

United States Senate

WASHINGTON, DC 20510

January 7, 2005

Honorable George W. Bush
President
The White House
Washington, DC 20500

Dear President Bush:

We are writing to urge you to immediately terminate – and recover funds from – the contract between your administration and the journalist Armstrong Williams. According to media reports, \$240,000 in taxpayer funds were transferred to Mr. Williams in exchange for his agreement to promote the Administration's "No Child Left Behind" initiative on his broadcasts and to interview Education Secretary Rod Paige during his television and radio programs. These payments to Mr. Williams constitute a clear violation of the "Publicity and Propaganda" laws recently passed by Congress.¹ The payments also violated the Antideficiency Act.²

In addition to recovering these funds, we would urge you to disclose if any other journalists have been paid by your Administration to skew their media reports in favor of your initiatives, proposals or political messages. For example, have any journalists or media organizations been paid by your Administration to promote your Social Security privatization plan or otherwise promote the idea of a "crisis" in Social Security?

The Government Accountability Office (GAO) has stated numerous times that, under the laws cited above, taxpayer funds cannot be used by the Executive Branch for activities in which the "obvious purpose is 'self-aggrandizement' or 'puffery.'"³ The GAO has specifically cited messages that conceal the government's role as illegal "covert propaganda."⁴

In addition to the illegality of these actions taken by your Administration, we believe that the act of bribing journalists to bias their news in favor of government policies undermines the integrity of our democracy. Actions like this were common in the Soviet Union, but until now, thought to be long extinguished in our country.

¹ See Pub. L. No. 108-7, Div. J, Tit. VI, § 626, 117 Stat. 11, 470 (2003) and Pub. L. No. 108-199, Div. F, Tit. VI, § 624, 118 Stat. 3,356 (2004). The law states: "No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by Congress." This law applies to the funding used by the Department of Education to pay Mr. Williams. The "Publicity and Propaganda" clause has appeared in annual appropriations bill for decades.

² 31 U.S.C. § 1341 et seq.

³ GAO Legal Decision B-302504, March 10, 2004. p. 7

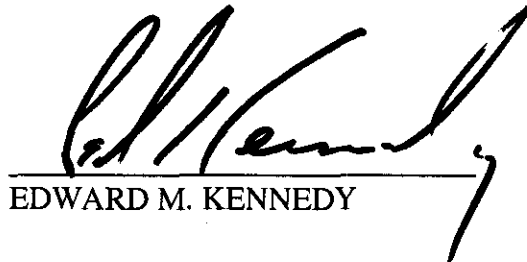
⁴ *Id.* At 10

These revelations regarding Mr. Williams are the latest – and most disturbing – in a series of actions by your Administration to manipulate public opinion through covert propaganda. On May 19, 2004, the GAO found that your Administration illegally spent taxpayer funds on covert propaganda by paying Ketchum Incorporated to produce fake news stories promoting the image of the new Medicare law.⁵ This week, the GAO found that fake news stories produced by the Office of National Drug Control Policy also violated the “Publicity and Propaganda” clause.⁶ In addition, on November 19, 2004, the GAO launched a new inquiry into the legality of the Department of Education’s contract with Ketchum to produce fake news stories and create favorability rankings of journalists.⁷ Good government means that our citizens can trust that government policies put the public’s interest first. We don’t need “payola” and public relations to educate our kids. We need good teachers, good schools and good standards.

Again, we urge you to take immediate action to recover funds from the contracts with Mr. Williams and any other contracts your Administration has entered into with journalists to distort their news or editorial coverage.

Sincerely,


FRANK R. LAUTENBERG


EDWARD M. KENNEDY


HARRY REID

⁵ GAO Legal Decision B-302710, May 19, 2004

⁶ GAO Legal Decision B-303495, January 4, 2005

⁷ See GAO letter to Senators Lautenberg and Kennedy, “Department of Education – Use of Appropriated Funds for the “No Child Left Behind” Media Analysis and Video News Release,” November 19, 2004.