



JUDICIAL WATCH

Judicial Watch Panel: Clinton Scandal Update – Emails and the Clinton Foundation

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Featuring:

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TOM FITTON: Good morning. I'm Tom Fitton, president of Judicial Watch. Welcome to our special educational panel on the Clinton scandal update. Joining us is an expert panel of Clinton watchers who've examined her career over the decades and have made some pretty – will have some pretty startling information for you as we begin this panel.

Judicial Watch is a non-partisan educational foundation. We prosecute government corruption wherever we find it, whether it be Republican or Democrat. And Judicial Watch is pleased to be able to present you this special panel on Facebook live through the One America News Now network and on C-SPAN. So welcome.

To provide you some context before I introduce our panelists, I thought I'd give you a brief update on the Clinton e-mail matter which Judicial Watch has been so heavily involved in. Those of you who don't know, we use the Freedom of Information Act, the FOIA law, to uncover government records. We were investigating a few years ago the Benghazi scandal and we noticed in our lawsuits that Hillary Clinton didn't have any e-mails that were coming to us from the Obama administration. So just to be sure, we asked for Clinton e-mails related to Benghazi. And, sure enough, the government, towards the end of 2014, started making noises that there may be other documents they needed to look at.

And then in February of 2015, they told the court they gave everything to Judicial Watch, but there may be other documents they needed to look at. And then, a few weeks later, the "New York Times" reports that the Clinton – about the basics of the Clinton e-mail scandal that she was using a Clinton server, private server or what she thinks to be a private server and producing thousands of e-mails for herself and, evidently, the State Department, but not for the American people since she was conducting all of her government business on this separate server.

And then, of course, all bets were off in terms of the undoing of the Freedom of Information Act, the obstruction of congressional investigations, the obstruction and fraud brought upon Judicial Watch and the courts in its various lawsuits that were seeking information that should have been covered by the Clinton e-mails but weren't produced. And Judicial Watch

quickly took the lead in uncovering basically everything we know to date about the Clinton e-mail scandal. And you'll see how we even led the FBI in terms of investigating it. And it was in one of those cases that led to discovery, which is evidence gathering. We took testimony of Cheryl Mills, Mrs. Clinton's former chief of staff at the State Department, and Huma Abedin, deputy chief of staff, and many, many Clinton officials at the State Department who knew or should have known about the Clinton e-mail scandal.

And, in fact, in one of our cases Mrs. Clinton had to submit a statement under penalty of perjury that was produced to the court saying that as far as she knew all the Clinton e-mails that she had were turned over to the government that were government related. Well, in fact, we now know that 30,000 e-mails were deleted and many of those were actually government related e-mails that shouldn't have been deleted. And as a result of all of this litigation, the FBI was pressured and the Justice Department was pressured to undergo – at least to begin at least the appearance of a criminal investigation into Mrs. Clinton's handling of the e-mails.

And as we've learned over the last several weeks, obviously the FBI decided not to prosecute or recommend the prosecution and the Obama Justice Department decided not to prosecute her based on the alleged recommendation of Mr. Comey, the FBI director. But as we find out more details about the FBI investigation, we found out that a lot of these investigations that the FBI was undertaking didn't take place but for Judicial Watch's pressure from the litigation. The witnesses weren't questioned until it became clear Judicial Watch was either going to get discovery or was getting discovery and would be questioning some of these same witnesses.

It was so bad that we just learned in the latest FBI document dump that the FBI was using documents produced to Judicial Watch under the Freedom of Information Act with redactions. So they couldn't even get the full document. And they were using those documents to question the witnesses. And, of course, there's a lot of outrage about the FBI immunity agreements or Department of Justice immunity agreements granted to Clinton aides at issue in this case, and we'll get into that later.

