



Judicial Watch[®]
Because no one is above the law

SPECIAL PRESENTATION

**“THE OVERSIGHT GAP: WATCHDOGGING
THE OBAMA ADMINISTRATION”**

MODERATOR:

**TOM FITTON,
PRESIDENT, JUDICIAL WATCH**

PANELISTS:

**MARK TAPSCOTT,
EXECUTIVE EDITOR, THE WASHINGTON EXAMINER**

**VINCE COGLIANESE,
SENIOR ONLINE EDITOR, THE DAILY CALLER**

**MATTHEW BOYLE,
INVESTIGATIVE JOURNALIST, BREITBART NEWS**

**12:00 PM – 2:00 PM
THURSDAY, DECEMBER 20, 2012**

**TRANSCRIPT PROVIDED BY
DC TRANSCRIPTION – WWW.DCTMR.COM**

TOM FITTON: Good afternoon everyone. Thanks for joining us. In the Internet age, we've got to be on time for our friends on the Internet who are viewing us. So welcome those of you joining us online.

The title of this panel today at Judicial Watch is "The Oversight Gap: Watchdogging the Obama Administration."

I'm Tom Fitton, president of Judicial Watch. Judicial Watch is a conservative non-partisan educational foundation dedicated to transparency, integrity and accountability in government politics and the law.

Through our educational activities, we advocate high standards of ethics and morality in our nation's public life and seek to ensure that the political class and the American people are in sync in terms of the expectations of ethics. Judicial Watch does not endorse or oppose candidates for public office.

And we are pleased to present this panel today on the continuing failure of key D.C. institutions to conduct meaningful oversight of the operations of the federal government, especially the Obama administration. Despite an increase in controversial government actions under the Obama administration, there has been a marked decline in related independent investigative journalism and congressional oversight. Independent watchdog groups and the new media have risen to fill this oversight gap.

And to get more specific, the federal government – and you can be pleased or unhappy about this – but it's increased its activities by about \$1 trillion a year. It's increased by about a third in terms of the activity it's doing. But congressional oversight has decreased by even a greater amount. There used to be, as best I could tell, about 5,000 congressional oversight hearings a year. Now, it's about 3,000. So the government has increased by a third, but the congressional oversight over that activity has decreased by an even greater amount.

And, of course, you know, major media institutions have not – the so-called legacy media has not risen – have not risen to meet the challenge of that increased need for oversight.

And, you know, we can spend a lot of time critiquing the mainstream media bias, but the liberal bias that buys into a lot of government thinking without question and the instincts of a lot of the media class to serve as commentators rather than hardcore investigators in the government activity, in many ways the critique of the media as being more government media than ever before I think is very credible.

And, of course, Congress has its myriad of problems in conducting congressional oversight. Of course, those that want to do the work are hamstrung by ineffective laws and oversight mechanisms to get at government activity.

Darrel Issa can only do so many things. You need 1,000 Darrel Issas to run to all the fires in the horizon that Barrack Obama has set in terms of government controversial actions.

And not only, of course, the ineffective institution and mediating institutions of Congress that the Congress in terms of tools, but you have the congressional politicization, the fights in Congress over politics, the idea that when Republicans go after Democrats and Democrats go after Republicans, you can't believe whatever side – any side says because it is politics or it's just politics. In some cases, that's right. In many cases – in many cases, that's right. In some cases, that's wrong, but in many cases that's right.

And, of course, Congress is conflicted. And that goes to the politicization. You have to wonder when Congress is going after the president, is it because they're seriously concerned about oversight or they just want to score a political point? And the same goes when Congress doesn't go after the president. Does it mean nothing is there or is because the party that controls Congress, that controls the presidency, as it happened on the Bush and now under Obama for a time, and certainly partially true today – the lack of inactivity seems to validate government activity certainly at the executive branch. If there's no controversy, there's no oversight.

And Congress generally is uninterested in doing the hard work of oversight. They're busy trying to stay in office. They're busy trying to raise money to stay in office. And they're busy trying to get press with their activity. Sometimes that coincides with effective oversight. Many times it doesn't, obviously.

You know, I think a good example of the lack – why we can't rely on Congress for oversight is the recent scandal over those meetings run by the General Services Administration, where they're having these high-priced conferences in Las Vegas and other places.

And, of course, Congress holds its hearing screaming about this money and the expense after the fact, but that's not oversight. That is not oversight. Congress is as responsible for making sure that doesn't happen from the get go as the GSA administrators who were actually responsible for those expenses. Congressional oversight means making sure the money is being spent wisely to begin with, and running and yelling at these agencies years after you appropriated funds and figuring out, well, maybe those funds weren't being spent wisely, it just makes a joke of the effective stewardship of taxpayer funds that Congress is supposed to serve as.

So these are the problems that we're facing: an ideological and uninterested media, a Congress that's ineffective for a variety of reasons. But the good news is folks are stepping into the oversight gap. I like to think Judicial Watch is stepping into the oversight gap.

And we're also joined by representatives of the new media. I think that may be overstating it because the folks have been around for a while now, these institutions we're talking about, to talk about where it is that we can be doing better jobs in terms of investigating the Obama administration, maybe government activity in general, certainly on the congressional side of things, and doing the work that Congress is not able to do.

And I know Judicial Watch is able to do this. We have nearly 1,000 FOIA requests under the Freedom of Information Act and nearly 100 lawsuits seeking access to government information – excuse me – from the Obama administration. And I know as a result of our lawsuits that Congress gets information that they've been fighting about that they've been unable to get.

And the difference between Congress getting information and Judicial Watch getting information is that the congressional process is a political process. Even if there's a subpoena outstanding, even if there's a government letter from a chairman that requires an under law response, the negotiations about that response is political. Those negotiations are political. The documents that Congress gets isn't necessarily – they're not necessarily all public to folks who want information too. So Congress may get information from the executive branch that never sees the light of day.

But, again, the process is inherently political, but when Judicial Watch and other outside independent entities sue for information, there's a more regular or legal process that guarantees certainly disclosure as not only public but accountable in a court of law as opposed to accountable to a panel of politicians. So, as a result, we can be very effective in getting access to that information.

A good example is the controversy recently over the film "Zero Dark Thirty," where the Obama administration looks like gave inappropriate access to the filmmakers of "Zero Dark Thirty" – which is the film about the bin Laden raid and killing – and kept that access secret. And that access it looks like it was given because the Obama administration thought the filmmakers were going to make a film about Obama, big Obama victory, obviously the killing of bin Laden, just shortly before the election.

So we've got documents that showed – provided details about this inappropriate access and showed that they may have actually been giving them classified information as initial reports suggested.

Now, the media didn't get this information. Congress didn't get this information. Judicial Watch got this information. And Congress erupted – some in Congress erupted, like Peter King, but based on the information that Judicial Watch was able to obtain, a Department of Defense Inspector General's investigation was begun. And now, just

recently we learned that based on information Judicial Watch disclosed to the American people, a criminal referral has been made to the Department of Justice about this activity.

And, you know, Judicial Watch is happy to do the work, but ought to be very disconcerting to our audience that, frankly, if but for Judicial Watch and maybe three or four watchdog organizations and interested media, none of this would have seen the light of day. This is the sort of thing our institutional media ought to be doing and this is the sort of thing our Congress ought to be doing. But we're happy to stand in the gap as we're discussing.

Now, to be fair to the big media, there are some folks out there individually who do good work. The *Washington Post* did great work exposing some of the details in the Solyndra scandal. CBS News, one reporter over there, Ms. Attkisson, did great work as Matthew knows, exposing some of the "Fast and Furious" details.

But, to me, those exceptions kind of prove the rule that a lot of the other media is falling down on the job on effective oversight of a government that is, frankly, off the rails in terms of its willingness to do whatever it wants to do without being held to account in the law or in Congress or in the media.

So we're pleased to be aided in our examination of this issue by some three great reporters who are doing the hard work that so much of Washington isn't doing.

At the far end of our panel is Matthew Boyle, who's an investigative journalist now with Breitbart News. He previously worked for the *Daily Caller* and specializes in complex government corruption stories. He's uncovered waste, fraud, and abuse, and illegal activity in government. He's turned up scandals where the mainstream media wouldn't look. He's been at the forefront of the investigation of operation "Fast and Furious," writing hundreds of stories.

MATTHEW BOYLE: I think it's probably like close to 300 or 400 stories that I've written on "Fast and Furious."

MR. FITTON: Prompting Eric Holder to go crazy and to accuse him of being behind the congressional calls for his resignation. And Boyle's led the coverage on many other Obama scandals, including the Obamacare waivers, the Delphi pension debacle, LightSquared and the Solyndra scandals as well.

And Vince –

VINCE COGLIANESE: Coglianesese.

MR. FITTON: Coglianesese. Excuse me. Vince Coglianesese is senior online editor for the *Daily Caller* and host of the *Daily Caller* podcast. His reporting has received wide coverage including the pages of the *New York Times*, the *Journal*, the *Washington Post*, and *Drudge Report* among others. And Vince has, you know, been all over the

media talking about his investigative reporting, including on Fox and CNN. And not only that, but he does the radio side of the ledger. He's been a talk show host down in North Carolina. And the *Daily Caller*, in addition to Breitbart News, is some of the more recent entrants to the kind of the aggressive, you know, forget about the old way of looking at government operations attitude that the rest of the media has.

