

level by six levels to a final offense level of 25 due to his substantial assistance in the investigation and prosecution of others. Although Abramoff's misconduct is an extremely serious matter to his private clients and to the integrity of - and public confidence in - government, his cooperation and that of others following his and Scanlon's pleas, has exposed significant misconduct by others in and out of public office and revealed to law enforcement officials and the public the manner and means used by government officials to game the system for private advantage in violation of criminal, regulatory, and ethical laws and rules. In making its recommendation for this sentence reduction for Abramoff, the United States asks the Court to consider the following public information.

1. Abramoff's substantial assistance was especially important in four convictions.

Abramoff deserves substantial credit for the following convictions by guilty plea:

- Tony Rudy (former deputy chief of staff to a leader in the U.S. House of Representatives). On March 31, 2006, Rudy pled guilty to a multi-object conspiracy with Abramoff and others to commit honest services fraud, violate his one year lobbying ban, and defraud SPI Spirits and the Saginaw Chippewa each of \$25,000, which was used to partially fund the August 2002 golf trip to Scotland. Abramoff was debriefed multiple times regarding Rudy. Among other things, he described how \$50,000 paid to Rudy's wife through a non-profit was really money intended to support Rudy without regard to whether his wife performed any real service for the organization for which she purportedly worked.
- Neil Volz (former chief of staff to Congressman Bob Ney). On May 10, 2006, Volz pled guilty to a multi-object conspiracy with Abramoff and others to commit honest services fraud and violate his one year lobbying ban. Similar to Rudy, Volz admitted to acting corruptly while a Congressional staffer and also while a lobbyist working for Abramoff. Abramoff was debriefed multiple times regarding Volz, Volz's former employer Congressman Ney, and Ney's office. Abramoff suggested several areas of investigation that we had not previously discovered, and described several events that were not captured in the email traffic but would have been helpful had Volz gone to trial.
- J. Steven Griles (Deputy Secretary of the Department of Interior). On March 23, 2007, Griles pled guilty to obstructing the Senate Indian Affairs Committee's inquiry into

Abramoff and his lobbying on behalf of Native American Indian tribes. Abramoff's cooperation was crucial to the successful prosecution of Griles. Among other things, Abramoff reviewed Griles' testimony before the Senate and pointed out falsehoods, Abramoff searched his emails for documents helpful in establishing the falsehoods, and Abramoff was extensively debriefed, including about (a) non-email contacts between him and Griles, and (b) the role of the intermediary, Italia Federici, and her non profit organization called Coalition of Republicans for Environmental Activists.

- Mark Zachares was a high-ranking staffer on the House Transportation & Infrastructure Committee. On April 24, 2007, Zachares pled guilty to a conspiracy to commit honest services wire fraud. Abramoff (1) met with agents and attorneys in two extensive debriefing sessions; (2) reviewed his e-mails for relevant documents; and (3) provided information crucial to securing a search warrant of Zachares' home. The fact that Abramoff was cooperating and providing information was vital to securing Zachares' guilty plea to a corrupt relationship with Abramoff.

2. *Abramoff also played a role in securing the following five convictions.*

Abramoff's assistance was important directly and in procuring the cooperation of others in investigations that led to the following convictions by guilty plea:

- Roger Stillwell (a long-time employee of the Department of Interior). On August 11, 2006, Stillwell pled guilty to one count of making a false sworn statement for his failure to disclose on his annual financial disclosure forms the tickets from Abramoff. Abramoff advised investigators that Stillwell gave Abramoff nonpublic information from the Department on matters of interest to Abramoff and his lobbying clients and Abramoff provided Stillwell with tickets to sporting events and concerts.
- Robert Ney (former U.S. Representative for the 18th District of Ohio). On October 13, 2006, Congressman Ney pled guilty to a multi-object conspiracy to commit honest services fraud, make false statements, and cause Neil Volz to violate his one-year lobbying ban. Ney also pled guilty to one count of making false statements on his annual financial disclosure forms. Although Will Heaton and Neil Volz had much more day-to-day contact with Congressman Ney, Abramoff first suggested several areas of inquiry. For example, Abramoff first suggested that he had instructed his staff that Congressman Ney could eat and drink for free whenever he was at Signatures. Abramoff told the government that he and Tony Rudy met with Ney and asked for legislation helping their client, the Tigua Tribe, and that Abramoff subsequently had met with Ney at Signatures and told Ney that the Tribe was funding the August 2002 Scotland golf trip. Also, Abramoff was debriefed extensively about his relationship and dealings with Congressman Ney, both by investigators in the Southern District of Florida and by our agents in Washington, D.C.

- William Heaton (succeeded Neil Volz as Ney's chief of staff). On February 26, 2007, Heaton pled guilty to a conspiracy to commit honest services fraud with Abramoff, Ney, and others. Although Volz and Rudy had more contact with Heaton, Abramoff was also in a position to provide information and testimony about his observations of and participation in Heaton's misconduct.
- Robert Coughlin (former employee in the Legislative Affairs and Intergovernmental Affairs offices of the Department of Justice). On April 22, 2008, Coughlin pled guilty to willfully taking actions affecting a financial interest (18 U.S.C. § 208) for his undisclosed receipt of things of value from a lobbyist working for Abramoff in a case handled by the U.S. Attorney's Office in Maryland. Abramoff was debriefed regarding Coughlin. Even though Abramoff had few direct dealings with Coughlin, his information was helpful to the prosecution of Coughlin.
- John Albaugh (former chief of staff to a Member of the United States House of Representatives). On June 2, 2008, Albaugh pled guilty to a conspiracy to commit honest services fraud. Abramoff first suggested that agents look into the relationship between a lobbyist working for him and Albaugh and provided information regarding their involvement.

3. *Abramoff also deserves some credit for two completed investigations*

- Abramoff cooperated in an investigation conducted by the DOJ Office of Inspector General into allegations that senior Justice Department officials refused to make Acting US Attorney Fred Black the permanent US Attorney for Guam and the CNMI, and ended his assignment as interim US Attorney in a corrupt agreement with Abramoff in part because Black had opened an investigation into corruption by Abramoff and supported legal positions opposed by Abramoff's clients. Abramoff provided emails, statements, and leads to other evidence in the OIG's investigation, which ultimately concluded that Black's claims were unfounded in a published report. See <http://www.usdoj.gov/oig/special/s0606a/final.pdf> (last visited August 20, 2008).
- David Safavian (former chief of staff at the General Services Administration). Although we decided to pursue criminal charges against Safavian before Abramoff began cooperating, Abramoff provided some information about the Scotland 2002 golf trip enjoyed by Safavian that was helpful in developing leads and further evidence used to prosecute Safavian.

4. *Abramoff also deserves credit for several ongoing or completed investigations*

As mentioned previously, there remain several ongoing or completed investigations of Abramoff and the relationships that he had with various public officials. Because Federal Rule