



Sen. John McCain chairing hearing into Indian lobbying matters (Source: C-SPAN)

“we rented the first floor of a house and installed some computers;” they held one board meeting that lasted approximately 15 minutes; and he was paid around \$2,500 for his efforts.¹⁷ He said that, although Mr. Scanlon was not involved with AIC on paper, he “was calling the shots.” Prior to taking jobs with AIC, Mr. Grosh and Mr. Mann had previously worked as a lifeguard and a yoga instructor,

¹⁶ S. Hrg. 109-135 pt. 1, p. 30-45.

¹⁷ S. Hrg. 109-135 pt. 1, p. 33-35.

respectively, again demonstrating the deceit associated with AIC and the lobbyists' work.

The committee's fourth hearing, also chaired by Sen. McCain, was held on [November 2, 2005](#). It featured representatives from the Coushatta Tribe of Louisiana, which like the other tribes, recounted multiple ways in which Mr. Abramoff and Mr. Scanlon had deceived and overcharged the tribe, reaping payments in excess of \$30 million for minimal work.¹⁸

The hearing also exposed in dramatic fashion efforts by Mr. Abramoff to improperly influence government officials at the U.S. Department of the Interior. The committee called as witnesses then Interior Deputy Secretary [J. Steven Griles](#) and former Interior Counsel [Michael Rossetti](#). Mr. Griles testified that he did not remember intervening on behalf of any of Mr. Abramoff's clients but was contradicted by Mr. Rossetti, including in this exchange:

CHAIR MCCAIN. At your deposition, you said you never had any reason to get involved in tribal gaming issues, and that you "didn't do gaming." At your deposition, you testified that as the COO at Interior, you did not intervene or get involved in gaming issues, except to the extent that the counselor asked you for advice. But to what extent did you try to intervene in gaming issues that related to Mr. Abramoff's clients?

Mr. GRILES. Senator, I do not recall intervening on behalf of Mr. Abramoff's clients ever.

CHAIR MCCAIN. Mr. Rossetti, are you aware of any incidents where Mr. Griles tried to intervene in gaming issues relating to Mr. Abramoff's clients?

Mr. ROSSETTI. I am aware, Senator, Mr. Chairman, that Mr. Griles at some point late in 2003, I believe it was, became very interested in participating in the decisionmaking process and indicated to me on many occasions a desire to be in attendance at the Secretary's decisionmaking meeting with respect to the two-part determination that was before her or would be before her with respect to the Jena Band in Louisiana.

CHAIR MCCAIN. Mr. Griles, with the benefit of Mr. Rossetti's recollection, why did you try to intervene in the Jena issue?

Mr. GRILES. Mr. Rossetti has a different memory than I have, Senator, of that issue.¹⁹

The committee also released a series of emails between Mr. Abramoff and [Italia Federici](#) asking her to speak to Mr. Griles about Native American issues. Though she responded to dozens of emails stating that she had done so, she insisted that she'd only once asked Mr. Griles to call Mr. Abramoff.²⁰ Mr. Griles



J. Steven Griles testifying before Indian Affairs Committee on November 2, 2005 (Source: [C-SPAN](#))

¹⁸ S. Hrg. 109-135 pt. 2, p. 13.

¹⁹ S. Hrg. 109-135 pt. 2, p. 89 - 90.

²⁰ S. Hrg. 109-135 pt. 2, p. 89.

later pled guilty to obstructing the U.S. Senate proceedings by providing false testimony and was sentenced to ten months in prison and fined \$30,000. The Justice Department stated in part:

Griles admitted that ... he made materially false and fictitious declarations to, and withheld material information from, senators and Senate investigators Griles now admits that Abramoff developed instant and then continued unique access to him directly as well as indirectly through Federici ... [and sought] intervention on various matters within the jurisdiction of DOI Griles asked Abramoff for return favors.²¹

The Griles conviction is significant in congressional oversight annals not only for holding a federal official accountable for misconduct, but also for helping to demonstrate that individuals who lie to Congress can be successfully prosecuted.

"This committee is about following the money and getting to the facts. If you dyed that money purple, there would be a lot of purple pants pockets around this town and the country because they were moving it into so many organizations."

Senator Dorgan, November 22, 2005

The fifth and final hearing was held on [November 17, 2005](#), with Ms. Federici as the sole witness. Ms. Federici was then president of the Council of Republicans for Environmental Advocacy (CREA). Despite numerous emails documenting her interactions with Mr. Abramoff, she insisted she "never really went into the substance of these issues with Mr. Griles."²² She claimed not to know why Mr. Abramoff believed that she had "juice" at the Interior Department or why she was "critical" to

his lobbying activities.²³ She failed to explain why CREA accepted \$500,000 in contributions from the tribes without ever speaking directly to a tribal member.²⁴ Ms. Federici later pled guilty to obstruction of the Senate investigation and income tax evasion. She admitted that "during much of Griles' DOI tenure, she served as a conduit for information between Abramoff and Griles."²⁵ Ms. Federici was sentenced to four years of probation and fined \$74,000.

