



The Judicial Watch Verdict

JULY 2005

JUDICIAL WATCH TO SENATE: DISCIPLINE HILLARY RODHAM CLINTON!

As part of its aggressive campaign to hold Hillary Clinton accountable for her transgressions, Judicial Watch has filed an ethics complaint against the New York Senator with the Senate Select Committee on Ethics. Judicial Watch's complaint relates to Senator Clinton's personal role in the campaign finance scandal that led to the indictment of her National Finance Director, David Rosen. The Justice Department, in an effort to keep Bill and Hillary Clinton out of the trial, presented a watered-down case against Rosen and he was acquitted on May 27. (See related story, page 5.) However, Judicial Watch has compiled strong evidence Senator Clinton conspired with Rosen to hide the true cost of a fundraising event and violated campaign finance laws.

"Senator Clinton's colleagues in the Senate have failed to initiate an investigation, despite strong evidence that Senator Clinton was complicit in a scheme to flout campaign finance laws and to defraud the

Federal Election Commission and the U.S. Senate," said JW President Tom Fitton during a May 9 press conference announcing the complaint. "Hillary Clinton is responsible for the filing of fraudulent campaign finance reports and she must be held accountable."

Judicial Watch's ethics complaint relates to a \$1.9 million contribution made to Senator Clinton's 2000 Senate campaign by former Judicial Watch client Peter Paul in the form of a "Hollywood Tribute to William Jefferson Clinton." Contrary to promises made by Mrs. Clinton's campaign, Mr. Paul's contribution was never properly reported to the Federal Elections Commission, or in filings lodged with the Secretary of the Senate.

While Rosen was the only individual who faced criminal charges, Judicial Watch argued in its complaint, "at all relevant times, Senator Clinton...knew and

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— Tom Fitton, President of Judicial Watch

Photo: Tom Fitton at a May 9 press conference.



understood that Mr. Paul was spending well over \$1 million, not including substantial amounts of Mr. Paul's own time and resources, on the Hollywood Tribute."

What evidence has Judicial Watch compiled to support this claim?


- According to sworn documents, during pre-event negotiations, Senator Clinton intervened personally to convince a Hollywood producer responsible for the concert portion of the gala to reduce his price from \$850,000 down to \$800,000. This is double the figure the campaign reported to the FEC and the U.S. Senate.
- On August 17, 2004, *The Washington Post* reported that Senator Clinton's campaign spokesman, Howard Wolfson, admitted that the cost of the event was over \$1 million and that, "It was an in-kind contribution...and not a check."
- On August 18, 2000, both the President and Senator Clinton wrote personal "thank you" notes to Mr. Paul. President Clinton's handwritten note thanked Mr. Paul for the "wonderful event," and stated, "I am very grateful for the boost it gave Hillary's campaign."
- Aaron Tonken, who helped produce the event, has stated that shortly before the November 2000 election, "I told [Hillary Clinton] about virtually every penny I'd ever spent on her behalf. I let her know

what I was doing and had done for each event of hers."

- Moreover, Hillary Clinton and her campaign were served with a legal complaint in early July 2001, in which Mr. Paul challenged Senator Clinton's failure to report his expenditures for the August 2000 event. Approximately two weeks later, the Clinton campaign responded to a request from the FEC for more information about the event, but failed to address the glaring omission of Mr. Paul's contributions.

According to Senate rules, a member may be investigated for misconduct if that misconduct reflects unfavorably on the Senate. Given that the Secretary of the Senate serves as custodian of Senate candidates' campaign finance reports, the submission of false campaign finance reports represents a fraud upon the Senate. Therefore, Judicial Watch argues Senator Clinton's actions are well beyond the minimum threshold for investigation.

"Hillary Clinton continues to perpetrate a fraud against the Senate. The U.S. Senate needs to keep its house in order and hold Hillary Clinton accountable," said Fitton.

JW's May 9th press conference earned widespread media coverage from FOX, NBC, CBS, ABC, the *Associated Press* and hundreds of talk radio stations. (See Media Section, page 14.) 

Of Note

JW is asking all of its members and supporters to sign a petition to force the Senate Select Committee on Ethics to investigate and discipline Hillary Clinton. If you have received the petition but have yet to return it, please do so today!

"Judicial Watch respectfully submits that Senator Clinton should 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. At all relevant times, Senator Clinton and her campaign knew and understood that Mr. Paul was spending well over \$1 million, not including substantial amounts of Mr. Paul's own time and resources on the Hollywood Tribute."



Senator Hillary Clinton



WITNESSES IN ROSEN TRIAL IMPLICATE CLINTONS

Government's Case Against Rosen Relies on JW Evidence

Judicial Watch President Tom Fitton and Director of Litigation Paul Orfanedes were on the ground in Los Angeles to monitor the trial of David Rosen, Hillary Clinton's National Finance Director. The Justice Department, in an effort to keep Hillary and Bill Clinton out of the trial, failed to present the full breadth of evidence against Rosen, and he was acquitted on May 27.

Witnesses for the prosecution, however, did implicate Rosen and the Clintons in a scheme to defraud the Federal Election Commission (FEC) and the U.S. Senate. Judicial Watch has filed an ethics complaint with the Senate Select Committee on Ethics to hold Hillary Clinton accountable for her personal role in the scandal. (See cover story.)



