

THE NATION

# Nonpartisan Testimony Gets White House Edit

**A group supporting the Social Security overhaul includes administration comments when e-mailing statements to a Democratic panel.**

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WASHINGTON — When the Senate Democratic Policy Committee asked the head of a business organization advocating an overhaul of Social Security to testify at a hearing last week, the members expected him to take the White House line.

They didn't know he would also take the White House editing.

In e-mailing his testimony to the Democratic panel, the organization's chief, Derrick A. Max, inadvertently included editing comments made by an associate commissioner of Social Security on loan to the White House.

Democrats, crying foul, have asked for an investigation. Max has responded that the Social Security official, Andrew G. Biggs, is one of his closest friends and that the changes he made were largely grammatical and technical.

"The real scandal here is that after 15 years of using Microsoft Word, I don't know how to turn off 'track changes,' " Max said.

Max is executive director of two business-oriented groups working to build support for Bush's proposed overhaul of Social Security. One, the Alliance for Worker Retirement Security, is housed at the National Assn. of Manufacturers. The other, the Coalition for the Modernization and Protection of America's Social Security, is affiliated with the Business Roundtable. Both groups describe themselves as nonpartisan.

A White House spokesman said the administration welcomed Max's quest for accuracy and saw no problem with an official providing a review of the testimony.

But Democrats and their allies in organized labor said they were outraged to see White House fingerprints on congressional testimony presented by an ostensibly independent group.

Sen. Byron L. Dorgan of North Dakota, chairman of the Democratic Policy Committee, wrote the Social Security commissioner on Wednesday, asking for an investigation. He said the activities violated statutes requiring the Social Security Administration to be "nonpolitical and nonpartisan."

William Patterson, an AFL-CIO official who has opposed the president's plan and the businesses that back it, said that the editing "confirms the corruption" of the campaign to create private investment accounts into which workers could contribute a portion of their Social Security tax.

The editing changes were revealed because Max used his word-processing program's "track changes" function, which shows additions, deletions and comments made to a document and identifies the author of the change.

These markings were inadvertently left in the electronic version of the testimony sent to Capitol Hill and were plainly visible to the Democratic staff and to the reporters to whom they later distributed it.

Max said he asked several friends, including Biggs, to review his statement to the Democratic panel because he wanted to ensure that his testimony was accurate. He said that although the computer glitch was embarrassing, he found nothing wrong with showing drafts of his proposed remarks to close friends for their review. He said that he and Biggs became friends while working at a libertarian think tank, the Cato Institute, and that he had been at Biggs' wedding.

Max said he had consulted lawyers who had told him there was no problem because the testimony went to a party panel, not an official congressional committee, and because the advice came from a close friend. The lawyers also told him that the White House can freely comment on a document "so long as it is not part of an administrative proceeding," he said.

Dorgan took the matter more seriously, although he acknowledged that he was not shocked by the evidence of White House involvement.

"We have long suspected what's happening here," Dorgan said. "These groups advertise across the country, presenting themselves as independent and representative of many voices. This shows that there is one ventriloquist for these groups, and he has an office at the White House."

Dorgan said he had asked Social Security Commissioner Jo Anne B. Barnhart to investigate the matter and to report whether any statutes were breached.

Social Security spokesman Mark Lassiter confirmed that Barnhart had received Dorgan's letter requesting an investigation and said she would respond soon.

At the White House, spokesman Trent Duffy applauded the effort "to get the facts right" and said he saw no problem with Biggs' actions.

"This president has presided over one of the most ethical administrations in history and has made clear he does not believe that career employees should be doing political work," he said. "These edits had to do with the problem facing Social Security and ways to address it and that is exactly what we want government employees to do."

"What is really going on [in the edits distributed by Democrats] is another distraction from putting out a real plan to save Social Security," he said.

Most of Biggs' editing is grammatical or technical. At one point, however, he suggests that Max "not use the charts the White House put together" as part of his presentation.