²¹ Department of Justice. (2007, June 26). *Former Interior Deputy Secretary Steven Griles sentenced to 10 months in prison for obstructing U.S. Senate investigation into Abramoff corruption scandal* [Press release]. https://www.justice.gov/archive/opa/pr/2007/June/07_crm_455.html

²² S. Hrg. 109-135 pt. 3, p. 15.

²³ S. Hrg. 109-135 pt. 3, p. 1.

²⁴ S. Hrg. 109-135 pt. 3, p. 47.

²⁵ Department of Justice. (2007, December 14). *Italia Federici sentenced for evading taxes and obstructing Senate investigation into Abramoff corruption scandal* [Press release]. https://www.justice.gov/archive/opa/pr/2007/December/07_crm_1005.html

After the hearings concluded, the Indian Affairs Committee issued a final [report](#) of over 1,400 pages. The 2006 report was unanimously endorsed by every committee member. It summarized the lobbying abuses uncovered by the investigation and included over 1,000 pages of supporting documents. Among many additional instances of wrongdoing, the report disclosed that, in 2002, Mr. Abramoff billed the Choctaw tribe \$25,000 for services performed by Liberty Consulting Services, a company secretly owned by Rep. DeLay's Deputy Chief of Staff Tony Rudy. In 2006, Mr. Rudy pled guilty to conspiracy, admitting his company had performed no services for the Choctaw tribe.²⁶



Slot machine featuring Jack Abramoff, a bag of money, and the dome of the Capitol building (Source: [University of Texas](#))

The Abramoff scandal eventually led to nearly two dozen criminal convictions.²⁷ In 2006, Mr. Abramoff pled guilty to federal mail fraud, conspiracy, and tax evasion, received a four-year prison sentence, and was ordered to pay more than \$23 million in restitution. He was sentenced to an additional six-year prison term in Florida, where he pled guilty to charges related to a separate scheme involving gambling cruise ships.²⁸ Mr. Scanlon pled guilty to conspiring to bribe public officials, was sentenced to 20 months in prison, and ordered to pay over

\$20 million in restitution.²⁹ Former Rep. Ney was sentenced to 30 months in prison for conspiracy, false statements, and violation of a one-year lobbying ban.³⁰

The Justice Department conducted a lengthy criminal investigation of Rep. Tom DeLay into matters related to the Abramoff scandal but closed the case in 2010 without charges. Rep. DeLay, who called Mr. Abramoff his “close, personal friend,” had stepped down as majority leader in 2005, when indicted in Texas on separate charges for which he was convicted in 2010, but then saw his conviction overturned in 2013.³¹

²⁶ S. Rep. No. 109-325. (2006), p. 37 – 38.

²⁷ Associated Press. (2011, February 11). *Convictions in the Abramoff corruption probe*. CBS News. <https://www.cbsnews.com/news/convictions-in-the-abramoff-corruption-probe/>

²⁸ Department of Justice. (2008, September 4.) *Former lobbyist Jack Abramoff sentenced to 48 months in prison on charges involving corruption, fraud, conspiracy and tax evasion* [Press release]. <https://www.justice.gov/archive/opa/pr/2008/September/08-crm-779.html>

²⁹ Department of Justice. (2011, February 11). *Former Abramoff business partner Michael Scanlon sentenced to 20 months in prison for role in public corruption and fraud schemes* [Press release]. <https://www.justice.gov/opa/pr/former-abramoff-business-partner-michael-scanlon-sentenced-20-months-prison-role-public>

³⁰ Department of Justice. (2007, January 19). *Former Congressman Robert W. Ney sentenced to 30 months in prison for corruption crimes* [Press release]. https://www.justice.gov/archive/opa/pr/2007/January/07_crm_027.html

³¹ Bresnahan, J. (2013, September 19). *The Hammer's redemption*. Politico. <https://www.politico.com/story/2013/09/tom-delays-conviction-tossed-097057>

Several other lobbyists, Capitol Hill staffers, and federal officials were convicted of crimes related to the Abramoff scandal, including lying to investigators, bribing public officials, concealing lobbyist gifts, defrauding taxpayers, and falsifying documents. One high-profile case involved [David Safavian](#), who served as head of the Office of Federal Procurement Policy in the Bush administration from 2003 to 2005, and received a year-long prison sentence for lying about his relationship with Mr. Abramoff and obstructing government investigations into the facts.³²

In addition to exposing wrongdoers, the Indian Affairs inquiry turned a spotlight on the need for lobbying reforms. At one [hearing on possible reforms](#), Sen. McCain testified: “Much of what the Committee learned was extraordinary, yet much of what we uncovered in the investigation was, unfortunately, the ordinary way of doing business in this town.”³³ Dozens of reform bills were introduced.

“It took a lot of courage. [Sen. McCain] had to know he’d be shedding some negative light on members of Congress.”