David Rosen

"The evidence clearly shows David Rosen defrauded the Federal Election Commission and the U.S. Senate. Obviously, the Justice Department made a political calculation and decided not to pursue the case against Rosen aggressively," said JW Director of Litigation Paul Orfanedes. "Judicial Watch will continue its pursuit of justice in this matter."

Overall, much of the case presented by the government was based upon the work of Judicial Watch over the last four years.

According to evidence as outlined in Judicial Watch's civil lawsuit filed on behalf of former Judicial Watch client Peter Paul in July 2001, Rosen not only conspired to keep the true costs of the fundraiser hidden, but he also caused false campaign finance reports to be filed with the FEC and the U.S. Senate.

Multiple witnesses for the prosecution corroborated claims made in Judicial Watch's lawsuit. For example, former Chicago strip-club owner Jim Levin, who served as a personal emissary for former President Clinton on the gala, said Rosen knew the true cost of the event and agreed not to tell federal regulators. Levin also testified during a meeting with Rosen on another fundraiser, when told the

true costs of the event, Rosen said, "We didn't hear that; you didn't tell me that." Bretta Nock, who coordinated the reception and dinner portions of the gala, testified that Rosen asked her to remove various items off of the "final budget" she prepared for the event, even though the expenses had actually been incurred and were paid. Pat Waters, who produced invitations for the event, said she saw Rosen "quite a bit" while working on the

project. Waters testified she heard Peter Paul complain loudly about the cost of the event in the presence of Rosen. Rosen's assistant on the gala, Melissa Rose, confirmed that she, indeed, faxed a fictitious \$200,000 invoice on behalf of Rosen to the campaigns Federal Elections Commission compliance officer.

However, as JW has noted in its multiple media appearances resulting from the trial, the buck does not stop with David Rosen.

Though Hillary Clinton was not on trial, witnesses for the prosecution team further implicated the Clintons in the scheme to defraud the U.S. Senate and the Federal Election Commission (FEC) by underreporting the cost of a gala fundraising event for Senator Clinton in August 2000.

Among the highlights from the trail that the liberal media doesn't want you to know:

- Levin, who described himself as a "dear friend" of Bill Clinton, testified that he directly reported to the former president on issues pertaining to the fundraiser.
- While Levin also testified that he did not discuss the cost of the gala with Bill Clinton "before the event," no lawyers asked the obvious follow-up question as to whether the costs were discussed *after* the event.

- On May 17, Chris Fickes, Rosen's assistant on the gala, testified that top level members of Hillary Clinton's campaign staff, including Capricia Marshall, who once served as Hillary Clinton's social secretary at the White House, were well aware of the logistics of the event.

- On May 18, Ray Reggie, the Democrat fundraiser who has Rosen on tape admitting he under-reported the gala costs, testified that Hillary Clinton personally chose the vendor to produce the concert portion of the event. When asked about his relationship with Bill Clinton, Reggie replied, "I did and do" have a relationship with President Clinton. (The government, to the shock of the Clinton-appointed judge in the case, said they would not introduce Reggie's tapes as evidence.)



Hillary and Bill Clinton. AP photo

"Numerous individuals have testified that White House officials and officials from Mrs. Clinton's campaign, as well as Hillary and Bill themselves, were complicit in the campaign finance scandal," continued Orfanedes. "Judicial Watch has filed an official complaint against Hillary Clinton with the U.S. Senate Select Committee on Ethics. We will continue to pressure the Senate to investigate Senator Clinton's personal role in this scandal and to discipline her for any wrongdoing." ⚖️

Of Note

Judicial Watch took more action against Hillary Clinton on May 9, filing an official complaint with the U.S. Senate Select Committee on Ethics against her. (See Cover Story.) Judicial Watch is asking the Senate ethics committee to investigate Senator Clinton and discipline her for any wrongdoing.

JUDICIAL WATCH GOES TO COURT TO STOP JUDICIAL FILIBUSTERS

SENATE FILIBUSTER COMPROMISE VIOLATES THE U.S. CONSTITUTION

Following a recent Senate compromise, which legitimizes judicial filibusters, Judicial Watch's lawsuit against the United States Senate may be the last hope to restore constitutional majority rule to the judicial confirmation process.

On May 3, 2005, Judicial Watch filed an opening brief in its appeal of a landmark lawsuit against the Senate in an attempt to have the court rule the misapplication of the filibuster rule to judicial nominees unconstitutional, (*Judicial Watch, Inc. v. The United States Senate, et. al. (Civil Action 03-1066, U.S. District Court for the District of Columbia).*) Senate Democrats, for the first time in U.S. history, have filibustered President Bush's judicial nominees, thereby preventing an up-or-down vote as required by the Constitution.

The U.S. Senate, in response to Judicial Watch's brief, asked the court for an extension of time in which to file its brief, pending the conclusion of the debate on one of President Bush's nominees – Judge Priscilla Owen. Senate lawyers argued the constitutionality of the filibuster rule as applied to judicial nominees, which is

at the heart of Judicial Watch's lawsuit, would be addressed by the Senate as it considered the Owen nomination.