And, you know, someone I think who can help us bridge the kind of the connection between the way the old media operates and the way this new and innovative media is operating is Richard Pollock who's a reporter with the special investigative reporting unit of the *Washington Examiner*. He's here for Mark Tapscott, who unfortunately was unable to attend, but we're – but we will do well with Richard here today for us. I can tell you that. He's the former Washington bureau chief for PJ Media and he spent nearly a decade with ABC News as Washington producer for “Good Morning, America.” And he also served as senior producer for “Fox News Sunday” with Tony Snow.

And so the way our panel is going to work – thank you for all joining us – is that our participants will make some presentations and remarks. We'll talk a little bit amongst ourselves up here and then invite you to join the conversation as well.

If you have cell phones or other noise making devices, you know, put them on silent or vibrate or whatever it is you can so the panel is not disrupted unnecessarily.

But with that, we will start with Richard and then perhaps just work our way down the panel. Richard Pollock.

RICHARD POLLOCK: Thank you very much. And thank you to Judicial Watch for, again, putting together really innovative programming with respect to investigative reporting, and also just how to dig into this city, this really opaque series of bureaucracies, agencies, and departments.

I'm honored to be part of the new *Washington Examiner* watchdog group, which is a special group that Mark Tapscott, who unfortunately couldn't be here, but Mark has established. It is an aggressive, enterprising investigative journalism unit of four people. And we're just getting started. We were established earlier this year. And I'm very happy to be part of it, and be part of a team, a growing team I think of very aggressive, and very creative, and dogged reporters that are emerging in Washington.

When I – not to date myself too much, but there was in the 1970s this idea of what was called new journalism. New journalism was where you weren't just looking at where problems were, whatever they are. You really brought to the table a partisanship, your own values, they would say. And I think that that distorted and destroyed the legacy media, if you want to call it that. I think that rather than look at government or look at wrongdoing, whatever it might be, they began to have an agenda. And as a result, we see the kind of distorted reporting that we have today.

I think on the congressional issue, the issue of congressional oversight, I think that with the exception of Chairman Issa, I think that there is very little going on in terms of genuine investigation.

Energy and Commerce looked at Solyndra for a while, but they have not been very assertive or proactive in my opinion. And it's very interesting, because when Issa was assuming the chairmanship, the *New York Times* and the *Washington Post* were wringing their hands about what kind of devil this man was, what kind of evil would he actually undertake. And they really attributed all sorts of terrible agendas, a tsunami of investigations. And, in fact, I think that Issa has been very, very modest in what he has done. I think that he could have been very, very assertive. And he's been one of the few I think shining lights on the Hill, but even he has been somewhat restrained in my opinion.

I think we're entering what I would call the third phase of the Obama administration.

The first phase was one in which there was a victorious, euphoric Democratic Party and White House staff that saw there were no bounds. I mean, they owned both basically the House and the Senate. They were hungry for power after being in the wilderness for a long time. And they were very over the top in terms of the kind of cronyism, the kinds of favoritism, the kinds of backroom deals that they were putting together. And there was a tremendous amount of arrogance that accompanied this first phase. And to a certain extent, a little bit of it was moderated after the loss of the House in the 2010 election.

And I think that the second phase though started in earnest a little about 15 months before the election, because for the first time I think that the Obama people were under the gun and they were defensive. They saw the different scandals that were evolving. And I think that Democrats who were vulnerable were sending a signal to the Obama White House to cool it because they thought that they would be at risk if they continued with this aggressiveness.

And so I think the second phase leading up to the election was one in which there was a lot of restraint. Some people may not think it's a lot of restraint, but there was relative to the first phase. I think that they were restrained. And now we have an unelected – a president who will not be facing reelection.

And I think that we're seeing the third phase, which is I think a reoccurrence of the arrogance that we saw in the beginning. And I think that it's going to be a great challenge for those of us who are really trying to keep up with the kind of favoritism, the backroom deals, and the illegal activities I think that will be undertaken.

Just a couple of other thoughts. I think that when you look at different major events and lots of money going toward it, that's a signal that you should take a look at what's going on.

So, for example, we are investigating FEMA after Hurricane Sandy, and we are uncovering quite a bit of corruption within the agency, both in terms of the Sandy response but also in terms of institutional corruption. And you're going to be seeing more of that unfold in the *Examiner* pages.

I think that the upcoming inauguration is one in which we want to undertake a lot of scrutiny. Who's paying for the inauguration? What kind of favors are they expecting in return? What kinds of bundlers and other campaign donors are putting money, but how about new money? And what kind of quid pro quo might we be seeing there? So I think that this is going to be a very tough time. I think that they are really quite aggressive.

I think that the issue of the EPA Administrator Lisa Jackson's alias EPA account is probably only one of many alias accounts that the Obama administration officials have had throughout the administration. And I think that –

MR. COGLIANESE: That was just a mistake. She chose a man's name for no reason whatsoever.

MR. POLLOCK: That's right. Richard, right?

MR. COGLIANESE: Richard.

MR. POLLOCK: My name. Right.

MR. COGLIANESE: Yeah.

MR. POLLOCK: I felt – I felt, you know, put upon –

MR. COGLIANESE: It's criminal.

MR. POLLOCK: Exactly. Exactly. But I think that they're going to – I just think that there are a lot of insidious things and a lot of plans that are being hatched today with a newfound arrogance.

I mean, to a certain extent, we see a little bit of it in term of the president's approach toward the fiscal cliff negotiations, if that's what they are. I mean, there's a real arrogance that he is showing toward this. And no one is calling him on it. No one. Very few are calling him on it. And I think that beneath the surface, this arrogance is manifesting itself in new Solyndras and new programs that will – it will take us years to be able to uncover.

So I want to thank you again for putting this together and doing the great work that you guys have done. And I'll leave it to my two colleagues to add some good thoughts.

MR. FITTON: OK. Vince, I don't want you to solve the problem now.

MR. COGLIANESE: I'll try not to.

MR. FITTON: Richard, thank you.

MR. COGLIANESE: Thank you, Tom, for having us all here. And it's always a pleasure. I've been speaking to some people beforehand that it's always a pleasure to talk about investigative journalism because it's very stimulating to have this discussion, to sometimes sit back and discuss how we go about our business, and it's nice to sit next to people like Richard and have a conversation with somebody who's done it for so long to be able to kind of reinvigorate that passion.

Because investigative journalism actually can be kind of hard and, you know, it's one of – in journalism, I kind of divide it up if you cover the day-to-day which goes on in the world, you usually sleep pretty well at night because you're done with your story. It's out. You go to bed and you're like, hey, no big deal. Whatever happens tomorrow, I'm going to cover it.

But with investigative journalism, there's sometimes a lot of restless nights. And I know a lot of people in this room have experienced this where you're wondering if that document is going not come back. You're wondering if the rabbit you've been chasing is headed in the right direction or not. You wonder, especially for us journalists, you wonder if a source will come through, if you'll be able to finally get in touch with that person that you for so long have been trying to pursue. So investigative journalism can be hard and trying work, but it's totally worth it.

And I believe it's where journalism outlets will distinguish themselves in terms of going forward into being – like, what are the most successful new media ventures? Those who do original reporting, because at the end of the day, there's going to be 1 million websites who all aggregate on each other's work, who try and, you know, talk about what everybody else is doing. And, obviously, we engage in some of that. We rely on Judicial Watch to be one of those fixtures that is looking into the Obama administration. But, ultimately, you have to be doing it on your own. That's what will make you – just as a business model, that's how you'll succeed.

To give you a little background on me, I'm the senior online editor for the *Daily Caller* so I spend an inordinate amount of time writing the wittiest headline I can possibly think of for many of the stories that we have. But also, when I get –

MR. POLLOCK: You're the one.

MR. COGLIANESE: I'm the guy.

MR. POLLOCK: Okay.

MR. COGLIANESE: Blame me. My email is on the website. You can send me hate mail there.

But also, I've had the luxury of spending some time doing some investigations this year. Two of my favorite have been – at the beginning of the year, I joined by boss, Tucker Carlson, in doing an investigation into Media Matters for America, which is a liberal organization that is principally running cover for the president and trying to hit media outlets wherever – whenever they go in a direction that doesn't assist the platform of the Democratic Party. So their effort is to try and get them to tap to the left no matter how they're covering it.

So – and they've had some success. Our research yielded some very intriguing things, including that they have a relationship with the White House. They carry on weekly conference calls with the White House. Their principal leadership has met at the White House with Valerie Jarrett of all people. And many of you she is largely considered to be the person who pulls the strings in the White House. So there was a lot involved in that piece that certainly took a while.

I believe the investigation – Matthew has already – saw me – we have a newsroom. I ducked out into like a separate office for a couple of months just to put my head down and figure out the story. And I think it took two months or so of reporting.

But it finally came out. We were very pleased with how it came out. It was widely panned by the institutional press. They didn't like it, especially because many members of the press were named in it. Media Matters said that many of the – that there were reporters around this town and in New York who were amenable to their – to their hits, would take what they wrote, what they sent them, and produce this journalism themselves. So there was a lot of defensiveness in the media. You'll find anytime you go after the media itself, there's a lot of circling the wagons.

But we're OK with that. We have an instinct I think that's unique, and I think that I speak for everyone at this table, that is that we don't instinctively suck up to power. And it's – it's sort of I think what Tom was getting at to begin with, which is that when you're covering the government, ultimately, a lot of these reporters do get very close. They're working on – they're working on source development. They want these people to give them things. And that often means that the people that are closest to these guys are the ones who are probably not going to cover them the most critically. And it's – it's – it's a difficult balancing act but it's one that needs to be undergone, undertaken. And so we try and do that.