David Sickey, Tribal Chairman of the Coshatta Tribe of Louisiana

On September 14, 2007, President George W. Bush signed into law the [Honest Leadership and Open Government Act](#) which made numerous improvements to federal lobbying and ethics laws. The bill passed Congress with broad bipartisan support, 411 to 8 in the House and 83 to 14 in the Senate. In an ironic twist, Sen. McCain voted against final passage, because he believed the final version of the bill did not go far enough in reforming the ability of Members of Congress to “earmark” appropriations for specific recipients.³⁴ The law nevertheless addressed many areas of concern, including provisions that:

- increased the length of time from one to two years that members of Congress, Cabinet secretaries, and government staffers must wait before lobbying their former places of employment;
- prohibited lobbyists from giving gifts or travel to members of Congress in violation of House or Senate rules;
- stepped up the filing of lobbying disclosure reports from semiannual to quarterly filings and created a free public database with the reports;
- strengthened the penalties for violating the Lobbying Disclosure Act and the financial disclosure requirements of the Ethics in Government Act;

³² Department of Justice. (2006, October 27). *Former GSA Chief of Staff David Safavian sentenced to 18 months in prison on charges of obstruction, making false statements* [Press release]. https://www.justice.gov/archive/opa/pr/2006/October/06_crm_733.html

³³ *Lobbying reform proposals and issues: Hearing before the Committee on Homeland Security and Governmental Affairs* (S. Hrg. 109-428), U.S. Senate, 109th Cong. (2006). p. 13. <https://www.govinfo.gov/content/pkg/CHRG-109shrg26750/html/CHRG-109shrg26750.htm>

³⁴ Interview of Pablo E. Carrillo, former chief investigative counsel, Senate Indian Affairs Committee, January 15, 2022.

- required explicit disclosure of contributions made by lobbyists to campaigns, Presidential libraries, and inaugural committees;
- amended congressional pension laws to limit retirement benefits for members convicted of felonies such as bribery, fraud, or racketeering; and
- limited the use of private aircraft by members of Congress and federal candidates.³⁵

Since the first Abramoff scandal hearing in 2004, the amount of money paid to lobbyists has skyrocketed. In 2004, lobbyists reported receiving \$237 million to influence legislation in Congress; in 2019, the total exceeded \$1.7 billion.³⁶ That sevenfold increase reflects lobbying reforms which led to more lobbying disclosures but also an ongoing expansion of lobbying activities at the federal level.

Following his release from prison in 2010, Mr. Abramoff publicly condemned political corruption,³⁷ but in 2017, he became the first person to plead guilty to violating the Honest Leadership and Open Government Act for failing to register as a lobbyist when meeting with members of Congress on behalf of the cryptocurrency and marijuana industries.³⁸ His actions led to enactment of the [Justice Against Corruption on K-Street Act of 2018](#) (JACK Act), which was signed into law by President Donald Trump on January 3, 2019, and “require[s] disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.”³⁹

From 2004 to 2006, Senator McCain led a bipartisan, fact-based, in-depth inquiry into lobbying abuses permeating Washington. Following the facts wherever they led, he compelled Congress to acknowledge Mr. Abramoff’s corrupting influence, exposed his exploitation of multiple Native American tribes, sparked criminal prosecutions of the wrongdoers, and helped enact needed lobbying and ethics reforms. The Abramoff inquiry demonstrates how Congress, with appropriate leadership and bipartisan backing, can confront and curb corruption in the political process.

³⁵ Honest Leadership and Open Government Act, Pub. L. No. 110-81 121 Stat. 735 (2007).

<https://www.congress.gov/bill/110th-congress/senate-bill/1>

³⁶ Follow The Money. (2022). *Lobbyist expenditures to Congress by filing year* [Data set]. National Institute on Money in Politics. [https://www.followthemoney.org/show-me?dt=3&lby-f-fc=2#\[{1}gro=lby-y](https://www.followthemoney.org/show-me?dt=3&lby-f-fc=2#[{1}gro=lby-y)

³⁷ CBS News. (2011, November 6). *Jack Abramoff: The lobbyist’s playbook* [Video]. Youtube.

<https://youtu.be/CHiicN0Kg10>

³⁸ Popper, N. (2020, June 25). Disgraced lobbyist Jack Abramoff headed back to jail. *New York Times*.

<https://www.nytimes.com/2020/06/25/us/politics/jack-abramoff-marijuana-cryptocurrency.html>

³⁹ Justice Against Corruption on K-Street Act of 2018, Pub. L. No. 115-418 132 Stat. 5440 (2018).

<https://www.govinfo.gov/app/details/PLAW-115publ418>

To learn more about the Indian Affairs investigation and the lobbying scandal:

- [“Washington’s Invisible Man”](#) by David Margolick for *Vanity Fair*, April 2006
- [Casino Jack and the United States of Money documentary](#) (Amazon Prime)
- [“The lobbyist’s playbook”](#) – CBS News interview with Jack Abramoff after his release from prison
- [Tribal Lobby Investigation](#) – CSPAN discussion of final committee report with *Heist* author Peter Stone
- [“Remember John McCain”](#) by Danielle Brian for Project on Government Oversight, August 29, 2018