But just so you know, there will be more Clinton e-mails coming out thanks to Judicial Watch litigation. Again, it was our litigation that, again, forced the FBI to do the half-baked investigation it did, as it turns out, but it did produce new Clinton e-mails, including 14,900 e-mails at least that she didn't want anyone to see because she deleted them. And many of those deleted e-mails were uncovered by the FBI and turned over to the State Department, and several thousand of them are going to be turned over to the American people as a result of litigation, first by Judicial Watch and news this week is that VICE News, which is Jason Leopold of Vice News, which is separately pursuing litigation, getting even more e-mails, so the litigation is going to result in Clinton e-mails that she didn't want produced at all to the American people being produced perhaps even before Election Day – at least a portion of them.

And on top of that, I think we should point out that these e-mails will be produced even after the election, so no matter what happens on Election Day this Clinton e-mail scandal is going to continue. There's going to be continued pressure for a criminal investigation of what we know went on, no matter who's elected president.

So I wouldn't necessarily count out a criminal investigation of Mrs. Clinton even under a Clinton administration because I don't think the attorney general that Mrs. Clinton would appoint would have much in the way of an argument to stop a special counsel from being appointed. How can that person investigate Mrs. Clinton without obviously a conflict of interest being so apparent? That would require a special counsel to be appointed. I think the public would demand it. And, obviously, under a Trump administration, unless he acts like every other Republican administration has in the past, he seems committed to doing a more thorough investigation as well. So no matter what happens, I think there's going to be a more significant criminal investigation in the new administration.

But I also want to call attention to the fact that Congress has been making a lot of noise. The FBI director was testifying earlier this week to Congress, but let's highlight the fact that Congress can take steps that it's refusing to take to hold Mrs. Clinton accountable on this e-mail scandal. And I think this is something important to remember. You know, Mrs. Clinton testified to Congress that she turned over all of her government e-mails. We know that to be false. And Congress, what did it do? It referred that question of whether she committed perjury to the Department of Justice for a criminal investigation.

Well, who are they fooling? They know what's going to happen at the Obama Justice Department. They already know where the FBI director comes down on that. Why isn't there a contempt citation pending against Mrs. Clinton now? Why do they have to wait for the Justice Department to do something if they think that she was in contempt of Congress, the way they treated in terms of her testimony being incorrect or false or the fact that e-mails were destroyed after Congress subpoenaed them? Why is it that Congress isn't holding Mrs. Clinton in contempt? The answer is somewhat obvious. They have an election and they don't want accountability in the true sense of the word to get in the way of their quest for retaining Congress, and I'm talking about the Republican leadership.

And the other uncomfortable point I'm going to bring up at least from the point of view I think of any Republican leaders is that they can also impeach Mrs. Clinton and they don't have to wait for her to be president to impeach her. Congress retains the ability to impeach a federal officer for conduct whether that officer was – whether that officer is still in office or not. So they can impeach Mrs. Clinton for misconduct as secretary of state right now. And you tell that to a Republican member of Congress and the general response you get is stunned silence.

But it's true. And the sanction would be – this is the way it works in the House is you impeach the member – the official in the House, and that's kind of like an indictment and that's moved to the Senate for a trial. And the result of the Senate trial, if there's a conviction, one of the sanctions could be ineligibility for future public office. Boy, wouldn't that be an interesting process at least to begin or talk about, but you don't want to hear any Republicans talking about that. But the fact is Mrs. Clinton can be impeached for her conduct as secretary of state.

So the next time you hear Congress complaining about the FBI and the Department of Justice, you know, and the cover-up and the wired investigation that resulted in no criminal charges on the Clinton e-mail matter, you know, that's all fine and good, but remember: the

Congress has independent tools available to it under the constitution to prosecute the Clinton scandal. There are tools they're refusing to use. So I think there needs to be some accountability on that.

But there's a lot to talk about today. And we've been blessed with an expert panel of individuals who have looked long and hard at the Clinton scandals, who have studied them over the years, and who have unparalleled expertise to share with you and educate you about some of these pending issues, including ones that I haven't been able to get to today.

First up, in terms of introductions is Joe diGenova, who is the founding partner of the D.C. law firm of diGenova and Toensing. And Joe has really tremendous experience as a law enforcement official, but most notably as a former U.S. attorney.