I can say just using the Media Matters experience to kind of – because I know a lot of you are here to talk about like how is it that you go about investigative reporting. I can say that you should spend a lot of time reading the documents that no one else does. It's easy to read news stories about what's going on in the world, but that's because somebody else already did the work and got it to you.

So what next? Look through – especially in the case like an organization like Media Matters, this is a tax exempt organization so they have to file a form 990 every year to the IRS explaining what their activities were that year, how they spent their money, how much they receive, how much their leadership is getting paid. Look into those things. Those things can give some interesting results. Find out who – what groups they spend a lot of time giving contracts to. And you can begin to see the web that is formed in Washington between various organizations.

In that case in particular, we went and we sent a request to the IRS, which has to be done in a separate way, because you can – I can walk into any 501(c)(3) and ask for their form 990, and they have to provide it on demand. That's true of anybody in this room, by the way. As a citizen, you can do this.

But there's also ways to pursue how they applied for their tax exempt status to the IRS. You have – there's a separate form that you have to send to the IRS and eventually they'll get you a response.

And what we found was intriguing was that Media Matters declared that they needed to turn back Christian thinking in the United States and in the media – and in the media in their IRS application. Now, they never said anything about this anywhere else on their website. You can't see this in their mission statement, we're going after Christians. But in the IRS tax application for whatever reason, the seed of the idea was like, there's a Christian dominated media and we have to turn this back. Interesting and we thought worth reporting.

And that relationship actually – and Matthew Boyle will – maybe can speak on this a little bit or can give me an assist here – Matt, as I think has been mentioned, was recently with the *Daily Caller*. And we've sent a Freedom of Information Act request to the Justice Department in 2011, near the end of 2011. And we didn't receive our timely response on this. We were supposed to get – what is it, Tom? Thirty days is what their –

MR. FITTON: More or less.

MR. COGLIANESE: More or less that they're supposed to get back to us with some response.

MR. BOYLE: We waited nine months to answer the document request. And, then finally, when it came through, it was hardcore evidence – I forgot exactly how many pages. It wasn't even a full response either, but it was somewhat like 50, 60 pages worth of emails between the Department of Justice's Communication director, Eric Holder's flack, and Media Matters for America coordinating how to do –

MR. COGLIANESE: How to spin press. Yeah.

MR. BOYLE: How to not only spin press but how to demonize whistleblowers, attack me. Congressman Darryl Issa describes it as Barack Obama's enemies list. And that's what it is. It's – it's – you know, a list of people and targets that they want to eliminate and destroy the reputations of, and that the Department of Justice is colluding with a far left wing advocacy organization that has no interest in truth to destroy our reputation.

MR. COGLIANESE: And that – and that is – that is based – when we finally looked at that that we said, look, the Press Office of the Department of Justice, its responsibility is to talk to the American people. I mean, that's the whole point of the press is to bring this information to the American people. And when you have in this case a left wing advocacy group working to formulate some sort of spin on what should just be basic information, that's a problem and worthy of our investigation.

One other thing that I worked on this year – and I can speak on this a little bit later because I've already kind of spoken in depth about the Media Matters thing – is the 2007 video of Obama at Hampton University that caused much ire in the press prior to the first debate is when we released this. Some of you may remember it. And that took a bit of time as well to work on.

MR. COGLIANESE: I'd like to – one last –

MR. FITTON: What was –

MR. COGLIANESE: What was the substance of that video?

MR. FITTON: Yeah. What was the headline for that one?

MR. COGLIANESE: That was – this was a video that received very little attention in 2007. It was actually as much a media story as it was one about the president. And it was – he was speaking to black ministers in Hampton University in Virginia, and he was – he was actually a very different president than we've seen in almost any situation, and certainly pandering to the base that he had present there.

But also, he spoke again very highly of Reverend Jeremiah Wright. This was six months or so after he had already established distance from him and told him he couldn't be a part of the launch of his campaign because the campaign was concerned with the appearance of Wright being present.

The other – which, by the way, anytime you mention Wright, the media will outright dismiss the story because it's old news and it's actually not work talking about anymore. We've – we've been down this road. We know he's crazy. We don't have to talk about it anymore.

The other is that he made a case that the reason New Orleans wasn't receiving as much federal assistance – which was completely untrue by the time he said this – was

because New Orleans is majority black. He made the case that it was a racist issue. And it simply wasn't true.

There's a money – there's a – Stafford Act – the Stafford Act provides this emergency money. And often, the local communities have to give about 10 percent – that's often the number that's settled on – of that money for the recovery. And the government offers the other 90 percent.

Typically, in major disasters, the federal government will waive the – like the cost sharing requirement for these local locations. Just weeks before Obama gave that speech, he voted against giving an exemption to New Orleans for the Stafford Act. Well, we thought that was interesting so we reported it and certainly got a lot of flak for talking about old news.

The only press coverage, by the way, from 2007 involved reading from Obama's prepared remarks, which were distinctly different from the remarks as delivered. And he diverted in a very substantive way one that would have earned the attention, hopefully, of most of the press had they been paying attention at the time.

Finally, just on the issues that we're continuing to investigate now, we've placed a lot of focus on at the *Daily Caller* is in welfare spending. Certainly I would say if you're not following Caroline May either on Twitter or on her author page on the *Daily Caller*, you should be.

MR. FITTON: She's a writer with the *Caller*?

MR. COGLIANESE: That's correct. She's – she's a writer for the *Daily Caller*. She's doing tremendous work in investigating how welfare money – chiefly, one of the biggest things she found recently is that immigrants – often, the immigration program is meant to bring in people that won't come in and become wards of the states. Well, you should tell the welfare programs, because they're not being told that, because they're giving – they're giving all advertising packets on how to get on welfare as soon as you come into the country. Well, that's – that's pretty amazing. And certainly, it's American citizens who want to know that.

The other is that when you say that illegal immigrants are tapping welfare resources, oftentimes, the reflexive government defenders will tell you, well, no, no. That's not true. It's illegal for them to do that. But when they say that, they're often referring to only two programs: TANF and the Supplemental Security Income programs, where it is markedly illegal.

But that doesn't mean that there's not, one, abuse; and two, there's 83 welfare programs that – by our count, that exist outside, besides just these two. I mean, there's so many opportunities where somebody can come in contact with the system and get access to government assistance in millions of ways.

So we're going to continue to look in that and just see to what extent – how – basically waste, fraud, and abuse. That's the – (off mic.).

MR. FITTON: Just to clarify. TANF is the temporary –

MR. COGLIANESE: Temporary Assistance for Needy Families.

MR. FITTON: Which is welfare as it used to be.

MR. COGLIANESE: Right. And the welfare that received the scrutiny of welfare reform in the early '90s.

MR. FITTON: Well, you know, one of the sad things about what goes on in Washington is – all the waste, fraud, and abuse. And Tom Coburn or, you know, William Proxmire in the old days talked about these wasteful programs. And it's like a joke. When it's reported on, it's – oh, isn't government funny the way it wastes our money as opposed to the outrage that really we ought to have about people's hard-earned money being wasted in these – in these – in these forms. Matthew, finish up for us.

MR. BOYLE: I want to say, thank you, Tom, for having this panel. I think it's very important that we talk about this kind of stuff because it is overlooked very often.

You mentioned outrage. Well, where is the outrage? This administration has gotten away with so much illegal activity and so much waste, fraud, abuse. There are people who have violated the law, who are all throughout this administration, and nobody is held accountable.

A perfect example of that is Kathleen Sebelius. She violated the Hatch Act. That's a normally fireable offense immediately. Somebody is supposed to be fired from their job, yet she's still there. I don't know why. And I don't know why the people on Capitol Hill aren't outraged about this.

MR. COGLIANESE: Which is to campaign on the government's dime.

MR. BOYLE: Right. That's what she was doing as in a speech in North Carolina, she was – she had – where she was acting as the HHS secretary. In her official government capacity endorsed two candidates for public office. That was President Obama's reelection and Walter Dalton for governor in a gubernatorial race. That is illegal.

The United States Office of Special Counsel found her in violation of the Hatch Act. People who violate the Hatch Act are normally terminated, yet she still has a position in the federal government. She is still the secretary of Health and Human Services. It doesn't make any sense.

Where is the outrage on Capitol Hill? That's another thing: is that there – you know, why are there not – you would figure that in a situation like that, that Republicans would be screaming she should be fired because that's what happens to people who violate the Hatch Act. Well, for whatever reason, they're not. Whatever political interest they had at the time, obviously, when this all came to light, there was an ongoing presidential election, and it must not have been in the political interest of the powers that be that were running against the president at the time.

But at the same time, there is – you know, there is a massive lack of oversight. We can talk all about how they – how there are all these problems, but I think it's better to talk about how to solve them.

The – I think – have you ever heard the phrase, if you see something, say something? We need whistleblowers to come out of the federal government. There are a lot of good people who work in all these different agencies in the federal government who see what's going on, they know that it's wrong, but they don't know what to do about it.

A perfect example of this is what happened in operation "Fast and Furious." That's a scandal that I've gone after pretty hard personally. But "Fast and Furious" never would have been broken out there at all, ever, if it weren't for a courageous ATF agent who had the guts to call Congress and talk to them about it.

