

LONE STAR PROJECT

Fighting Back... with Facts



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Delay Used Government Staff for Politics AFTER Leaving Congress

Email details government staff helping DeLay explain ballot charade

Almost a week after Tom DeLay delivered a bitter and partisan farewell speech from the House floor and abandoned his 22nd District Texas House seat, he was still using government staff and equipment to craft political strategy and respond to media inquiries.

Email reveals government staff still working for DeLay

An email sent by Tom DeLay's former Deputy Chief of Staff Dan Flynn lays out the strategy and message to deal with media inquiries regarding the Texas Democratic Party's lawsuit challenging Republican efforts to declare DeLay ineligible and replace him on the ballot. The communication discussed **using government resources to assist the DeLay campaign and the Republican Party of Texas.**



- DeLay resigned from Congress on June 9, 2006. The email was sent June 15, 2006 from Flynn's official government email account.
- Both Flynn and Flaherty were full-time employees of the U.S. House of Representatives and under the supervision of the Clerk of the House, **NOT** Tom DeLay. Government staff members are specifically prohibited from using government resources for campaign related activities.
- Flynn's email was sent to former DeLay Press Secretary Shannon Flaherty and to DeLay attorneys James Bopp and Don McGahn. A copy was sent to Tom DeLay himself, and a blind copy was sent to Republican Party of Texas Chair Tina Benkiser.
- The email was surrendered under subpoena by Benkiser and is an exhibit in the Texas Democratic Party's complaint.

Hill Staffer still called the shots for DeLay

In the email, Dan Flynn gives blunt and direct orders.

- Fellow government staffer and former DeLay Press Secretary Shannon Flaherty is told by Flynn to stop “pitching” to reporters and is notified that the Texas GOP and DeLay attorneys will handle press questions.
- Flynn directs DeLay attorney James Bopp to refer requests for comment from Tom DeLay himself to DeLay’s daughter and campaign manager Danielle DeLay Ferro.
- Within the email, Ferro is given an already drafted and vetted statement from DeLay to issue to the press.

What are the Rules?

House rules are direct and clear. Government staff are prohibited from using official resources for political purposes.

- When a Member of Congress dies or resigns from office, all Congressional Staff are then supervised by the Clerk of the U.S. House of Representatives. As government employees they are specifically prohibited from engaging in political activity. (*Source: Rules of the House of Representative, Sec 653*)
- [The House Ethics Campaign Booklet](#) specifically states that office computers and staff time may not be used for political purposes such as drafting campaign statements.

*Official resources of the House must, as a general rule, be used for the performance of official business of the House, and hence **those resources may not be used for campaign or political purposes...**, among the resources that generally may not be used for campaign or political purposes are congressional office equipment (including the **computers**, telephones and fax machines) ... and congressional staff time. **Among the specific activities that clearly may not be undertaken in a congressional office or using House resources** (including official staff time) are, for example, the solicitation of contributions; the drafting of campaign speeches, **statements**, press releases or literature; (Source: [The House Ethics Campaign Booklet](#), emphasis added)*

- A Memorandum to All Members, Officers and Employees of the House issued by the House Committee on Standards of Official Conduct dated June 22, 2004 also gives straightforward direction that “Any campaign work done by staff members must be done outside the congressional office, on their own time, and without using any congressional office resources...” (*Source: Memorandum For all Members, Officers, and Employees, June 22, 2004*)

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