Also joining us is our own Chris Farrell, my colleague at Judicial Watch, on the board of directors of Judicial Watch. He's our director of investigations and research at Judicial Watch. So he's the one who starts up all these investigations that end up in lawsuits. And, notably, Chris is a former Army intelligence officer and with a specialty in counterintelligence and human intelligence. I'd like to know what human intelligence is. I'm sure it's – now that you've retired, that area of work is sorely needing help in our military system or in our intelligence systems generally. It's pretty scary these days.

Also joining us is Peter Schweizer, another friend of Judicial Watch. He's an author of multiple "New York Times" bestsellers. He's with the Government Accountability Institute. And, most notably, he's the author of the "Clinton Cash," which is the famous bestseller that really broke it open on the conflicts of interest of Hillary Clinton and the Clinton cash machine.

And Jerry Corsi, another long-time student of government corruption and Clinton corruption specifically is joining us. He's with WND.com, a senior staff writer there. And he's the author of the new bestseller, "Partners in Crime." And I don't need to tell you who "Partners in Crime" reference is, but maybe I do. But you'll see a picture of Bill and Hillary on the cover so that gives you an idea. But we're pleased to be joined by them all.

And what we're going to do, just so you know, they'll give you their thoughts and then we'll talk amongst ourselves. And it's going to be an interesting discussion because the scandal is – you know, there are probably things going on now, as we speak, that we need to be aware of. But we thought it was important to bring these experts in so that you have context. Because the stories are moving forward so quickly, we thought it's important to give you kind of the long view in terms of where we were, where we are now, and where we're going.

And, to that end, we're going to begin with Peter Schweizer, who will open us up with his report, and then we'll move on to Chris, Jerry and Joe.

So, Peter, the floor is yours.

PETER SCHWEIZER: Thank you, Tom. I appreciate it very much. It's great to be here with this distinguished group of people. And I want to particularly say thank you to Judicial

Watch just for the great work you guys have done over the years and particularly as somebody who in “Clinton Cash” was investigating the Clintons before we knew about the server, before we had the FOIA information. You’ve performed an enormous public service by exposing this, so bravo for that.

I just wanted to talk a little bit about some of the things that I hear from people who are getting more well-versed on what the Clintons have been up to, the flow of money, the issues related to the e-mail server, and explain why I think, first of all, this is a different scandal than the sort of traditional money scandals that we’ve seen in American political history. Second of all, to sort of explain why I don’t think we can just trust the political process – to, in a sense, let the voters decide on this scandal. I think there are very important legal matters that need to be addressed. And then, finally, I want to make the point that there are larger implications beyond simply the political future of Bill and Hillary Clinton as it relates to these particular scandals.

You know, first of all, why is this a different scandal than others? And I would say it’s really for two main reasons in my mind. First of all is the scale of it, the scale not only of the efforts that the Clintons took to evade or avoid transparency by setting up this server, but also the scale of the flow of the money that we’re talking about.

If you look back at some of the historic scandals, whether it’s Abscam or others, the quantity of money that you are talking about flowing to the Clintons dwarfs it on a magnitude of sometimes 10 to one or 100 to one. You know, you’re talking about the Clintons who during Hillary Clinton’s public service took in around \$250 million. The Clinton Foundation itself took in \$2 billion. So the amount of money we’re talking about is much larger.

But the second point that I would make that I think is even more important is that what the Clinton actions have represented really is their successful efforts so far to evade the financial controls that we have had in place for half a century to prevent foreign interests from influencing American politicians. For those who don’t follow such things, if you look at the laws that we have on the books to prevent the influence of American political figures, we have things like caps on how much people can contribute to political campaigns.

So, you know, you can’t as an individual give much more than \$5,000 in a primary, in a general election to a candidate. You can only give a certain amount through a political action committee. But, most specifically, even though there are debates about those questions of money in politics, one that never gets debated is the fact that I haven’t found anybody who wants foreign entities influencing our political leaders. I haven’t run across anybody who thinks it’s a good idea to have an African oligarch, a Russian oligarch, a Latin-American country influence our political figures. So think about it in this context.

