

**CREW**citizens for responsibility  
and ethics in washington

## CREW Cuts

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### CREW Sues Cheney Over Records - Court Orders VP Chief of Staff to Be Deposed

On September 8th, CREW, along with two eminent historians and three organizations of historians and archivists, filed a complaint against Vice President Cheney, the Office of the Vice President, the archivist and the National Archives and Records Administration (NARA). CREW's lawsuit alleges that Vice President Cheney is not preserving his papers as required by the Presidential Records Act (PRA). In an executive order issued in 2001, President Bush declared that the PRA applied only to the "executive records" of the vice president. Since that time, the vice president has made the claim that he is not part of the executive branch. In addition, the archivist has claimed that the congressional records of a vice president are his personal, not presidential, records and that he is free to dispose of them at will. As a result of these unlawful policies, without judicial intervention, on January 20, 2009, the vast majority of Vice President Cheney's records will not be transferred to NARA for eventual release to the public, but instead will remain under the vice president's custody and control. CREW also sought an order mandating preservation of all of the vice president's records pending the lawsuit.



On September 20th, a federal judge issued a preliminary injunction requiring Vice President Cheney, the Office of the Vice President, the Executive Office of the President, the archivist and NARA to preserve all vice presidential records.

Four days later, the court granted CREW's request to take the depositions of David Addington, Vice President Cheney's chief of staff, and Nancy Smith, a NARA official responsible for presidential papers under the PRA. These depositions should help us discover whether critical administration records are being preserved or deliberately lost to future generations.

Finally, just this week, on the eve of the first scheduled deposition, Vice President Cheney and the other defendants took the extraordinary step of filing an emergency petition for a writ of mandamus with the Court of Appeals in order to stop the depositions from going forward.

This latest legal ploy by the White House is an effort to prevent the public from learning the truth about records that belong to the American people.

[Read the September 8th complaint](#)

[Read more related documents](#)

[Read The Washington Post story](#)

### CREW Releases Fourth Annual *Most Corrupt Members of Congress Report*

On September 10th, CREW released its fourth annual report on the most corrupt members of Congress.

[CREW's Most Corrupt Members of Congress](#) provides a detailed analysis of the unethical and sometimes illegal activities of 24 congressmen and women who have most egregiously betrayed the public's trust.

CREW also launched the report's tandem website [www.CREWMostCorrupt.org](http://www.CREWMostCorrupt.org), which offers short summaries of each member's transgressions as well as the full-length profiles and all accompanying exhibits. All previous corruption reports can be found on the site as well.

New to this year's study are Reps. Marsha Blackburn, Vern Buchanan, Vito Fossella, Dan Lipinski, Charlie Rangel, Laura Richardson and Mike Turner, and Sens. Mary Landrieu and Norm Coleman.

Of this year's list of 24, at least 12 are under investigation: Ken Calvert, John Doolittle, Tom Feeney, Vito Fossella, William Jefferson, Jerry Lewis, Alan Mollohan, Gary Miller, Tim Murphy, Rick Renzi, Don Young and Ted Stevens. One other, Charlie Rangel, is under a self-initiated House ethics committee investigation.

With soaring gas prices, a housing market in crisis, rising unemployment, and a nation at war, elected officials should be prioritizing their constituents' needs over their own self-interests. Unfortunately, the members listed in CREW's Most Corrupt report have put their own needs above those they represent. This report

### CREW Files Ethics Complaint Against Sen. Kit Bond for Role in Firing of Former U.S. Attorney Todd Graves

On September 30th, CREW filed a complaint with the Senate Ethics Committee against Sen. Christopher "Kit" Bond (R-MO) for his role in removing Todd Graves, the former U.S. Attorney for the Western District of Missouri, from his position.

CREW filed its complaint following the September 29th release by the Department of Justice's Office of Inspector General ("OIG") and Office of Professional Responsibility ("OPR") of their report, An Investigation into the Removal of Nine U.S. Attorneys in 2006. The report concludes that Sen. Bond's office inappropriately sought Mr. Graves's removal.

Former legal counsel for Sen. Bond, Jack Bartling, admitted to asking the White House Counsel's office to seek Mr. Graves's removal. Mr. Bartling also talked to Justice official Michael Elston about keeping Sen. Bond's role a secret. Sen. Bond's office became dissatisfied with Mr. Graves after he refused to intervene in a dispute between Sen. Bond's office and that of Mr. Graves's brother, Rep. Sam Graves (R-MO). Mr. Graves told investigators that a member of Sen. Bond's staff had called him to insist that he use his influence to force Rep. Graves to fire his chief of staff. When Mr. Graves refused, the Bond staffer told him "they could no longer protect his job."

The OIG and OPR found it "extremely troubling that the impetus for Graves's removal as U.S. Attorney appears to have stemmed from U.S. Attorney Graves's decision not to respond to a Bond staff member's demand to get involved in personnel decisions in Representative Sam Graves's congressional office."

In its complaint, CREW alleges that by seeking Graves's removal to punish him for refusing to intervene in a dispute between two congressional offices, Sen. Bond and his staff violated Senate rules prohibiting "improper conduct which may reflect upon the Senate."

The day the complaint was filed with the Ethics Committee, CREW Executive Director Melanie Sloan said, "When Mr. Graves appropriately refused to tell his brother the congressman to fire one of his staff members, Sen. Bond petulantly demanded Mr. Graves be fired." Sloan continued, "What adult acts like this? Senators are not spoiled children who can lash out on the playground - in this case the Department of Justice - when they don't get their way. U.S. Attorneys are not toadies for their Senate sponsors, they are federal law enforcement officials. The Senate Ethics Committee should immediately investigate this matter and sanction Sen. Bond and his staff."

[Learn more](#)

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holds them accountable for those choices.

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