And he didn't know where to go when this came out. This ATF agent, of course, is John Dodson. He was one of the people who was involved in the operation. He was trying to raise, you know, people's concerns and suspicions about this as it was going on. He complained internally. He told his bosses it was wrong. He told the Justice Department it was wrong. He told the OIG it was wrong. He tried to get people inside the Justice Department to learn about this.

And, by the way, Eric Holder says that he launched his own internal investigation. That's false. It was actually ATF agent John Dodson who notified the inspector general first and that's how they launched their investigation into it after Congress got involved.

But the point is, is that he tried to notify people that this was wrong as it was ongoing before Brian Terry was murdered, before hundreds of Mexicans were murdered. And nobody did anything about it.

So what we have to do is we have to find a way to encourage these people to come out and talk to us. There's got to be a way to do this. I don't – you know, I know we're actively working on building bridges to these good people all throughout the federal government.

Another example. You need to kind of have an idea on where to look for stuff that's going on. If you start to see – if you notice something, there's no such thing as a coincidence.

So if you start seeing things hitting – the reason why I went after and tried to get those document between the Justice Department and Media Matters that we were talking about earlier is because I started noticing that Media Matters was within instance of me sending a press request into the Justice Department to try to figure out an answer to a certain question – which, by the way, if Tracy Schmalzer, the Department of Justice spokeswoman spent an eighth of the amount of time that she did colluding with a far left wing organization to smear the reputations of whistleblowers and people in the press actually answering questions, we probably wouldn't have had to get to the point where Eric Holder was held in criminal and civil contempt of Congress and that there were hundreds of members of Congress demanding his immediate resignation.

That said, it did get to that point. And one of the reasons why I even filed that FOIA request in the first place is because I started noticing that Media Matters was really fast with how they knew what I was going after. And so I would – I figured that they were – that they were trying to get – that they had to have – it didn't seem that they were that smart. They're not that smart. So, you know, they can't be. So we know that. We can rule that out. So somebody has to be telling them what to do. So, hmm, who is that person that's telling them what to do? Eric Holder's spokeswoman.

So – and I figured I would file for a request for that. In addition to that, we need to get evidence. We have to get documents, testimony, and evidence to actually do something about this. We know there's a lot waste, fraud and abuse going on there. There's a lot of illegal activity going on. We need documents. We need pictures. We need videos. We need photographs. We need people to come out and talk about it, because if we don't get that stuff, we can't do anything about it and nobody's ever held accountable.

So we have to find ways to build bridges into these government agencies and find ways to get stuff out of them. We depend on whistleblowers. We depend on the Freedom of Information Act. We depend on – congressional oversight can be good at times. It cannot be good at other times and – depending on what they're interested in at the time, but that's – that's what we need. We need evidence to be able to prove what we already know to be true. And I think I'll end.

MR. FITTON: Well, thank you, Matthew. And, you know, it occurs to me – if I could do a plug for our book and movie, the book, *The Corruption Chronicles*, and the movie, “The District of Corruption.” Matthew appears in that and I know Mark is in the movie as well.

You know, we look at the book – it was done in July. The movie was finished shortly before the election, and we're thinking what's here that – you know, is there a second life? And I thought, well, this is – none of these questions have yet – have answers related to corruption in the Obama administration.

So the category of scandals, whether it be “Fast and Furious,” or the green energy scandals, or the collaboration between the Department of Justice and these left wing groups in attacking election integrity or attacking you, those categories of Obama scandals that are still hanging out there, what would you recommend in terms of a focus where there’d be more – there’s significantly more fruitful investigation to be done versus what we kind of know what’s there already and need to take steps to just hold people to account for what we know?

MR. BOYLE: I would say that, once again – and this is something that I’ve been digging into pretty, pretty heavily over the past several months but still needs a lot of work to be done. And I think that there is at the end of the – you know, at the end of this, there is a pot of gold at the end of the rainbow is that I do think that there is evidence that Timothy Geithner violated the law with regard to the bailout. And specifically with regard to the – how the Treasury Department took away the pensions of 2,000 non-union workers and topped up the pensions of every union worker involved in the bailout.

I know coming on the way on that is – by the way, there are three congressional committees investigating that. They’re all kind of crossing over each other and not really getting anywhere, but – I mean, I can tell you that I’ve been able to get all these different documents that certainly suggest that a lot of these people involved in the bailout did violate the law. And that the bailout wasn’t a massive saving of the auto industry.

In addition to just that Delphi part of the bailout, the bailout hasn’t been fully explored. It was a crony capitalism nightmare. And I think we have to get more evidence about what happened there because I don’t think the American people have the truth about what happened during the auto bailout.

MR. FITTON: All of that is such a perfect example. Our government’s running – has nationalized two car companies. Any oversight of that? Running – taking over effectively the mortgage market through the nationalization of Fannie and Freddie through FHA, any interest in that? You can’t get a mortgage unless it’s through the government or eventually backed by the government, any interest in that? Hundreds of billions still continue to go out under TARP, and we know that the Fed has been bailing out Europe to the tune of billions of dollars a day, any interest in that? The unbridled socialism, to put it bluntly, of this administration and partly of the last days of the last administration, there’s virtually no oversight in all that extra government activity. That’s for sure.

Vince, what’s your thought on what things that are out there that really need more thorough vetting?

MR. COGLIANESE: Well, I mean, I refer back to Caroline May’s efforts to investigate welfare and how – and how that system is either being abused or misused by the government.

And also, I just got – all these programs come to mind. And you talked about the bailout. I keep thinking back to – you know, Republicans had some focus on Solyndra for a little bit, which was symptomatic of a larger problem, which was the Department of Energy had all these loan guarantees for green energy firms. And, certainly, we've seen failure after failure, after failure come out, and all this money that the United States will never recoup from organizations that have failed.

And, what was this organization? A123? Like last week, this green energy firm that received government backing and, all of a sudden, China swoops in and buys it up? Do you think that the taxpayers like had that in mind to begin with? It's – there's – I can't – we could go on for hours.

I mean, you know, you mentioned that some of the institutional media has done some good work. One of the ones that really sticks out to me this year was I think both "60 Minutes" and the *Atlantic* gave special attention to the amount of insider trading that has been going on in Congress. And that they were able to do with impunity, meaning, you know, these guys show up to Congress. All of a sudden, they have access to every decision that's forthcoming about what the government is going to do. And they're making stock purchases and sales based on that knowledge. And this is not illegal?

Now, you can make the case that maybe insider trading shouldn't be illegal at all. Maybe – you know, and I've seen some people go in that direction. But we should at least know that, because you've had people, and Republicans and Democrats, who showed up to Congress, very poor people and left very wealthy.

MR. FITTON: Speaker included.

MR. COGLIANESE: Yeah. The speaker included. I think – I don't want to –

MR. BOYLE: The chairman of the House of Financial Services Committee Spencer Bachus littered his pockets. It's the only person that – you know, of all the people that Andrew Breitbart ever went after. It's the only person that ever called for his resignation. And, of course, Spencer Baucus is still there.

MR. FITTON: He was on our top 10 corrupt politicians list a year or two.

MR. COGLIANESE: So when people say, well, we shouldn't pay our politicians, we should just – you know, don't take a salary, that would be very generous of them because they're still going to make millions. I mean, it's like – so anyway.

MR. FITTON: Well, you know, and a funny thing about the insider trading scandal, it was Peter Schweizer who independently came up with that in "60 Minutes" and the other publications wrote on that. And, of course, insider trading was already illegal so what did Congress do in response to the scandal? Passed a law to make it illegal again. So don't worry. That's taken care of.

Richard, I want you to answer my question generally. And talk a little bit more about – I know the focus of Mark and you guys on tracking the new innovations in Internet transparency that the Obama administration I guess has halfheartedly pursued but has provided interesting leads and opportunities for folks, not only for journalists to do, but for citizens to do as well in terms of tracking government spending.

MR. POLLOCK: Well, I think that one of the – to answer your first question – one of the most interesting areas that I think we only touched the surface on is the alliance between the Obama administration and venture capitalists or purported venture capitalists in Silicon Valley and whether you're talking about Tesla or you're talking about Solyndra or you're talking about SpaceX, these are all – at one time, so-called self-made entrepreneurs who were interested in getting good ideas and being able to be an incubator for them.

And then, even under the Bush administration, some money began to become available, but really the Obama administration I think had raised it to a new art form. And as a result, this money that is taxpayer money is underwriting a tremendous number of so-called public-private ventures in which the federal government finances anywhere from 60 to 90 percent of it and they only have to put up 10 percent. And many of these, of course, are bundlers or supporters of the president, but there was a whole new tectonic shift so to speak between the folks in Silicon Valley and those in Washington. There really is an alliance. And the money, it continues to flow unabated, unexamined I might add, by either the Capitol Hill or many of the members of the media.

And I think this is a very rich area that needs to be mined and it – we have a couple of stories in development right now that will turn your stomachs and – I'm afraid to say. But I think that this – Tim Carney, one of our columnists at the *Examiner* said that one of the ways to really get people to look at government and government spending is to take a look at the crony capitalism, the private deals, the side deals, the favoritism that takes place, the political insider relationships. And that kind of thing will turn the public off to the question of government spending.

On the other hand, you know, officials are – the public, rather, is interested in genuine government programs that will help in certain particular ways, whether it's a disadvantage – there are the poor – and I think that there are probably large – there's probably large public support for that.