If you are one of those individuals overseas that wants a favor from the federal government in Washington, D.C., pretty much legal avenues are shut off to you. You can’t make politician campaign contributions to Hillary Clinton to gain access. You can’t make a political action committee contribution legally to her campaign. But what the Clintons did by establishing the Clinton Foundation and by setting up the speaker fee apparatus – they essentially created an avenue whereby foreign entities could do just that.

So when Hillary Clinton was secretary of state, she's making decisions related to Africa policy, her husband was collecting \$700,000 speaking fees from African entities that had interests sitting on her desk. That is unprecedented.

And, as I will talk about at the end of my comments, the dangerous implications of this are that this will become widespread if it is allowed to stand what the Clintons have done. So to begin with, I think if people argue or say, well, look, you know, they're all corrupt in Washington so they all do this, that is simply not the case. This is a financial scandal and I think a secrecy scandal that goes beyond anything that we have seen in American political history.

Second point I would make is that I don't think we can just trust a political process to this. People say, well, you know, look, the Clintons have learned now from the mistakes that they made in the past so, for example, Bill Clinton has said that the Clinton Global Initiative is not going to take place anymore. He is stepping down from the board of the Clinton Foundation. It will now essentially be run by his daughter, Chelsea. So, basically, the argument is that they have learned their lesson that this looks bad, that maybe this even is bad, and we should just allow the process to go forward.

Here's the problem. You know, those commitments that Bill Clinton is making now – unfortunately, they made commitments – similar commitments back in 2008. They signed a memorandum of understanding with Barack Obama where they committed to do a couple of very, very important things. One was complete transparency. I think everybody on this panel thinks transparency is a great idea. So they were required as part of this agreement to disclose all of their donations to the Clinton Foundation.

Second of all, they agreed that there would be a clear, bright line between the actions of the Clinton Foundation and the State Department. There would be no blurring of the two. Those were commitments that were made and the Clintons, as we all now know and everybody acknowledges, they completely violated those commitments. So any commitments that are being made now going forward, I think we cannot have much faith in simply because they don't have a track record of abiding by these principles.

So to me, the issue is not just looking forward. We have to deal with her tenure as secretary of state. We have to deal with the setting up of the server because we simply cannot trust going forward that these actions and activities will be self-corrected.

And finally the point I would make is that, ultimately, this is about more than the Clintons. If they are to avoid legal jeopardy and the very real laws that they have broken, and I'm sure Joe will have a lot more to say on that, but if they are to evade this, there's a couple of things we know about the rule of politics I think in Washington, D.C.

Number one, that entities are looking for favors. And in this particular case, foreign entities are going to continue to look for favors from our political leaders in Washington, D.C. And, second of all, politicians, if you give them the opportunity to self-enrich in a quasi-legal way, they will take it.

And mark my words, here is what will happen. If the Clinton Foundation and the activities related to the private server are not dealt with in a legal manner, it's going to be imitated. And there's simply no reason why we could not have a secretary of defense 10 years from now – Republican or Democrat, it doesn't matter – a secretary of defense who is charting American defense policy, sets up a private foundation, takes donations from overseas entities, puts their spouse on the lecture circuit taking foreign dollars, and what are we to say? Are we to say the Clintons can do it, but you can't?

The point becomes that this creates an extremely dangerous precedent that if not dealt with is going to have I think huge implications for the country not just now, during her tenure as secretary of state, but going forward.

MR. FITTON: Thank you, Peter. And, you know, just to be clear, she was – these promises she made in terms of her ethics agreement wasn't just pro forma. Democrats and Republicans were concerned about it and President Obama demanded it. And there was a negotiation with the White House. It was a condition of her being hired. So she scammed not only the American people, but Democrats and Republicans in the Senate who voted for her and the president of the United States. We highlighted that we thought it was a scam to begin with in 2009 and we were proven right. But, you know, President Obama didn't listen to our ethics advice there.