"The outcome of the current debate in the Senate is...likely to affect substantially the adjudication of [Judicial Watch's] claims in this Court," Senate lawyers argued.

On May 24, the U.S. Senate agreed to a compromise that would allow some of President Bush's nominees, including Priscilla Owen, to receive an up-or-down vote. However, despite public promises by Senator Frist to invoke a parliamentary procedure to stop the filibusters, the compromise left open the possibility of Democrats using the filibuster rule to block nominees.

"Judicial filibusters, which flagrantly violate the Constitution, are almost guaranteed to continue under this flawed agreement," said JW President Tom Fitton. "You can bet if President Bush nominates a conservative jurist to the Supreme Court, Senate liberals

[continued on next page.](#)

"The initiation of even one single filibuster to one single nominee sets a precedent that could further complicate the confirmation process at the expense of those Americans who await justice."

– Tom Fitton, President of Judicial Watch

Photo: Senator Bill Frist



will once again misuse the filibuster rule to prevent up-or-down votes on the nominee."

While the goal of Judicial Watch's lawsuit is to declare the judicial filibusters unconstitutional, the same goal professed by Senator Frist, the Senator and fellow Republicans have joined with Democrats to ask the court to protect the use of judicial filibusters. The Senate's defense in Judicial Watch's lawsuit was reportedly agreed upon by both Republican and Democrat leaders, including Senator Frist.

Judicial Watch has argued from the outset that judicial filibusters are harmful to the judicial system while violating the intent of the Founding Fathers. Democrats have, effectively, rewritten the "Appointment Clause" of the Constitution, requiring a supermajority of sixty senators to confirm a judicial appointee, instead of the constitutionally-mandated simple majority of fifty-one senators. (Senate Rule XXII, the filibuster rule, requires 60 votes to end a filibuster.)

How do we know the Framers of the Constitution would oppose this tactic?

First, the Founding Father's were true believers in the concept of majority governance. To allow a small minority in the Senate to bind up the judicial

confirmation process is repugnant to this fundamental constitutional principle.

Secondly, the Founding Fathers were very specific as to when supermajorities are permissible. There are six such exceptions. Judicial confirmations are not among them.

Third, the power to appoint judges to the federal courts is enumerated in Article II of the Constitution, which describes the powers of the president, and not in Article I, which defines the powers of Congress.

Finally, there is senatorial precedent. This is the first time in history that the filibuster rule is being abused in this manner.

Senators from both parties have abided by constitutional mandate to "advise and consent" through a simple majority up-or-down vote on judicial nominees for more than 200 years.

"The initiation of even one single filibuster to one single nominee sets a precedent that could further complicate the confirmation process at the expense of those Americans who await justice," continued Fitton. "One way or another, the filibusters must end." ⚖️



Senate Minority Leader Harry Reid (D-NV)

Of Note

"Every man, and every body of men on earth, possesses the right of self-government: they receive it with their being from the hand of nature. Individuals exercise it by their single will: collections of men, by that of their majority; for the law of the majority is the natural law of every society of men."

— *The Papers of Thomas Jefferson* 95 (Julian P. Boyd ed., 1965).

APPEALS COURT RULES IN FAVOR OF GOVERNMENT SECRECY

Energy Task Force Does Not Have to Comply with Open Meetings Law

On May 9, 2005, the U.S. Court of Appeals for the District of Columbia ruled that the Vice President's Energy Task Force, a series of closed-door meetings between government officials and lobbyists, did not have to comply with the Federal Advisory Committee Act, an open meetings law designed to ensure transparency and accountability in government. The Energy Task Force's deliberations, along with the list of individuals who participated in the formulation of our nation's energy policy, will remain a government secret. Judicial Watch is currently considering whether or not to appeal the decision.

Judicial Watch has been able to use the Energy Task Force lawsuit to educate the public about the dangers of government secrecy over the last four years. Furthermore, Judicial Watch had previously earned significant legal victories in the trial court and in the appellate court, while turning back a Bush administration attempt to end the case at the Supreme Court.

"Given the importance of the principles involved, the string of legal victories earned, and the fact that this case went before the highest court in the land, we believe this was a battle well worth fighting," said JW Director of Litigation Paul Orfanedes. "Unfortunately, this decision does require the American people to take the word of the government as to

whether or not influence peddling is taking place during secret policy meetings – an unenviable position when considering the rampant corruption that goes on behind closed doors in Washington."

In reviewing the case for a second time, the court adopted an entirely new interpretation of the Federal Advisory Committee Act, not based on the text of the statute itself, but mandated by "separation of powers" concerns. With its ruling, the court also fabricated a completely new definition of what it means to be an official "member" of an advisory committee. According to this new definition, lobbyists can help craft policies in secret, so long as they do not "vote" on any particular policy, or hold veto power. It was only after finding that Judicial Watch could not satisfy this newly-

minted standard that the court dismissed the lawsuit.