However, when you take a look at how pervasive these billions and trillions of dollars are being transferred over to a already rich class of politically favored elites, I think that that – it turns the stomach of the public and that – and this is a hallmark, in my opinion of this administration. Democrats and Republicans have been interested in crony capitalism and in political favorites forever. So this is a bipartisan problem, but I really believe the Obama people have raised it to an art form.

I will just say one thing and that is about the issue of the internet. We have on staff, and Mark Tapscott, the executive editor of the *Examiner*, has brought in sort of a

high level data cruncher to go into all of the databases that are available and really trying to sift it out because, in addition to whether you see something that's a coincidence and it probably isn't a coincidence – you know, following your nose and your instincts is very important in this business. But there's also – numbers don't lie. Numbers and paper trails are really quite effective and the databases there are really out there and I would say that Darrell Issa is one of those people who has fought vigorously to change USAspending.gov and to change many of the other programs, and this administration has handed over large amounts of data that just sits there and very few people really look into that, obviously say that in a very general, broad –

MR. COGLIANESE: I would say – if I could add just one thing. I mean, the Obama administration, as we've mentioned, has had the capacity to try and dissemble and delay getting information out there, but on the other hand, there are some things that they have done that, as reporters actually make our lives a little easier in ruling out some of the corruption, I mean, they are showing their hand sometimes. It's the behemoth of the government and oftentimes, information does get out that is useful for us to be able to do these investigations. I mean, you spend any time looking at a White House visitors' logs and eventually you're going to start thinking yourself, well, this is interesting. And you'll start looking up names, granted it'll be months before you'll actually begin to see visitors' logs are probably relevant in the days passed, but – I mean, it is a start. There are things out there. And as, you know – there are databases out there, where you can start going through and certainly the press is more involved in going tit for tat usually than it is in looking back at things that have already happened even a week prior.

MR. FITTON: I finally make a point or two before we open it up to questions from the audience. I think we would be hard pressed to find previous examples to the American history of a president joking and bemoaning the fact that he's not a dictator. I can't fight that Congress even though I'd like to. I'm not a king, even though you'd all like me to be. Isn't that terrible? To have a Republican – to have a Republican form of government joke about that is just to think very extraordinary, but on top of that, when you tie it into his unilateral acts, his usurpation of the legislative functions of Congress, and his implementation of this policy agenda, that to me is the crisis of constitutional government for media and that Congress, frankly, is partially ignoring. And you can point out his illegal recess appointments, his illicit recess appointments, where Congress says they're not in recess and he says you are in recess, so I'm going to make an appointment, or his telling his supporters at one point, well, I can rewrite immigration law and legalize all these people who are here under the DREAM Act comes to concept, where young people supposedly would be legalized who are here illegally. And then he goes ahead and does that. His refusal to support the Defense of Marriage Act in court, and then, the response saying, after the election, the quote in the *Washington Post* by a senior Obama advisor – why you should read the big media, because the big media reports things that would outrage everyone else, but they think it's just standing government operating procedure and provides leads for the rest of us to find out the truth behind. Where he says – the advisor says, well, what Obama did in areas that Tom Fitton's complaining about – he didn't say it like that – he said, that's the new normal.

That's going to be the new normal on the second Obama turn, that – where he's just taking things on his own and rewriting the law as he sees fit to implement.

MR. COGLIANESE: Tell that to all the people who've been clamoring for some sort of answer to marijuana laws over the past few years –

MR. FITTON: Well, you know, immigration and you know, I think you're going to see – I think that's certainly going to be down the pike on gun rights, where he's going to be restricting gun rights through fiat, as opposed to you can't get anything –

MR. COGLIANESE: Also pay attention to the language, by the way. Like every word that these guys say, especially the president, he comes out yesterday and has his press conference on gun rights, pay attention when he's talking about how we need to address culture in this country. And I think a lot of people would agree with that just on a de facto basis that, you know, sometimes culture – you know, whatever direction culture's going, it can be damaging, but when the president of the United States starts talking about culture, it's worthy to say, OK, I'm going to pay attention to this, because what does that mean? What does it mean in terms of government's role in regulating culture? That's – I think that's worth looking at.

MR. FITTON: I agree. I agree.

MR. BOYLE: To add to that, too, is that this is war. You really have to go and fight these people. They are trying to fundamentally change this country in a direction that it is not supposed to go. And you have to go and stop them, and the way to do so is, like I said, we need evidence. We need documents. We need videos. We need photos and anything that we can do to help. This is not just us here, up here, fighting everybody out there that's watching. Everybody in this room is also fighting with us and we have to – we have to stop them.

MR. FITTON: Richard.

MR. POLLOCK: And let me – let me just add about this issue of, I won't say dictatorial rule, but I find it really amazing that the president has unabashedly said that he would like Congress to waive over the next four years the right to approve the debt limit. You know, raising the debt limit was created by the founding fathers because it was a real fear about the nation getting into debt by an executive or by fiat. And so they said that Congress, only Congress could establish the debt limit and raise it.

This is an historic part of our country. It's the fabric of our country. Here is a president standing up and saying, I want to throw away 250 years of history of the way that we paid for – you know, we decided to pay for our government. And have we heard any kind of criticism from the mainstream? And it's just like oh, let's – it's a negotiating time.

MR. COGLIANESE: His argument is a little lazy, too, because when he had the opportunity, he voted against raising the debt ceiling, when he was in the Senate. And secondly, just because Congress is lazily ceremoniously – like ceremonially every year voted to raise the debt ceiling without an issue. Isn't some sort of like a mandate that it'll always be a lazy process? I mean, the whole reason they do it is because they're supposed to pay attention to it.

MR. BOYLE: And part of the reason why the mainstream media doesn't report this and isn't outraged about it is because the White House is telling them not to be. So what we need to get – and this is where – this is where we come in and this is where everybody else that can think about this comes in is that we have to go and get those emails between the White House and the mainstream media, because they exist, again, to you, they are there, Eric Schultz from the White House and other spokes people that work there – Jay Carney even – I guarantee you – Jen Psaki – they're all telling the reporters, oh, this is no big deal. This is no big deal. We need to get those emails and banner them across the top of all of our websites, because they won't do it because the White House is telling them not.

MR. POLLOCK: And will they – are they being – are they communicating through the so-called alias emails to get away –

MR. BOYLE: Absolutely. And that's another thing that they're doing and they – but like I said, these documents exist. These people are pretty stupid in the administration. And they do use email quite a bit.

MR. FITTON: I just – we need to move to the audience and I want to make just two final quick points that follow up on you all. You're talking about media matters. But the idea there's a huge opportunity for investigation and exposure of the collaboration and collusion between the left and big government, specifically obviously the Obama administration, whether be it the Department of Justice with these ACORN and the ACORN rump groups, voter integrity or lack of voter integrity, undermining the election integrity, or the funding of the EPA, of the left point groups that go ahead and then sue the EPA. The right always says, well, why is that these leftists are always so affected and – it's because they're working with the government, either sitting at the table, recommending hires, or actually getting money that they again then use to advance their agenda.

And finally, you know, the end point it seems to me for the violations of law are criminal investigations. And I know conservatives have kind of a distrust of these independent counsels or special counsels that come up, but the left has used them effectively to – when they thought the law was violated, they could have been disingenuous as to whether they thought it was a serious violation of law or an actual violation of law, but they put their money where the math was. They said there needs to be a criminal investigation. The perfect example is Solyndra. Solyndra, it seems to me, is a case closed.

We know the White House was involved. We know, based on public reports, that Solyndra was told to not announce the firing of their employees prior to an election cycle, prior to an election day, and we know they were told that if they did it, the government funding was potentially at risk. You know, that's the sort of stuff that gets people put in jail.

Eric Holder, criminal investigation into the "Fast and Furious" and –

MR. BOYLE: Is there anything that it – that it doesn't – weren't a criminal investigation?

MR. FITTON: Well, maybe not. I mean, there are things that, you know –

MR. BOYLE: I mean basic run –

MR. FITTON: No, but there's run-of-the-mill corruption that you can get accountability through a person's resignation.

And finally, Republicans are to blame for Obama corruption, too. Eric Holder is attorney general, not because Obama wants him to be attorney general. It's because Republicans allowed him to remain as attorney general. So the leadership on the Senate and the House, it said that Eric Holder can't be attorney general anywhere, any more. They don't have to say it publicly. They can say it otherwise. He would no longer be attorney general. Same goes in instances like Kathleen Sebelius. There's not a cabinet official who serves but for the sufferance of the Republican minority in the Senate and the Republican majority in the House. Think about that every time you hear a Republican scream about an official in the administration doing something wrong or right.

And the perfect example of the impact of the Republican views on administration personnel policy is Susan Rice. There's a perfect example of someone, who, in theory, could be the next secretary of state, because the – Senate – controls the House – the Senate controls – is controlled by Democrats, but there, there was a committed Republican minority who decided that she was not going to become secretary of state. And arguably, if it came to a vote, they would have lost that. But that's not the way Washington operates.

And so we need to use politics as conservatives and concerned about government corruption and demand those who complain about government corruption, they take more aggressive action in that regard.

So I blame Mitch McConnell and Speaker Boehner for Eric Holder being as much attorney general as much as the others. And believe me, I've let leadership representatives know where I think they should be on this issue, and they've – Matthew, you've done all the reporting on that. Has the Speaker of the House called on his resignation?

