



Department of Justice

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District of Massachusetts

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FORMER TRIBAL CHAIRMAN CHARGED WITH CAMPAIGN FINANCE VIOLATIONS AND FRAUD

BOSTON, MA - The former chairman of the Mashpee Wampanoag Tribe was charged today in U.S. District Court with violations of campaign finance law, along with tax, wire fraud and Social Security fraud, in connection with efforts to secure federal recognition for the Tribe.

United States Attorney Michael J. Sullivan, Tyrone G. Barney, Special Agent in Charge of the Internal Revenue Service, Criminal Investigation – Boston Field Office, Warren T. Bamford, Special Agent in Charge of the Federal Bureau of Investigation - Boston Field Division and Jeff Paula, Special Agent in Charge of the Office of Inspector General, Social Security Administration, Office of Investigations – Boston Field Division, announced today that **GLENN A. MARSHALL**, age 59, of Mashpee, Massachusetts, was charged in a five count Information in which he is alleged to have made illegal campaign contributions to members of Congress on behalf of the Tribe, embezzled funds from the Tribe, filed false tax returns for himself and the Tribe and fraudulently received Social Security Disability Benefits.

The Information alleges that **MARSHALL** committed these offenses in connection with his service from 2001 to 2007 as Chairman of the Mashpee Wampanoag Tribal Council, the Tribe's governing body. During his tenure, **MARSHALL** spearheaded the Tribe's effort to become officially recognized by the federal government, which would qualify the Tribe for an array of federal program benefits, and render it eligible under the Indian Gaming Regulatory Act to build a casino on its lands. According to the Information, beginning in 1999, the Tribe's push for recognition was underwritten by a Michigan-based investment company called AtMashpee LLC, which provided the Tribe millions of dollars for its operations and for legal, lobbying, and other professional services, in exchange for an equity stake in any casino the Tribe might ultimately build. Among other services, the Tribe's attorneys filed a lawsuit against the Department of the Interior ("DOI") to force DOI to act on the Tribe's recognition petition, which the Tribe claimed had been unduly delayed. The Tribe also hired lobbyists to make the Tribe's case before members of Congress and their staffs in the hope that they would encourage the DOI to act favorably on the petition.

According to the Information, in or about late-2001, **MARSHALL** hired a political consultant to coordinate the Tribe's lobbying and public relations activities, and that the consultant answered to **MARSHALL** and worked directly with the Washington, D.C.-based lobbyists paid for by AtMashpee.

It is alleged that, in or about mid-2002, **MARSHALL** concluded that the lobbyists had failed to build sufficient political pressure in Congress for the Tribe's petition. Allegedly, in or about September 2002, after consulting with another officer of the Tribal Council, **MARSHALL** decided to replace the lobbyists and directed the political consultant to find a Washington, D.C. lobbyist who would be more effective in presenting the Tribe's case for recognition to relevant federal officials, including Members of Congress and officials in the DOI. According to the Information, consistent with **MARSHALL's** directive, the political consultant contacted an associate of lobbyist Jack A. Abramoff to determine whether Abramoff would be interested in providing lobbying services on behalf of the Tribe.

According to the Information, in early-2003, Abramoff and his team of lobbyists began to work for the Tribe and focused their efforts on contacting members of Congress and senior officials in the DOI concerning the status of the Tribe's recognition petition. The Information alleges that, in or about January 2003, **MARSHALL**, along with the political consultant and another officer of the Tribal Council, met with Abramoff and his associates concerning the Tribe's lobbying strategy. It is alleged in the Information that Abramoff advised them that in order to advance its recognition effort, the Tribe needed to make significant political contributions to certain Members of Congress so that they might build political pressure on the DOI to act favorably on the Tribe's petition.

It is alleged that the political consultant, and certain other professionals hired by the Tribal Council, told **MARSHALL** that they preferred to be paid directly by the Tribal Council, rather than by AtMashpee. Allegedly, **MARSHALL** then arranged to have AtMashpee fund the Tribal Council for the payment of such services, and that such funds would be deposited into an account in the name of the Mashpee Fisherman's Association, a defunct corporation which **MARSHALL** and another officer of the Tribal Council were authorized signatories.

It is alleged that, from 2003 to 2007, AtMashpee paid approximately \$4 million into the Fisherman's Account, a sum that **MARSHALL** willfully omitted from the Tribal Council's federal tax returns. The Information alleges that **MARSHALL** used most of the money to pay for legal, lobbying and public relations expenses in connection with the Tribe's recognition effort. According to the Information, the Tribe's lobbyists included Abramoff until in or about 2004, and thereafter, Abramoff's former associates, who lobbied members of Congress and DOI officials concerning the Tribe's petition. The Information also alleges that lobbyists and a public relations firm in Boston were also hired to make the case before state legislators and other state officials that once the Tribe became federally recognized, the state should enter into a compact with the Tribe that would permit it to operate a casino.

According to the Information, in consultation with Abramoff and his team as well as the Boston-based lobbyists, the political consultant recommended on numerous occasions to **MARSHALL** which state and federal legislators should receive campaign contributions. Allegedly, in order to finance these contributions, **MARSHALL** turned to the Tribal Council funds in the Fisherman's Association account. It is alleged that, beginning in or about 2003 and continuing through 2006, **MARSHALL** used funds in the Fisherman's Association account to make campaign contributions to various elected officials in order to curry favor for the Tribe's

recognition petition and its effort to build a casino on tribal land.

The Information alleges that **MARSHALL** was aware that federal law prohibited corporations, including the Tribal Council, from making contributions to federal campaigns. Allegedly, in order to disguise the fact that the Tribal Council was making contributions to federal campaigns, **MARSHALL** solicited various individuals to act as straw contributors, including members of his family and officers of the Tribal Council. According to the Information, in each instance, **MARSHALL** asked the straw contributor to write a check to a candidate's reelection committee, insisting that the contribution was necessary to further the Tribe's recognition effort and promising the straw contributor that the Tribal Council would reimburse him or her for the contribution. Allegedly, **MARSHALL** himself also made such straw contributions.

It is further alleged that, from in or about 2003 to 2007, **MARSHALL** caused the Tribal Council, through payments from the Fisherman's Association account, to reimburse straw contributors a total of \$49,950.00 in federal campaign contributions, and another \$10,550.00 in straw contributions to elected state officials. According to the Information, **MARSHALL** paid all of the reimbursements by check or cash drawn from the Tribal Council funds in the Fisherman's Association account.

It is further alleged that, during the same period, **MARSHALL** used funds in the Fisherman's Association account for personal expenses, knowing that the funds belonged to the Tribal Council. Specifically, **MARSHALL** allegedly spent approximately \$380,000 from the Fisherman's Association account on such personal expenses as groceries, vacation trips, tuition payments for his daughter, restaurant tabs, home repairs, home mortgage payments and jewelry. According to the Information, **MARSHALL** willfully failed to report these expenses as personal income on his tax returns.

If convicted on these charges, **MARSHALL** faces up to 5 years imprisonment, to be followed by 3 years of supervised release and a fine of \$250,000, on each count, except on the charge of wire fraud, which carries a 20 year maximum sentence and a \$1,000,000 fine.

The case was investigated by the Internal Revenue Service - Criminal Investigation, the Federal Bureau of Investigation and the Office of Inspector General of the Social Security Administration. It is being prosecuted by Assistant U.S. Attorney Jonathan Mitchell of Sullivan's Economic Crimes Unit.

The details contained in the Information are allegations. The defendant is presumed to be innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

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