"The American people have a right to know whether special interest groups became de facto members of the Energy Task Force. They have a right to know whether policies that may have a dramatic impact on their lives are being made with their best interests at heart," continued Orfanedes. "Judicial Watch will continue to fight for these rights despite this most recent setback." ⚖️



Paul Orfanedes, JW's Director of Litigation

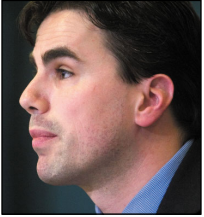
JW HOSTS PUBLIC EDUCATION PANEL:

"Defining Judicial Activism in the Context of Cultural Wars"

As part of its mission to educate the public about our judicial system, on Thursday, April 28, 2005, Judicial Watch presented a spirited panel discussion entitled "Defining 'Judicial Activism' in the Context of the Culture Wars" at the National Press Club in Washington DC. Moderated by JW President Tom Fitton, this educational panel was free of charge as a public service of Judicial Watch.

Panelists for the event included: Patrick F. Fagan, Jamin B. Raskin, Jonathan Turley, Paul Orfanedes, and Kevin A. Ring. The following are excerpts from the panel discussion:

Tom Fitton, President, Judicial Watch



A core component of Judicial Watch's mission is to monitor our nation's judiciary and educate the American people about its operations. To that end, we have gathered a panel of distinguished experts to address the topic of "Defining 'Judicial Activism' in the Context of the Culture Wars." For perhaps the first time in a generation, there is widespread public and political interest in the functions of the judiciary. The renewed public interest in our courts seems to arise

from federal and state rulings on cultural issues – abortion, the Establishment Clause or church-state relations, homosexual rights, affirmative action, and some law and order issues, such as the death penalty. Conservative opponents of court rulings in these areas decry judicial activism.

Paul Orfanedes, Director of Litigation, Judicial Watch



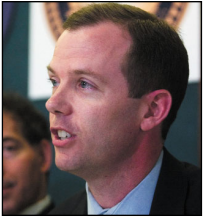
One of the things Judicial Watch does is to monitor the functions of the judiciary. This is one reason we decided to hold this panel, to see if there is some way that we can look at the term "activism" and try to come up with a real definition of what it means? Granted, it is a fairly amorphous term. However, Judicial Watch did come up with a few definitions, or perhaps "indicators" is a better word: a ruling that overturns or invalidates a piece of legislation or an action of an executive branch official; a ruling that creates a new right, or expands on an existing right; a ruling that is based on an expansive reading of a text rather than a narrow if not literal reading of a text like a piece of legislation or a statute; or finally, a ruling that provides a remedy that exceeds what



From left to right: Paul Orfanedes, Patrick Fagan, Jonathan Turley, Tom Fitton, J.B. Raskin, and Kevin Ring. Photos by Kamenko Pajic.

is necessary for a court to resolve the case at hand.

Kevin Ring, author, *Scalia Dissents*



Increasingly, the charge of activism seems to be simply to delegitimize a court decision with which one disagrees, but I think it has a better pedigree than that. It used to belong, primarily, to those of us on the right. We used to criticize decisions in which the court seemed to wade into the cultural wars on the sides of minority which is to say 'unpopular interest.' Not only did the courts seem to be riding roughshod over the will of the popular majority, at least as reflected in its popularly democratically elected laws, it did so with very little support from the text of the Constitution in many cases. It seems to me that both of these components were critical to the charge of activism: the reversal of democratic judgments and the lack of textual or historical support.

Jonathan Turley, Shapiro Professor of Public Interest Law, George Washington University Law School



I tend to view judicial roles as very narrow, and so I think the judges add too many sweets to most of their opinions. One person that meets my definition of judicial activism is Sandra Day O'Connor. I do not see any evidence that she cares a whit about the law or precedent. The reason I consider her an activist is that it is clear to me that O'Connor begins every decision first deciding where she wants to come out. The test of principle is ending up in a place you do not want to be, to be honest to precedent and honest to doctrine, even when it takes you to a place you do not want to end up. That is the test of principle and that is why judicial activism is not just a liberal issue. Liberals and conservatives engage in activism.

Patrick Fagan, FitzGerald Research Fellow on Family and Cultural Issues, the Heritage Foundation



In the year 2000, for every one hundred children born into this country, only forty reached maturity living with Mom and Dad. This means sixty do not. In the intervening years, from 1950 to the year 2000, we had a number of decades during which abortion became a major phenomenon within the sexual and family set-up. If you add that into the mix, in the year 2000 for every one hundred children conceived, only twenty-eight reach maturity living with their mother and father. What we have put in place here with the aiding, abetting and the action of the courts, is a culture not of belonging in family, but of massive rejection leading to a total disorder and mayhem in our social relationships. Now is the court the only actor there? No. I do not want to say that...but the courts are major participants in this insanity.

