Congress of the United States
House of Representatives
Washington, DC 20515

January 21, 2005

The Honorable Jo Anne B. Barnhart
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-0001

Dear Ms. Barnhart:

It is critical that the public retain confidence in the Social Security Administration (SSA) as a source of unbiased and accurate information about the Social Security program. Congress made SSA an independent agency with an Administrator whose tenure differs from Presidential terms in part to help protect both the programs you administer and the information that you provide to the public from any appearance of undue political influence. We know that you share these concerns and we appreciate your commitment to Social Security and to the sound administration of the programs you oversee.

We are writing about recent developments that raise concerns about a possible threat to the independence and impartiality that is so important to maintaining public confidence in Social Security and in the information provided by SSA. These developments also suggest the possibility of inappropriate White House interference with the activities of your agency.

We recently obtained a copy of the Social Security Administration's "National Strategic Communications Plan for FY 2005," as well as its "Communications/Marketing Tactical Plan" for the Kansas City region. These documents were the subject of major articles in the *New York Times* and the *Los Angeles Times* on Sunday.

The documents raise serious concerns about whether federal employees are being inappropriately enlisted to promote the Bush Administration's political agenda. For example, the "Communications/Marketing Tactical Plan" states that agency employees should disseminate the following message to "all audiences": "Social Security's long-term financing problems are serious and need to be addressed soon" or else Social Security may not "be there for future generations."[1]

The documents also raise concerns about the use of government-funded propaganda. According to the "Communications/Marketing Tactical Plan," the Social Security Administration

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[1] Social Security Administration, *Communications/Marketing Tactical Plan Kansas City Region* (Feb. 14, 2004); *see also* Social Security Administration, *Office of Communications' Fiscal Year 2005 National Strategic Communications Plan* (Oct. 2004).

intends to "place articles on solvency in external publications." The same plan indicates that the Social Security Administration intends to use the "mediums" of "[r]adio, TV, newspapers," as well as "[e]mployer and special interest publications," to spread the message that "the sooner changes are made, the more time people will have to adjust." The plan also directs the agency to "[l]ook for non-traditional locations to educate people about the Social Security system, such as outreach events at farmer's markets, big box retail stores, etc."[2]

Under federal law, it is illegal to spend appropriated funds on publicity or propaganda.[3] This ban has been interpreted to include covert propaganda that does not reveal its source as well as propaganda with a purely partisan purpose.[4] We have concerns about whether the efforts described in these documents comply with this prohibition. For this reason, we request copies of all written communications and documents that relate to the "National Strategic Communications Plan" and the "Communications/Marketing Tactical Plan" for any region.

Our request includes, but is not limited to:

- All articles placed or attempted to place in external publications;
- All materials created for radio, TV, or newspapers;
- All materials created for employer and special interest publications;
- All materials prepared for any outreach to "non-traditional" locations, such as farmer's markets and big box retailers;
- Additional internal documents describing the goals of, and the methods used in preparing, the "National Strategic Communications Plan" and the "Communications/Marketing Tactical Plan;"
- Copies of any contracts with advertising and public relations firms associated with the implementation of the plan, including any subcontracts and modifications to those contracts; and
- Budget and staffing information for this effort.

In addition, we request that you provide all contracts executed by the Social Security Agency during the Bush Administration with public relations firms, advertising agencies, media organizations, individual members of the media, and polling firms, including all subcontracts and any modifications of such contracts.

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[2] *Id.*

[3] Consolidated Appropriations Act of 2004, Pub. L. No. 108-199, Div. F, Tit. VI, Sec. 624, 118 Stat. 3, 356 (2004).

[4] *E.g.,* U.S. Government Accountability Office, *Department of Health and Human Services, Centers for Medicare & Medicaid Services — Video News Releases*, 10 (May 19, 2004) (GAO/B-302710).

The enclosed documents suggest activities that would be more appropriate for White House staff than for SSA staff. We would also like to know whether any White House staff members were involved in initiating or developing the plans or whether the project was conceived and developed independently and entirely within SSA.

We have enclosed copies of the "National Strategic Communications Plan" and the "Communications/Marketing Tactical Plan" for your review. We request that you provide the information we have requested by February 2, 2005.

Thank you in advance for your assistance with this matter. We look forward to continuing to work with you in your efforts to ensure that Social Security programs are effectively managed and retain public confidence.

Sincerely,

Nancy Pelosi
Democratic Leader

Steny H. Hoyer
Democratic Whip

Henry A. Waxman
Ranking Minority Member
Committee on Government Reform

David R. Obey
Ranking Minority Member
Committee on Appropriations

Charles B. Rangel
Ranking Minority Member
Committee on Ways and Means

George Miller
Ranking Minority Member
Committee on Education and the Workforce

Sander M. Levin
Member of Congress

Rosa L. DeLauro
Member of Congress

Enclosures (2)