MR. BOYLE: No, Speaker of the House has not called on Attorney General Eric Holder –

MR. FITTON: Has Mitch McConnell called for his resignation?

MR. BOYLE: Nor has Mitch McConnell, nor have many other members of the leadership.

MR. FITTON: Has the key leadership in the Judiciary Committee on the Republican side and Senate –

MR. BOYLE: Not even Darrell Issa has called for Eric Holder's resignation.

MR. FITTON: Has the Judiciary Committee and the Republican side in the House called for his resignation? Chuck Grassley, has he called for his resignation?

MR. BOYLE: No, no.

MR. FITTON: And I like Chuck Grassley. He was here a few months ago, talking about – he did great work on “Fast and Furious.” But they’ve yet to pull the trigger on that issue, to use an awkward term phrase. So is that – but on that happy note, but there are – I mean, we’re showing that there’s a vehicle for doing these things and we’re providing the information out there. There is an opportunity for accountability. And you don’t need a lot of resources in order to get that accountability. We showed that. Peter Schweizer, Government Accountability, shows that. The Government Accountability Institute shows that. And the reporters sitting at this table show that.

It doesn’t need – you don’t need to be *60 Minutes*, you don’t need to be ABC News to get this information out. Citizen activist groups can do it and just hardworking reporters, young and old, can do it as well.

So I want to open it up to questions. I’m going to take another 10 minutes or so for questions, and then, we’ll shut it down. But – up front, if you could identify yourself. And I think we have a microphone, so that folks on the internet can hear as well. And try to keep it to – if you have a question or comment –

Q: Yeah, Jim Snider from iSolon and Edmond J. Safra Center for Ethics at Harvard University. The question concerns how to leverage Congress’s scarce oversight resources to maximum effect. So Tom early on talked about the difficulty, regardless of party affiliation, to motivate Congress to do effective oversight and I’d say this is a general consensus in the political science community, how difficult it is to get Congress to do effective oversight.

MR. BOYLE: A perfect example of that is Congressman Frank Wolf right now has a bill that would establish a special select committee to investigate the Benghazi

scandal. It is a perfect scandal for there to be a special select committee to investigate. There're so many facets of government that are involved. The State Department's involved. The Justice Department's involved. The CIA is involved. Senior levels of the administration, the White House is involved, the secretary – the ambassador to the United Nations is involved. This is a perfect example of where you have all of these different congressional committees, crossing over each other, running parallel or overlapping investigations that are not an efficient use of resources. A special select committee would take the chairmen and ranking members of each of those committees in the House that are investigating – and potentially in the Senate as well, you could do a bicameral committee as well – and pull their resources together and then obviously the speaker and/or Senate majority leader would be able to appoint – and Senate minority leader and House minority leader would be able to appoint representatives to this committee as well.

Right now, the speaker of the House is blocking the effort to implement a special select committee to investigate the Benghazi scandal. Once again, this is a place where there would be a perfect example of where this would happen. There are several people who support this effort. There are many members of Congress who want it, but the speaker won't even let this bill to the floor for a vote.

Q: So anyway, to say – that illustrate a motivation – (inaudible). The specific question is the sort of two strategies, two approaches. One is direct oversight, the GSA scandal would be a vivid example. The other type of approach is to enable to pass legislation, enable groups like Judicial Watch or POGO or what not to more effectively do oversight. So Darrell Issa's committee has done both. He pursued the GSA scandal, but he's also done the Disclose Act. Now, it's quite interesting. He's devoted far more staff time to the Disclose Act than the GSA, but in terms of popular coverage, there are hundreds of pages, for example, of column inches on the GSA scandal, including multiple front page articles. There's only been a few sentences, including the Dana Milbank op-ed on the Disclose Act.

What would have greater impact on enhancing oversight and preventing another GSA scandal? I would say the Disclose Act, which would allow your data journalists to really understand federal budgets in a way that has been inconceivable ever in the past.

And the question is there are many other types of empowering legislation. Why not focus – now, in your book, for example, you talk about the FOIA Act that made Judicial Watch possible. But there's a whole other type – Mark Tapscott is a big fan of this type of legislation, but it's just – you can't get your articles out there and visibility because people are interested in the GSA scandals and not this fundamental – but that's I think the way to leverage resources. I wanted to get your –

MR. FITTON: Yeah. I think you're right. I mean, FOIA can always be reformed – the deliberative process privilege, which for those of you who don't follow Freedom of Information Act, not everything you ask for, the government's required to give to you. And one of the biggest areas of exemption is deliberative process privilege, which is exactly the sort of thing you want. The back and forth before a decision is made,

oftentimes that back and forth is exempt from disclosure. Now, I'm greatly simplifying it. But you know, that's an area that, you know, frankly, I think there ought to be more accountability about that back and forth. If someone has a criminal idea or a bad idea or a dishonest idea, well, we have a right to know well how – if we're paying people to do that. And if it, you know, means that they are less likely to have and share bad ideas, well, so be it. That's the price for a republican accountability. I mean, republican in the rule of law sense of the word.

And you know, in addition, you know, we talk about the committee structure of Congress as being – you know – often the committees are acting in conflict, but better coordination among the committees in terms of that regard, and that's a leadership issue. But individual members are citizens too. And individual members too often defer to their chairmen or to their leadership in terms of what issues they're going to take up, what issues they're going to use, the power of their office.

You know, we did not send members of Congress there just to sit on a specific committee and not do anything else. They can ask under the Freedom of Information Act. They can pressure – they can pressure government agencies independently. And I think we need to educate members of Congress about their abilities as individuals, outside of the committee structure – I don't mean individual citizens, but individual members of Congress represent the sovereign people, to hold the executive branch to account. And it would help if Congress would make themselves, in terms of FOIA reform, subject to the Freedom of Information Act as well.

MR. POLLOCK: I think it's an excellent question about how you leverage scarce resources. And one of the things that was very interesting, I have an article that's up today on the *Examiner* about the Office of Congressional Ethics, which incidentally was created by Nancy Pelosi to go and drain the swamp of corruption. So it turns out nobody has really looked at what they've done, but two out of three – and this is a totally bipartisan entity, it is – it is completely open. Within 90 days, they have to go and come to a decision. They have to tell people about who's under investigation and what they've accepted. It's very transparent, as opposed to the House Ethics Committee, which is completely secretive and closed. And I think that one area that – this is – I don't think just any initiative in this area – but one area of opening up the transparency in operations is the whole – the whole little cottage industry called the Inspector General's Offices. These offices are shrouded in secrecy. You have no idea really what they're doing and what they're working on and what they're looking at. And they are very, very secretive about their – their conclusions until they are ready to finally issue it. And there's a lot of evidence that these IG offices, which have tremendously large staffs, that these IG offices are really captives of the agency in which they're supposed to oversee. And you can see that in many, many different ways.

If there was legislation that required transparency and certain kinds of action within a certain timeframe by the IG offices, that would give some teeth to them. Now, some of them, some of the IGs are just not – they don't care about it. I mean, they're in the hip pocket basically of the secretary or an agency head.

But I think that that is one area that we are spending a lot of money on and we're getting very, very little return.

MR. COGLIANESE: And these IG reports are often taken as like the gospel truth. Once you see an IG report, generally the media reaction is simple that's the settled fact.

MR. POLLOCK: Exactly.

MR. COGLIANESE: And that – that should not – it should probably not be the instinct.

MR. BOYLE: Eric Holder – an inspector general said that he's – that he didn't know about gun walking. There are several, several pieces in past that have not been pursued down that road. And just because the IG said that they – by the way, they didn't say that he didn't know. They say that they couldn't find any evidence. There's a big difference between those two statements.

MR. FITTON: Right, I mean, even – even the crappiest IG report usually has some good stuff in it, but “Fast and Furious” report confirmed, in my view, that the Holder Justice Department, from the attorney general on down, knowingly lied to Congress for nearly a year about “Fast and Furious.” So when I talk about criminal investigations, there're criminal prosecutions for lying to Congress. And the attorney general and his people there need to be –

MR. COGLIANESE: Right and it seems like for the most part to get these congressional committees to actually execute their oversight functions, typically requires that some outside group has already lined up all the facts of the case, so that they don't actually have to undergo an investigation. This is just simply a show for political purposes. So it seems – most, you know, oftentimes, certainly Boyle, in his experience at the *Daily Caller* and now at the *Breitbart*, and what our experience has been, when you reach out to these committees and you ask if they're going to investigate, they ask basically, well, do you have the case closed, open-and-shut. Well, they're supposed to be investigating, right, so that's unfortunately the reality that we deal with that outside reflect Judicial Watch, like everyone here, have to sort of undergo all of the staffs and show enough leg that these oversight committees go, OK, we've got something here. We're not exactly sure on all the details, but they definitely screwed up and it's enough for us to score political points off of it.

MR. POLLOCK: And the mainstream media applauded Henry Waxman when he had all of those show trials, so to speak, these different hearings, these so-called oversight hearings. And he had a very large and aggressive staff. But I'll tell you, when I call in the House or the Senate to staffers about a particular story we're working on or to investigate, I find timidity. I find really timidity by the staffs on both, on both parties. And Waxman was one of the exceptions to the rule. I think that he had a Star Chamber

atmosphere and he was into witch hunts, but nevertheless, he really put an investment in terms of trying to go after people.