J.B. Raskin, Professor of Constitutional Law, American University's Washington College of Law



Since the idea of judicial activism is inherently incoherent and ambiguous, we should not want to ask whether a decision is activist or not, but whether it is correct and this forces us to articulate our theory of constitutional purposes, meanings, interpretation and construction. The real difference today is between liberal justices who want to read the Constitution as a social contract for democratic self-government that establishes the primacy of rights over powers; and conservative justices who want to read the Constitution as a contract for state-based political arrangements that establishes the primacy of governmental powers and social traditions over citizen rights. ⚖️

GOVERNMENT UNCOVERED

FBI PROTECTS OSAMA BIN LADEN'S "RIGHT TO PRIVACY" IN DOCUMENT RELEASE

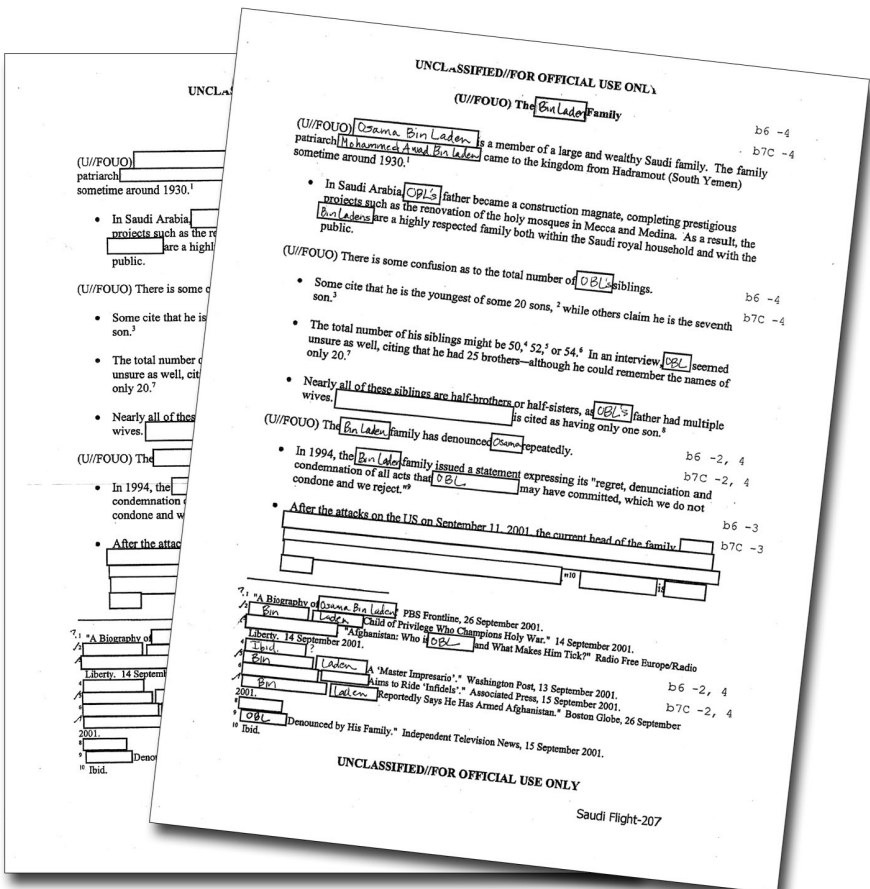
Open government is honest government. This is the principle that drives Judicial Watch's fight against government secrecy. Using open records laws such as the federal Freedom of Information Act (FOIA) and state Sunshine Laws, Judicial Watch pierces the veil of secrecy that make corruption possible, forcing the release of government documents into the public domain. The following is an analysis of recent documents obtained by Judicial Watch through the Freedom of Information Act in its investigation of the government's failure to protect the American people from terrorism.

Background:

In the hours and days immediately following the terrorist attacks of 9/11, Saudi nationals, including members of the

bin Laden family, were allowed to flee the country by airplane even as our nation's airspace was virtually shut down. Judicial Watch, through a FOIA request made in October 2003, was the first organization in the country to discover that 55 commercial flights spirited more than 160 Saudis out of the country – apparently with the permission and assistance of the federal government. Approximately one-third of these individuals left within 48 hours after the attacks, despite claims by the Federal Bureau of Investigation (FBI) that all of them were thoroughly vetted before departure.

Judicial Watch immediately launched an investigation and discovered that the FBI performed only cursory security reviews. Some of the individuals were never



interviewed prior to departure. One Saudi national was provided a private FBI escort to the airport because he "feared for his life." As part of its continuing investigation of the federal government's failures before and after the terrorist attacks, Judicial Watch recently obtained a shocking, declassified "Secret" FBI report that documents Osama bin Laden's ties to individuals who fled the U.S. in the days following 9/11.

Excerpts:

FOIA Exemption (b)(6): Clearly Unwarranted Invasion of Personal Privacy

"Exemption (b) (6)-4 has been asserted to protect the identities and/or personal and non-public information concerning three individuals in whom the FBI had an investigative interest during the course of this investigation... *These individuals have a strong privacy interest in this information and its disclosure would constitute an unwarranted invasion of their privacy interests. In balancing this interest against the public interest in disclosure, the FBI found no legitimate public interest to be served by releasing personal, non-public information concerning individuals who were of investigative interest to the FBI.*"



Osama bin Laden

Unclassified FBI Document re: Saudi Flight-207: The [REDACTED] Family

"[REDACTED] is a member of a large and wealthy Saudi family. The family patriarch [REDACTED] came to the kingdom from Hadramout (South Yemen) sometime around 1930."

