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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

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August 21, 2007

The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

I am writing to request information about your agency's involvement in the "asset deployment" program managed by Karl Rove and other White House officials.

The Oversight Committee has been investigating the political presentations that White House officials gave to federal agencies across government, including yours. On Sunday, *The Washington Post* reported that these political briefings were part of a systematic and coordinated effort by White House officials to leverage the resources of the federal government "to ensure the maximum promotion of Bush's reelection agenda and the Republicans in Congress who supported him."¹ The *Post* reported that Karl Rove, the President's political advisor, organized an "asset deployment team" that enabled the White House "to coordinate the travel of Cabinet secretaries and senior agency officials, the announcement of grant money, and personnel and policy decisions" with the chief White House liaison from each Cabinet agency.² According to the *Post*, the meetings of the asset deployment team occurred sometimes as often as once a month.

As part of our investigation, the Committee has received documents that confirm the existence of this "asset deployment team." According to the documents, the White House invited 18 federal agencies, including yours, to asset deployment meetings in 2003. The agencies that were invited to these asset deployment meetings were the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Housing and

¹ *How Rove Directed Federal Assets for GOP Gains: Bush Adviser's Effort to Promote the President and His Allies Was Unprecedented in its Reach*, *The Washington Post* (August 19, 2007).

² *Id.*

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Urban Development, Interior, Justice, Labor, Transportation, Treasury, Veterans Affairs, the Environmental Protection Agency, the General Services Administration, the Office of National Drug Control Policy, the Small Business Administration, and the U.S. Agency for International Development.³

The White House asset deployment program apparently continued during the 2006 election cycle. In June 2006, the White House Surrogate Scheduler asked 18 federal agencies to provide press clippings from events that the agency heads did at the suggestion of the White House Office of Political Affairs, writing:

WH Liaisons –

If you could, please have your press shops send me any good clips from the media on surrogate events your principals have done (Secretary and Sub-Cabinet), especially if they were as a result of an OPA request.

Folks over here get very excited when they see the results of all the hard work you and your agencies do on these events.⁴

To assist the Committee with its investigation, I request that you provide the Committee with documents relating to any “asset deployment” activities involving your agency, including any documents relating to meetings of the asset deployment team or communications about asset deployment with White House officials. This request also includes documents relating to the White House’s involvement in suggesting, scheduling, or coordinating travel or events for agency officials or the award or announcement of agency grants.

I also request that you provide the Committee with a list of all of the events with federally elected officials or candidates for federal office that you or your predecessor attended outside of Washington, DC, during 2003, 2004, 2005, and 2006. For each event, please provide the date and location of the event, a brief description of the purpose of the event, the identity of

³ E-mail from Adrian G. Gray, White House Deputy Director of Scheduling - Surrogate Scheduling, to Libby Camp, Department of Homeland Security White House Liaison, *et. al.* (Sept. 22, 2003).

⁴ E-mail from Mindy McLaughlin, White House Surrogate Scheduler, to Christy Simon, Department of Commerce Deputy Director, Office of White House Liaison, *et al.*, (June 5, 2006). The 18 agencies were the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Justice, State, Transportation, Treasury, and Veterans Affairs, and the Environmental Protection Agency, the Office of National Drug Control Policy, the National Aeronautics and Space Administration, the National Endowment for the Arts, and the Small Business Administration.

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the elected officials or candidates for office attending the event, a statement whether taxpayer funds were used to travel to the event, and whether you or your predecessor attended the event in an official capacity.

Please provide these materials to the Committee by September 7, 2007.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. An attachment to this letter provides additional information about how to respond to the Committee's request.

I would appreciate your cooperation with this request. If you have any questions regarding this letter, please contact Susanne Sachsman or David Leviss of the Committee staff at (202) 225-5420.

Sincerely,



Henry A. Waxman
Chairman

Enclosure

cc: Tom Davis
Ranking Minority Member

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Responding to Oversight Committee Document Requests

In responding to the document request from the Committee on Oversight and Government Reform, please apply the instructions and definitions set forth below.

Instructions

1. In complying with the request, you should produce all responsive documents in your possession, custody, or control.
2. Documents responsive to the request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in the request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
4. Each document produced should be produced in a form that renders the document capable of being copied.
5. When you produce documents, you should identify the paragraph or clause in the Committee's request to which the documents respond.
6. Documents produced in response to this request should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.
7. Each folder and box should be numbered, and a description of the contents of each folder and box, including the paragraph or clause of the request to which the documents are responsive, should be provided in an accompanying index.
8. It is not a proper basis to refuse to produce a document that any other person or entity also possesses a nonidentical or identical copy of the same document.

9. If any of the requested information is available in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer backup tape), you should consult with Committee staff to determine the appropriate format in which to produce the information. Documents produced in electronic format should be organized, identified, and indexed electronically in a manner comparable to the organizational structure called for in (6) and (7) above. Documents produced in an electronic format should also be produced in a searchable format.
10. In the event that a responsive document is withheld on any basis, you should provide the following information concerning the document: (a) the reason the document is not being produced; (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.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. 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.
13. This request is continuing in nature and applies to any newly discovered document. Any document not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be bates-stamped sequentially and produced sequentially.
15. Two sets of documents should be delivered, one set to the majority staff and one set to the minority staff. The majority set should be delivered to the majority staff in Room 2157 of the Rayburn House Office Building, and the minority set should be delivered to the minority staff in Room B350A in the Rayburn House Office Building. You should consult with Committee staff regarding the method of delivery prior to sending any materials.
16. 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 or identified in a privilege log provided 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, interoffice and intra-office communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, 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). The term also means any graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, 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 “documents in your possession, custody, or control” means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.
3. 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 face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.
4. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of the 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.
5. The terms “person” or “persons” means 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, and other units thereof.

6. The terms “referring” or “relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.