MR. FITTON: Well, I think one of the reasons Issa is as respected and effective as he is is because he does have a – he's certainly not a – certainly his operation is imperfect and is subject to criticism, but he understands the systematic problems on a nonpartisan basis that affect government oversight and where the problems are in government operations and the Disclose Act is a perfect example of that. And you know, the operations of the government are boring to a lot of Republicans. I mean, that's the long short of it. They don't care – you know, they want to make noise about it and complain about it, but the hard work in terms of getting into the degree of how it works and where the problems are. You know, there are three or four congressmen and senators who do that on a regular basis and everything else is just – and the other folks look at them as providing talking points for them or jokes for Jay Leno talking about how much a toilet costs for the Pentagon or something like that. Yes, sir.

Q: My name is Bruce – (inaudible) – I'm a local citizen activist. And you know, we deal – we deal with these same issues you guys deal with and I can tell you, you know, if you're getting stiffed by the process, you can imagine how somebody who's down at the very bottom, who has no idea how it works gets stiff. Well, I've been doing this for about 20 years now and I'm fairly sophisticated. We failed how to getting to see the editors of newspapers and so forth, getting to see some of your people – (inaudible) – very successful. It's a very difficult process. And I have to make one comment. The work that you do it drives the – it drives the big press that Tom – Tom talked about. And I think, you know, if you can get out there and put your stories out, the big press is driven to cover it as well. And I guess we're looking for ways to get our information that we need to get for our research, for our granular issues, because as Tip O'Neill's father said, our politics is local. That's where we are. We're down in the battles –

MR. COGLIANESE: Well, there's a marriage here somewhat, and I hope this point isn't lost on this meeting, is that if you're conducting investigative journalism yourself and you feel like the platform from which you have to project it is not the size that you need, you need to seek a bigger fish, so to speak, do that, look for other outlets that can project it. All of us are willing to have that conversation with you. If you've already undergone the investigation and you've had your facts lined up, that's perfect. That's something that we would like to, you know, really congressional committees will – (laughs) – will be happy to talk about it. You know, bring it to us and –

MR. BOYLE: (Off mic.)

MR. COGLIANESE: Yeah and – (inaudible) – and you'll get all the credit for having undergone the investigation, but certainly, you know, we believe that if it's big enough that we want to project it to our audience as well.

MR. POLLOCK: I've got some calls from local investigators, citizens and activists, and I'm happy always to – you know, if you're stuck, what are the other ways

of getting the information? What are the other avenues on the local level, as well as state level?

Q: (Off mic.) – are also good. They take us in and listen and believe. We're not looking for any credit. This is – (off mic.).

MR. FITTON: Well and there's some value to, you know, using the powers of the internet, individual blogging activities, especially at the local level, you don't need a huge audience to have an impact locally. You know, I talk about President Obama pretending he's king. I mean, these local officials, I mean, they – you know – they're as bad as it gets, some of the corrupt ones, and criticizing and exposing them directly on the internet, even if it's – all you need is one person to read it, and that is the politician that you're concerned about. And that's what – and that's what gets the strong response. And the impact locally – you know, you can do a little and have a significant impact, especially if you work with the local reporters and get them reading what you're doing as well.

Q: I'll make one more comment on –

MR. FITTON: Go ahead. Make it into the microphone now, please.

Q: Yeah, one of the things that is very important is having a credible reference. And so we can use – the newspaper articles that your paper does and the paper locals where we are – and I'll start reading you guys' papers – are very valuable to us as an archival source. And I've got 500 megabytes of information on the issues that I'm working. When we – when I collect that information from papers, I put a banner on the article and say that the way I'm getting to is when I testify in front of my local officials or talk to people on the internet, I send them copies of these bannered articles. I think they're extremely important. So you – believe me, your stuff you're doing is really important.

MR. FITTON: Yeah, and I can't tell you how many leads we've gotten from local folks and we've done lawsuits on local corruption. It's – I talk about a market that deserves a lot more attention.

MR. BOYLE: I would add, too, email me, please. My email is out there. It's mboyle@breitbart.com. Tell me what you guys have. Like seriously, we're not like – these are like people that are like here for a panel and we're gone. I mean, we're here and we want to investigate this stuff. But oftentimes, like I said when you see something, say something. We need help. We don't always know where to look to, but you guys do, and tells us where to go. And if you contact us, we will look into it.

MR. POLLOCK: Absolutely and in fact, when many of us publish things, we then get unsolicited phone calls from different sources who know additional stuff. We depend upon people who – we talk about whistleblowers, but even if you're a citizen

who's observing something, it's very, very important. So we depend upon people such as people in this room. We are not lone rangers. Let me assure you.

MR. FITTON: And it's important to remember. You may contact folks in the media. And the important purpose initially, frankly, is to put a bug in their ear. You know, we review. We try to respond to everyone who contacts us. And sometimes we can, so we do something about the issue they're raising. But oftentimes, I can't tell you how many times, where it's like, remember when that person contacted us a few years ago about that subject in that area? And we go back round again.

So all of these issues have an ever (commuting ?) quality and I'm telling you that you put something in someone's ear and it may not be acted upon immediately, but there's the potential for something in the future, even years in the future, to come back round again, that kind of says, oh, you know, I remember that issue being raised. I don't remember the email. I don't remember the detail, but, boy, it's come up again here. I'm going to look at it more carefully. And you may never get any credit for how that erupted, but that's how things sometimes happen in the investigator field.

Yes, in the back, along the window there, please.

Q: Hi, Pat – (inaudible) – just myself. I live in Arlington, so I understand about the imperial local politicians. I was wondering if you could – you touched on this earlier. Maybe do a little crystal balling on what do you see coming down the next year or two run in the form of executive – executive orders from the administration?

MR. BOYLE: Immigration is going to be huge. They're going to do anything they can to try to – to essentially get amnesty to all the illegals that are here.

MR. FITTON: I would look for – I would look for every major public policy to be focused by the administration – the administration is going to be largely unable to get its agenda through Congress certainly in the next two years. On gun rights, on the environment, on health care, on immigration, and you know, anything else, you know, their industrial policy, they want to do more Solyndras. The president has run on doing more Solyndras. Those policies are going to have to be implemented. They can't wait for Congress, as the president says. It's the new normal. Anything that you think is important, they're probably going to be doing illicit policymaking on.

MR. COGLIANESE: Mitch McConnell told me ahead of the election – this was at the Republican Convention down in Tampa – that should the election go the way it did, that he would be in a position where Republicans would still control the Senate enough that they could stop the forward progress, at least legislatively, of the Obama agenda, which implies, based on what we've seen, and I think what Tom was saying, which is that when faced with a barrier, the administration prefers executive order. They'll move in a direction where they don't have to have Congress's assistance.

MR. BOYLE: I was going to say, in addition to that, I would keep a really close eye on – because over the next two years, you’re going to see this happening with the administration, but also keep an eye on what – you know, as conservatives – keep an eye on what the Republicans in Congress are doing. Are they actually doing what they can to stop this?

Over the past two years, the speaker has allowed Obamacare to be continued, to be funded through continuing resolutions. Every one they vote is – funds Obamacare, even though he says he doesn’t want to fund Obamacare, he does. But that’s another thing, too. I think that over the next two years it’s going to be almost a rebuilding process on the right. So are Republicans actually doing everything they can to stop the Obama agenda from going through?

MR. POLLOCK: You know, every executive branch, administration has always had a bit of an authoritarian streak, certain kind of hubris. But this administration, I think, has a very deep authoritarian streak, and I think that this is the kind of way that Obama is interested in actually sort of showing he has leadership, that he is going – damn that silly legislature there. We’re going to go and act with executive orders.

MR. COGLIANESE: And it’s euphemisms like prosecutorial discretion that – like it’s always – it was interesting to hear something like that, which basically means, look, we’re not enforcing the law. That’s our options. So it –

MR. BOYLE: By definition is –

MR. COGLIANESE: So I mean, it happens – you know – and again, I referenced to marijuana earlier because I think, you know, that those – especially our libertarian friends, who have been – you know – clamoring for legalization – look at something like that and they see the president come out and say that we’re not going to prosecute illegal immigrants of a certain age in this country. Yet, when you have states that are now passing like legalization laws for marijuana, the federal government’s actually still going in and enforcing the law in those cases.

So they have – so Obama’s basically saying, look, we’ve got the power to decide which laws we feel like enforcing, and we’re – some we are. Some we aren’t.

And another example that was referenced earlier was that they don’t want to defend DOMA in court, which leads House Republicans now to defend it as it goes before the Supreme Court, because the Justice Department has decided, we have no interest in defending federal law in this case.

MR. POLLOCK: There is nothing more useless generally as an interagency task force. However, the president’s decision to have an interagency task force headed by Vice President Biden on gun control – (laughter) – I think is going to come up with some very – they’re going to try to federalize, I think, you know, the gun control –

MR. COGLIANESE: I do find it interesting that in that press conference Biden was standing next to him, but was excused when reporters began to ask questions. (Laughter.) You can go now.

MR. FITTON: Well, and the other big issue is election integrity. The left have decided that they don't like states running elections themselves. So now, there's talk of universal registration and essentially pushing to have wholesale federal control of our election process. By federal control, that means the left is going to be running the elections and those that support the left will benefit, and those that don't won't, and decides undermining our constitutional provisions that provide the states' abilities to run the time, place, and manner, and location of elections.

So that's going to be a significant area the attorney general's already provided support for it. They've moved beyond voter ID and they just want everyone to be registered to vote by the federal government. And they want to cut out the states' efforts to protect the integrity of the vote that comes with voter registration processes run by the state. So it's a significant threat to local control of elections by the left – the left wing that's running the Obama administration right now.