Relevance:

Judicial Watch conducted an analysis of news stories that were cited in the documents and cross-reference the articles with the redactions. A shocking truth emerged: according to these "secret" documents, the FBI redacted the name of Osama bin Laden, citing FOIA Exemption 6, which permits the government to withhold information in favor of the privacy interests of individuals involved with FBI investigations. In other

words, the federal government placed the privacy rights of Osama bin Laden ahead of the public's right to know what happened in the days after the worst terrorist attack in U.S. history – an attack masterminded by bin Laden himself! Judicial Watch is continuing its investigation of this disturbing, and baffling, matter. ⚖️

Of Note

The redacted documents were obtained by Judicial Watch under the provisions of the FOIA and through ongoing litigation (*Judicial Watch v. Department of Homeland Security & Federal Bureau of Investigation, No. 04-1643 (RWR)*). Judicial Watch filed its original FOIA request on October 7, 2003.

"It is difficult for me to imagine a greater insult to the American people, especially those whose loved ones were murdered by bin Laden on that day."

– JW President Tom Fitton responding to FOIA documents.

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Judicial Watch In the Media

Highlights from Judicial Watch's public education campaign

JW'S ALL-OUT MEDIA CAMPAIGN AGAINST HILLARY CLINTON PAYS OFF!

Judicial Watch held a press conference at the National Press Club on May 9 to announce a senate ethics complaint against Hillary Clinton. The press conference was the launch of an all-out media offensive against the New York Senator for campaign finance fraud. The results were remarkable – every major news outlet covered the scandal, including FOX, ABC, CBS, NBC (including the *Today Show*), *The Associated Press* and hundreds of talk radio stations across the country. The following are just some of the media highlights:



Tom Fitton, President of Judicial Watch on MSNBC.

TELEVISION NETWORKS

JW President Tom Fitton on NBC's *Today Show*, May 10, 2005



Matt Lauer, Co-host: On "Close Up" this morning, Hillary Clinton's former chief fund-raiser under fire. He goes on trial today over questionable fund-raising practices, and it could have a

major impact on Senator Clinton's potential run for the White House. NBC's Campbell Brown has more on that, and she joins us this morning.



Campbell Brown: Good morning, Matt. The story begins in Los Angeles during Hillary Clinton's campaign for Senate, August 2000. A star-studded Hollywood fund-

raiser cost more than \$1 million to throw. The Clinton campaign fund-raiser, David Rosen, reported the cost at only about \$400,000. The Justice Department claims Rosen intentionally underreported the cost so the campaign could have extra funds to spend elsewhere. While the Justice Department says Senator Clinton was never a target of the investigation, long-time Clinton foes, like the conservative watchdog group Judicial Watch still want to see the senator in the hot seat.

Tom Fitton, President of Judicial Watch: The money was given to her. She didn't report it. We want to know why, and if she didn't report it she needs to be held accountable.

Brown: Judicial Watch is calling for a Senate Ethics Committee investigation, arguing the Justice Department gave Senator Clinton a pass because she is such a powerful political figure. So just how much of this is about her status and future plans with more political observers

now pegging her as the leading candidate for the Democrats presidential nomination in 2008?

Howard Finema, *Newsweek Magazine*:

It's a calling card. It's a wake-up call. It's a shot across the bow. Use any cliché you want, the enemies of Hillary Clinton are saying, 'Look, this is what your life and your campaign is going to be like for the next few years.'

OTHER MEDIA HIGHLIGHTS

FOX News **May 9, 2005**

"Judicial Watch has a history of monitoring the New York senator and her husband, former President Bill Clinton, and its latest allegation is that Clinton is responsible for omitting from her fund-raising report to the FEC a \$1.9 million contribution that funded an August 2000 fund-raiser for her Senate campaign called 'Hollywood Tribute to William Jefferson Clinton.'"

ABC News **May 9, 2005**

"A conservative watchdog group with a history of dogging the Clintons urged a Senate panel on Monday to investigate Sen. Hillary Rodham Clinton over a Hollywood fundraiser for which a former staff member faces charges."

"Judicial Watch President Tom Fitton argued that Clinton closely monitored the Hollywood fundraiser and knew its actual cost was much greater than the \$400,000 tab reported in campaign financial filings."

CNN **May 10, 2005**

"Judicial Watch, which has pushed officials to look into the fundraiser, filed paperwork with the Senate Ethics Committee on Monday saying [Hillary Clinton] had to have known of the alleged misreporting."

CBSNews.com **May 9, 2005**

"Also, Monday the conservative group Judicial Watch said it had filed a complaint with the Senate ethics committee against

Sen. Clinton in connection with the 2000 fund-raiser."

"The group's president, Tom Fitton, said, 'Mrs. Clinton took \$2 million and lied about it and has continued to lie about it.'"

NEWSPAPERS

Los Angeles Times **May 12, 2005**

"Judicial Watch claims that 'while DeLay has faced an ethics firestorm, Hillary Clinton's legal and ethical transgressions have been largely ignored.'"

Washington Post **May 10, 2005**

"Judicial Watch President Tom Fitton argued that Clinton closely monitored the Hollywood fundraiser and knew its actual cost was much greater than the \$400,000 tab reported in campaign financial filings."

"'They're false and she knows them to be false,' Fitton said. He equated her situation with the ethics controversy surrounding House Majority Tom DeLay, R-Texas, who has been criticized for privately funded travel."

