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## United States Senate

SELECT COMMITTEE ON ETHICS  
HART SENATE OFFICE BUILDING, ROOM 220  
SECOND AND CONSTITUTION AVENUE, NE  
WASHINGTON, DC 20510-6425

May 26, 2006

Mr. Thomas Fitton, President  
Judicial Watch  
501 School St., SW, Suite 725  
Washington, DC 20024

Dear Mr. Fitton:

This concerns your May 6, 2005, submission to the Select Committee on Ethics proposing that Senator Hillary Clinton "be investigated and disciplined for violating federal campaign finance reporting laws in connection with an August 12, 2000 fundraiser for her U.S. Senate campaign and for engaging in conduct that reflects unfavorably on the Senate as a whole." With a letter to the Committee dated April 12, 2006, you forwarded to the Committee thousands of signed form "Citizen Petitions" calling for "an Ethics Committee investigation into, among other issues, the personal role that Senator Hilary Clinton played in her 2000 campaign's 'Hollywood Tribute' fund-raising scandal." As you note in your April 12 letter, this is the same matter about which you submitted a complaint to the Committee on May 6, 2005.

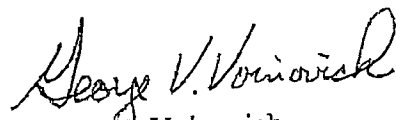
As you note in your May 6, 2005, letter to the Committee, "Mr. David F. Rosen, the Director of Finance for Sen. Clinton's 2000 election campaign, [was] under indictment for causing false reports to be submitted to the Federal Election Commission ("FEC") in connection with the August 12, 2000, fundraiser." Senator Clinton was not charged in that case and, in his opening statement at Mr. Rosen's trial, the Department of Justice prosecutor told the jury that it would "hear no evidence that Hillary Clinton was involved in way, shape or form" in the matter at issue. Mr. Rosen was acquitted.

The allegations both of fact and of violations of federal election campaign law forming the basis of your complaint to the Committee were also, in material part, the basis of a complaint by your former client, Mr. Peter F. Paul, to the FEC concerning Senator Clinton, among others. The FEC is the federal governmental entity charged with primary jurisdiction over interpreting, applying and enforcing federal election campaign laws, rules and regulations, including the reporting laws, rules and regulations at issue in your complaint. In December 2005 the FEC resolved and concluded its investigation of the matter complained of by Mr. Paul via a conciliation agreement with "New York Senate 2000 and Andrew Grossman, in his official capacity as treasurer"; pursuant to this conciliation agreement, these two respondents agreed to pay a civil penalty to the FEC of \$35,000 and to amend relevant reports. In its December 29, 2005, letter to Mr. Paul informing him of the resolution and conclusion of the matter about which he had complained, the FEC stated with regard to Senator Clinton and the other respondents not a party to the conciliation agreement, "the Commission found *no reason to believe* they violated the [Federal Election Campaign] Act or Commission regulations in connection with this mater." (Emphasis added.)

Senate Resolution 338, Section 2(a)(1), which sets forth the jurisdiction of the Select Committee on Ethics, vests in the Committee the authority to "receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto . . ."

The Committee has carefully reviewed your complaint, and the information and materials submitted therewith, as well as other relevant information and material in this matter. Based on this review the Committee has determined that this matter lacks substantial merit. Therefore, this matter and your complaint are dismissed and this matter is hereby closed.

Sincerely,

  
George V. Voinovich  
Chairman

  
Tim Johnson  
Vice Chairman