We have time for maybe one more question. Yes, sir, in the center. You've been patient. You know what? And if you could just ask your question and then you had a question as well, and ask your question, and then we'll get our panel to answer those questions –

Q: My name is Robert Hoffman (sp). I'm a retired federal employee. I actually started – worked in the Office of International Affairs and Treasury when Tim Geithner came through as a new graduate from college. So I feel partly responsible for him. But nevertheless, I'm really troubled – I'm really happy to see that all you folks do the work you do and I fully support what – your programs and so forth. But it just seems to me that there is – where is the outrage really going to come from the electorate. What you're publishing, you would think by now the country would be in up in alarms, would be marching up and down Pennsylvania Avenue, but nothing's happening. And I don't know what is going to take to actually get – what will it take to actually get the whole electorate enraged enough to actually force changes through Congress, through whatever.

MR. FITTON: And your other question, please, ma'am.

Q: Thank you. Jamie Morris from Cause of Action. And my question kind of actually piggybacks off of yours – off of the fact of – thank you, again, for all being here. Probably there's not enough of you and there's not enough of us.

MR. FITTON: That's right.

Q: Most will, you know, going back to “Fast and Furious,” you talked about the most FOIA – FOIA requests that you had and the long process it's taken for you to get

the information that you had. And when you did get that information, it wasn't fully there.

At that point, though, what do you do? You're a reporter. You're the one that's out there. You're the one that's pointing this out. You're the one that's waving your hands in the air and yet still nothing is being done, when there's organizations like ourselves, we point this out. We have done the investigation. We have reason to believe that someone should be fired, and nothing has happened. Organizations are speaking. Reporters are speaking. But clearly, something is missing. And I know you referenced, Matthew, that there's a bridge that you're trying to gap between making it easier for whistleblowers to come forward both to you and to organizations, but at that point, what – (inaudible) – or what do you – what are you hoping to achieve in the future to solve this?

MR. BOYLE: I think what – to answer, I think, both questions at the same – both questions at the same time would be that we need political will in Washington to accomplish anything. And what you have to do is you have to find people who are able to rile up a crowd and people here that, you know. The perfect example of where there was an actual push for accountability was the Tea Party movement. And the thing is – is that one has to wonder where are those leaders. They're still up there on Capitol Hill. Why aren't they out there bringing the crowds right back up here? And I would imagine that over the next couple of years, you might start seeing some of that stuff happen again and it's going to be a lot stronger. But at the same time, what we need to do – and there's already an effort underway afoot to do this, I think, over the next few months to kind of build partnerships between different media organizations and – and investigative bodies such as Cause of Action, which I think you guys do amazing work over there. And you know, and groups like Judicial Watch. And I think that, you know, when they're – part of the problem is when I get to the end of that FOIA and they, you know, they say – they even say in the letter that we didn't provide – we provided only what we thought was responsive and there are more documents there, the point is how do you fight that? Like that's one of the things that, you know – you know, I'm not aware. So one of the things I have to deal with is I have to decide is it worth going for those extra documents or do I have enough here to prove my point. And one of the things is that if I had a partnership with an – organizations like Judicial Watch and Cause of Action, we'd be able to accomplish things like that I think in a much more streamlined manner.

MR. FITTON: I know we're all happy see it. Cause of Action is a perfect example of a group that, you know, smallish group, right? You're operating, what, two years now?

Q: Fourteen months.

MR. FITTON: Fourteen months, but they've had impactful stories with just a little leverage. And the electorate is prime for this issue. We have a quarter million supporters. There's a reason Barack Obama talks about transparency all the time, because he knows Americans want it. There's a reason Democrats talked about the

culture of corruption and taking back Congress from Republicans, because they understand that corruption is something that infuriates both sides of the aisle. Our poll this year with Breitbart, on election night, we had corruption in federal government is a serious concern among voters with 85 percent saying are concerned and 53 percent saying they are very concerned and didn't believe either party was capable of cleaning it up. But imagine the opportunity for leadership about a smart politician who's honest and that whole, said, this is going to be my issue. So where's the leadership.

MR. BOYLE: Romney chose not to make corruption an issue in his campaign. He chose not to run on it. He ignored "Fast and Furious." He ignored the – (inaudible) – scandal. He could have scandalized the bailout. He could have turned the bailout into Solyndra easy and he chose not to do it. Now, that's the thing that are people actually going to stand up on these issues because you can make it a part of your larger platform about trying to fix the economy. And I think that in the long run here, I think you might start to see, either people are going to get it or it's –

MR. FITTON: We're going to get accountability in spite of the politicians.

MR. BOYLE: Right.

MR. FITTON: The electorate would agree with this and the question is how do we get – we think of ways to get around the politicians and getting accountability, because the electorate is with us on this, and Democrats and Republicans, they love us during – you know, the Democrats like us more during the Bush administration than they do during the Obama administration, but they all agree that there needs to be oversight and accountability. And you know, if you ask the left about transparency in the Obama administration, they're either more complaining about it than we are.

MR. COGLIANESE: But to Robert, to your point, very quickly, what Matt mentioned was right, though, is that obviously, we have to figure out ways – it seems to work, in spite of politicians. But when our – when leadership – when our leadership in this country, from either party, makes it an issue, then it becomes a national issue. I mean, as soon as the president mentions a name, that name becomes a national flashpoint. It doesn't even matter what context he's talking about them, as Kanye West, but when you – when you've got like Speaker Boehner or the president that begin to have these conversations, then that'll happen. It looks like oftentimes – and as you hear from Boyle – people like Boehner aren't having that conversation.

Jamie, meanwhile, the FOIA question that you have, I would refer – I've sat in several Judicial Watch events and I believe you have resources on your website that are – towards FOIA – how to fall out of FOIA. Oftentimes – I'm sure you've experienced this – but oftentimes, the biggest problem with FOIAs is that citizens don't know how to fill them out appropriately. This is a simple – a very simple issue. Often – you know, Judicial Watch goes back and forth and they keep on getting more and more information from behind the black bars that are like blocking out all the information that you really want. But in order to get that first FOIA, when it finally gets to you, make sure that the

form that you send in has appropriate language. You need to figure out a way to back that FOIA official into a corner, where they have no choice but to give you the information that they want.

You can't ask general questions. You have to be very specific about the information you're looking for, the ways that that information was disseminated, what mediums were used to send it around, and it takes – it's going to take some footwork on your part, but once you establish a template for how you send a good FOIA in, you can constantly rely on that to continually do that.

MR. FITTON: And that's especially true at the local level, because it's a tremendous – the FOIA laws either are sometimes better to state and local level. The federal level, unfortunately, on issues of political consequence or public policy consequence, a lawsuit – you can write the best FOIA in the world, and they know what they're doing when they say or they refuse to comply. And we've been most effective – I know Cause of Action, you know about this as best as we do – you know, suing is usually the only way to get a response. And that's – this is from the most transparent administration in the history. But that's the advice I give. If you really want something, investigative reporters need to have a litigation budget that is multiples of what is currently there and that is not being done enough.

MR. POLLOCK: You know, you talk about the difference between the federal and local level on FOIAs. In Chicago, which we all know is a very open city, right – (laughter) – there's no corruption there. But in Chicago, the FOIA Act requires that they get a response within five business days, which is really pretty interesting. And many states also have that requirement.

I will say I'm a bit more hopeful because there are different groups like Cause for Action, Washington Free Beacon is now working, there are other kinds of independent media outlets that are being formed that I think are beginning to try to bring some honesty in coverage. So I mean, I'm hopeful that there's more of an investment, that – the *Daily Caller's* great – I mean, it's really – there are new institutions that are being built and that's a cause for hope for me.

MR. FITTON: You know, and I want to close out attacking Tim Geithner, because you reminded me about Tim Geithner. He's one of the worst Treasury secretaries, has become one of the most important agencies in the government. He used to be a FOIA backer. They're doing as much as anything in terms of the government spending and it's completely uncontrolled. They have no interest in transparency. I mean, just today, I'm reading in the *Washington Examiner* about USB Bank being fined \$1.5 billion it is, for supposedly manipulating a Libor, which is essentially an international interest rate. Well, guess who knew about that manipulation and was happy to allow it to proceed and did nothing about it and frankly validated it by not doing anything about it? Timothy Geithner. Why isn't he being prosecuted and fined? He was in that conspiracy. These are the torts of in your face, mega-scandal issues that I – you know, I don't know anything about anything when it comes to international finance, but I

can put two and two together and reading two different stories and see Tim Geithner was involved in Libor, and they're doing all these investigations. Why isn't he being investigated about it?

This is – this is a typical example of a mega-story, where there's so much money being spent and so much scandal there that's just ignored by virtually every oversight institution in the city.

Well, with that happy thought, we're there to do it. And these folks are here to do it. So I'd like to thank you for your participation in this holiday week. And Merry Christmas to everyone. I know it's tough in the days coming up to Christmas to make time available. You know, but the government's corrupt, no matter whether it is a holiday or not, so unfortunately, we're always working. So thank you for your participation. Everyone's available here on the internet. We have Judicial Watch's own website, judicialwatch.org, washingtonexaminer.com, dailycaller.com, and breitbart.com. And you can Google every topic we're talking about and you can see everything we're saying is true. So thank you for your support and we'll see you next year. Appreciate it.

(Applause.)

(END)