London Telegraph **May 11, 2005**

"Judicial Watch, a right-wing pressure group with a history of hounding the Clintons, filed papers with the Senate ethics committee saying Mrs Clinton must have known of the alleged misreporting."

"Tom Fitton, the group's president, argued that she closely monitored the gala and knew it cost far more than the \$400,000 (£220,000) reported in the campaign filings. 'They're false and she knows them to be false,' he said."

New York Daily News **May 10, 2005**

"Judicial Watch accused the New York senator of knowingly allowing the allegedly false documents to be filed."

"She was negotiating with vendors and people involved in the event. ... She was personally involved," said Chris Farrell, Judicial Watch director of investigations. Judicial Watch filed a complaint with the Senate Ethics Committee, asking it to investigate whether Hillary Clinton conspired with David Rosen to allegedly hide the cost of the glittery gala."

New York Post **May 10, 2005**

"After a while, the buck stops with the candidate," charged Tom Fitton, head of the anti-Clinton legal group Judicial Watch. "She's responsible."

TALK RADIO

Bob Barr's Laws of the Universe
Radio America Network
Interview of Brandon Millett
JW Director of Public Relations
May 15, 2006

Bob Barr, Former Congressman, Host:



Now I would like to bring on board one of my heroes with one of America's great organizations that does stand for freedom and for honesty and integrity in government. I'm

speaking, of course, of Judicial Watch and Brandon Millett. Brandon is with Judicial Watch out of Washington D.C., the great watchdog of honesty and integrity in government. Brandon, welcome to the show.

Brandon Millett, Director of Public Relations, Judicial Watch:



Well, thank you Congressman. It is a pleasure to be here, especially given that you have been such a good friend to the organization over the years.

Barr: Well, thank you. Over the years, Judicial Watch has really led the way to uncover and, to the extent that it can, prosecute corruption in government, whether by Democrats or Republicans. I think it is fair to say that you have been singularly successful in bringing scandals to light and educating the public and using the legitimate tools of the judicial system to obtain justice on behalf of the American people. I do not imagine too many days go by when you folks at Judicial Watch just sit around twiddling your thumbs, wondering what to do.

Millett: Unfortunately, government corruption is a growth industry so we are very busy – especially this past week after we filed our Senate ethics complaint against Hillary Clinton.

Barr: Please, tell our listeners what is going on with Ms. Hillary?

Millett: Well, this case involves Senator Clinton's National Finance Director, David Rosen, and it relates to a 1.9 million dollar contribution that was made to Clinton's campaign in the form of a Hollywood tribute to Bill Clinton. There were all sorts of celebrities there and they had a fine time raising about a million and a half dollars for her campaign. However, they never properly reported the contribution to the Federal Election Commission and the U.S. Senate. There is a difference, though, between this case and a lot of other cases involving the Bill and Hillary Clinton. This time, the Clintons were not able to get their hands on the evidence and destroy it. There are cancelled checks, personal "thank you" notes, videotape and photographic evidence, things of that nature, that prove the case against Hillary Clinton and her campaign.

Barr: I presume that the entire U.S. Senate, including the Ethics Chairman, George Voinovich will certainly be interested in pursuing this case against Ms. Hillary Clinton, won't they?

Millett: Well, for four years they have had the evidence, Congressman Barr, and they have yet to do anything about it. We filed this ethics complaint to put pressure on the Senate so that they cannot ignore the scandal any longer. According to ethics rules, an investigation is warranted when a senator engages in misconduct that reflects unfavorably on the Senate. We think campaign finance fraud is well beyond that minimum threshold.

Barr: We are not talking about a few thousand dollars here or there, are we Brandon? This is well over a million dollars that went unreported.

Millett: Absolutely correct. These charges against Hillary Clinton are very serious. Senator Clinton is involved in a scandal at least as serious as the allegations against House Majority Leader DeLay, yet while Congressman DeLay has been in the middle of an ethics firestorm, there has been no mention of Clinton's transgressions in the press. The Justice Department has no plans to indict Hillary Clinton, and the Senate has not conducted an investigation.

Barr: Why isn't the Justice Department interested in this case, Brandon? I mean, the evidence is there. It is very serious.

Millett: Looking at the evidence, I cannot see one legitimate legal reason why the government would not want to investigate Hillary Clinton. The evidence is so strong, that it must have to do with politics. Frankly, the American people are tired of seeing people at the top get off the hook

while their underlings are prosecuted and investigated. Here is a guy, David Rosen, who is looking at 15 years. We have evidence that Hillary Clinton conspired to keep the cost of this from the Senate and from the Federal Election Commission. We have evidence that she was personally involved with the pre-event negotiations. We also filed a lawsuit against her in July 2001 where we outlined all the monies spent and demanded she correct the record. She has had four years and has failed to do so.



Without Judicial Watch...I do not think that a large portion of the evidence, with regard to the corruption of the Clinton administration, ever would have been made public.