MR. SCHWEIZER: Well, I was just going to add to that, it's a great point. You know, look at John Kerry, who was chairman of the Foreign Relations Committee during her appointment. He raised these exact concerns about conflicts of interest, the flow of foreign influence. So you're exactly right. This was not a Republican witch hunt. People like John Kerry, Democrat, now the current secretary of state, had these very exact concerns as all.

MR. FITTON: Because Democrats controlled the Senate at the time.

MR. SCHWEIZER: That's exactly right.

MR. FITTON: That's right. Next up is our Chris Farrell. Chris, as I said, has looked at – started all these investigations are Judicial Watch with his colleagues there and probably other than – one of the few folks in the country who's read all the Clinton e-mails that have been released and knows what others are about to be released and can give us a great update and certainly some unique insight on the classification issues that have been – we've been so misled about thanks to John Kerry's State Department, the Obama administration, and Mr. Comey.

CHRIS FARRELL: Thank you, Tom. And it's great to be with this panel. What a great opportunity for the American public to get up to speed on what the real story is and not necessarily talking points from the Clinton campaign or from the Justice Department.

You know, I come at this investigation, at this whole problem of Clinton corruption from the perspective of an intelligence officer. I was commissioned as an Army intelligence officer, became a special agent of Army counterintelligence, and then later on was trained as a

clandestine human intelligence case officer. So my view on these things is both from a defensive standpoint, from a counterintelligence perspective having conducted counterespionage investigations, but also from the point of view of an intelligence officer looking to collect against a target.

And so when you look at the track record, at the pattern of behavior, of the conduct, of the vulnerabilities that have been exposed through this entire scandal, the American public is being misled and they're being misled in a very deliberate fashion, which is not just disturbing from a factual basis, but it's deeply corrosive to the public's understanding of what's been put at risk by Mrs. Clinton and her conduct.

So as a special agent of Army counterintelligence, I'm directly personally responsible for neutralizing, for stopping six foreign intelligence service agents. Those are cases that I ran. I've put people in jail not just under the American legal system, but even under the German legal system. I've worked with the attorney general in Baden Württemberg to put a guy in jail for spying, for espionage.

And, in particular, I think everyone needs to appreciate that Mrs. Clinton was the subject of a national security crime investigation. This wasn't a security review. It wasn't an argument over classification levels. This was a violation of Title 18 of the U.S. Code, Section 793F, mishandling national defense information. And contrary to what the American public has been told repeatedly, intent is not an element of the crime. There's no requirement to prove any sort of intent at all. And so, when Mr. Comey talks about intent or he wasn't able to prove it or there's no sort of specification that showed an intent, it's a red herring. It's a false argument. It isn't a requirement of the crime.

So we know from the inspector general of the intelligence community that 22 top secret SCI, which is sensitive compartmented information. It's a special category of intelligence collection – 22 top secret SCI messages or e-mails went across Mrs. Clinton's unsecured server. It's a fact. It's a finding of the inspector general. That's the root of the referral to the Department of Justice that caused them to begin this inquiry.

The fact that that has occurred puts the United States at grave risk. That's the definition really for compromising top secret material. That is the issue that is really the focal point of what the FBI should have been looking at. And it's a yes or no question. It's not, what did you intend? It's not how did you feel about it. It's not what were you really trying to accomplish. It's a yes or no question. Did this event occur? Yes or no. And if it did occur, who is responsible for it? What is the proximate cause of this event occurring? And if you walk it back to find the person who made it happen, that's who's prosecuted. And this whole intent thing is nonsense. Mr. Comey is lying to the American public when he goes down that path.

The reason I say that is because there's lots of people sitting in jail for doing just that. It's not speculative. It's not an interpretation. Our colleague, Joe, I'm sure will talk about the idea that Mr. Comey's calling the shots on prosecutions, which last time I checked was an issue for the attorney general or a U.S. attorney, not the FBI director.

