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September 22, 2009

The Honorable George Miller  
Chairman  
Committee on Education and Labor  
2181 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Miller:

I am writing to express my concern regarding the disconcerting allegations that the National Endowment for the Arts (NEA), the Corporation for National and Community Service, and the White House Office of Public Outreach are using federal funds and federal property to promote the Administration's political and legislative agenda, possibly in violation of federal law. Accordingly, I request that you hold an investigative hearing on this matter as soon as possible.

Recent media outlets have reported that an email communication was sent to select artists across the nation from Mr. Yosi Sergant, Director of Communications for the National Endowment for the Arts. The email, according to a copy posted by Patrick Courrielche, invited these artists to participate in a conference call that included an appeal for the participants "to come together...to help lay a new foundation for growth, focusing on core areas of the recovery agenda – health care, energy and environment, safety and security, education, community renewal." Mr. Courrielche, one participant on the call, stated his concern about the political nature of the call as creating an undercurrent and politicization of the NEA. Further, the taped recordings of the call reveal that the participants were concerned about the legal implications of their actions because they noted that everyone should be cautious about what was discussed and what actions were taken as a result of the call.

The inference of federal funds being used to push a particular political agenda is a deeply concerning and inappropriate use of federal funds. The stated role of the NEA is to increase access to the arts and arts education, not to promote any legislative agenda. This is also an inappropriate use of the NEA's authority as grant maker, and could be interpreted by some grant recipients as coercion to promote a political agenda. Further, NEA's recent actions could be a violation of the Interior Appropriations Act, the federal law that provides the funding for the NEA,

which contains language prohibiting the use of any funds for any activity or the publication or distribution of literature that promotes public support or opposition to any legislative proposal on which Congressional action is not complete, other than to communicate to Members of Congress.

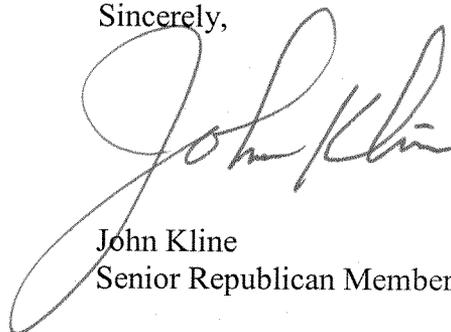
I respectfully request that an oversight hearing on this matter include the following:

1. an explanation of the call that was held on Monday, August 10, 2009 and any other calls involved in the effort to push the President's legislative and political agenda;
2. an explanation of the link between this call and several participants or their organizations coming out in support of the President's health care reform efforts within a short period of time after the call;
3. the coordination between the White House, the Corporation for National and Community Services, and the National Endowment for the Arts that are related to this outreach effort;
4. all preparations for the call and subsequent actions by and between the White House, the Corporation for National and Community Services, the National Endowment for the Arts, and any other entity; and
5. all follow up actions, including the reassignment of Mr. Yosi Sergeant, that followed this outreach effort.

I believe it is critical that all federal funds provided by Congress are used for their intended purpose and in strict accordance with the law. These purported actions appear to cross the line and I am hopeful that a detailed investigation will help ensure the NEA is free from undue influence.

Thank you for your attention to this important request. If you have any questions, please contact Amy Jones of the Committee staff at (202) 225-6558. I look forward to your expeditious response to this effort to protect taxpayer dollars.

Sincerely,

A handwritten signature in black ink, appearing to read "John Kline". The signature is written in a cursive style with a large, looping initial "J".

John Kline  
Senior Republican Member