— Congressman Bob Barr

Photo: Hillary and Bill Clinton

Barr: Thank goodness that Judicial Watch is out there. I dare say none of this would make the light of day. I cannot let this opportunity with you, Brandon Millett of Judicial Watch, go by without thanking you and Judicial Watch for the absolutely tremendous work that you all did in the years and months leading up to the impeachment trial of former President Clinton. Without Judicial Watch having been out there using the Freedom of Information Act, I do not think that a large portion of the evidence

that we were able to bring to the attention of the public, with regard to the corruption of the Clinton administration, ever would have been made public. So I, as the first member of congress to call for the impeachment of Bill Clinton, thank you very much. The work that Judicial Watch has done over the years has been absolutely unparalleled in its benefit to the cause of honesty and fighting corruption in government.

Millett: Well, I really appreciate the compliment and all of your help and your support as well. This week we received a nice little compliment from a member of the liberal media. I am sure you know Margaret Carlson of *Time* magazine. She wrote in one of her articles that "thanks in no small part to Judicial Watch that Hillary Clinton is the most thoroughly investigated person in the history of the Republic." So we thank her for that endorsement, but also thank you for all of your help.

Barr: Judicial Watch is certainly very active and we certainly wish you the best in this latest endeavor. Do you think that you'll be able to wake the Senate up a little bit through the ethics complaint that you filed against Ms. Hillary?

Millett: We are hoping it will have that effect. Given all the attention we have received in the media with our Senate ethics complaint, we are hoping to put pressure on the Senate to do what it should do: investigate and discipline Hillary Clinton. ⚖️

OTHER TALK RADIO HIGHLIGHTS

May 15: JW Public Relations Director Brandon Millett on the *Bob Barr Show*, Radio America.

May 13: JW Director of Investigations Chris Farrell on *NewsTalk 106*, Dublin, Ireland.

May 11: Chris Farrell on Nationally Syndicated *Jerry Doyle Program*.

May 11: Brandon Millett on KMBZ, Kansas, *Jerry Agar Program*.

May 11: Chris Farrell on KSRO, California, *Pat Thurston Show*.

May 10: JW Director of Litigation Paul Orfanedes, *CNN Radio*.

May 10: Chris Farrell, *NRA News*.

May 10: Chris Farrell on *KAHL*.

May 9: JW President Tom Fitton, Nationally Syndicated *Rusty Humphries Show*.

May 9: Chris Farrell on Nationally Syndicated *Michael Reagan Show*.

May 9: Chris Farrell on Nationally Syndicated *Linda Chavez Show*.

May 9: Tom Fitton on KOGO, *Mark Larson Show*.

Of Note

The Associated Press, which covered Judicial Watch's Senate ethics complaint against Hillary Clinton, is syndicated by more than 450 newspapers nationwide.



Judicial Watch on the *Michael Reagan Show*, syndicated to more than 200 stations nationwide:

Michael Reagan, Host: Did you have a press conference today?

Chris Farrell, JW Director of Investigations: Yes, indeed. Judicial Watch filed an Ethics Complaint in the U.S. Senate against Hillary Clinton. It is about \$1.9 million in campaign contributions that she never properly reported to the Federal Election Commission and the Secretary of the Senate. She filed these forms back in 2000-2001. They are wrong. She lied on the forms. Her Campaign Finance Director, David Rosen, goes on trial tomorrow for it and she needs to be investigated by the Senate.

SHAKEDOWN

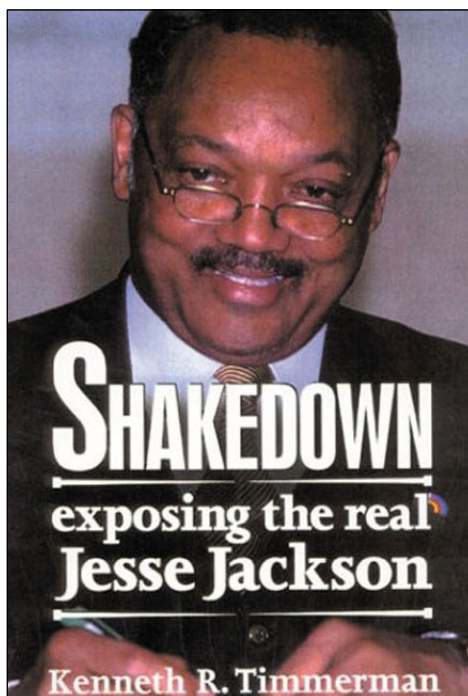
by **Kenneth R. Timmerman**

available through Judicial Watch

Jesse Jackson is a modern day highway robber, says veteran investigative reporter Kenneth R. Timmerman, who uses cries of racism to steal from individuals, corporations, and government, to give to himself. Until now, however, no one has been brave enough to say it and diligent enough to prove it. But Ken Timmerman has cracked Jackson's machine, found Jackson cronies willing to break ranks, and uncovered a sordid tale of greed, ambition, and corruption from a self-proclaimed minister who has no qualms about poisoning American race relations for personal gain.

About the Author

Kenneth R. Timmerman, a reporter with more than two decades of experience, has written for many magazines and newspapers including *Time*, *Newsweek*, *The Wall Street Journal*, *Readers Digest*, and *The American Spectator*, and has appeared on *Nightline*, *Sixty Minutes*, and many other television programs. He lives in Kensington, Maryland, with his wife and five children.



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