But, nonetheless, this information passed. We know it passed. And anybody would be looking for that kind of information on a server – not just the Russians and the Chinese, but, frankly, any kind of first world intelligence service, whether it's the Germans, the Israelis, the Japanese, any first-class intelligence operation would be looking for that kind of material on an unsecured server.

Not only would they look for classified information like that. They'd even look for unclassified information. So when she tries to talk it away and say, oh, well, you know, it's no big deal because these were my daughter's wedding plans and her yoga routines, which is a terrifying thought in and of itself, but if that was what was on her server, unclassified, look, a foreign intelligence service wants to know that information. They want to know what is occupying time and space in her head. What is she focused on? Who is she talking to, about what, when? That's all part of the mosaic. It's all pieces of the puzzle that a foreign intelligence service looks at trying to put together what is the secretary of state of the United States doing? What's important? What isn't important? So that's just another kind of component of this larger question.

Look, on this investigation itself, there's a methodology that any counterintelligence professional goes through when it comes to collecting evidence, interviewing people who are either witnesses or subjects. Anybody who has access to sensitive compartmented information is subject to a polygraph. Have ever you heard anybody discuss Mrs. Clinton being polygraphed? Not a whisper, not a word. And I can assure you that there are hundreds of thousands of persons in this country with security clearances in whether it's law enforcement, the intelligence services, the armed forces, who are all routinely subject to polygraph exams. I myself have been polygraphed several times because I had access not just to SCI material, but also to something Mrs. Clinton was familiar with, and that's a SAP, a special access program. And so that wasn't even brought up as a question or an issue. Why wasn't she questioned about being polygraphed? It's a requirement.

I think the most telling thing with respect to Mrs. Clinton in this national security crime investigation is that this sort of brokered voluntary interview that seems to have been orchestrated by David Kendall was not a rights warning environment. It wasn't a rights warning event. That was my first question when I learned that she was being questioned that Saturday morning, because if I'm a federal law enforcement officer and I have reason to believe you've committed a crime and I'm questioning you concerning that, I'm obligated to give you a Miranda warning. I have to give you a rights warning. It's not negotiable.

And so if I'm not Mirandizing you, if I'm not giving you a rights warning and I'm a law enforcement officer who's capable of apprehending you for a violation of the law and I don't do a rights warning, don't take it too terribly serious, even if you do bring nine attorneys to the interview with you. That's a very telling moment that it wasn't a rights warning.

The larger scale thing I think also, sort of the unintended consequence of all this – my last point I'll wrap on – is that the FBI director, Mr. Comey, is personally compromised. He's complicit in this scandal. And there's a larger – besides that very unfortunate, very sad circumstance, the larger thing is the institutional damage done to the FBI. This is not something

that the institution will get over. They've been shamed by this. It's corrosive to the public's trust in the justice system and to law enforcement generally. There are unintended consequences to this entire affair beyond Mrs. Clinton's reckless treatment of classified information and her absconding with federal records.

There are long-term impacts and we can talk more about it, obviously. But I think the public really needs to appreciate the grave danger that she's placed the United States in.

MR. FITTON: Before I bring Jerry in, Chris – that was an excellent presentation – could you talk about retroactive classification, that new made-up term that we've lied to about?

MR. FARRELL: Sure. There's this attempt to sort of un-ring the bell, right – an attempt to say that something that happened in the past really wasn't as bad as you think it is. It's a deliberate obfuscation of the record. The inspector general went ahead and analyzed this case, of course, the inspector general of the intelligence community, and found these 22 top secret SCI messages that went across.

In hindsight, there's supposed to be a damage assessment that's done whenever there's a compromise of national security information. Shockingly, the director of National Intelligence, General Clapper, has refused to do a damage assessment. It's a statutory requirement. The law requires it to be done. He's saying that he's not going to do it. Frankly, we should sue him over that, frankly.

But this notion that –

MR. FITTON: I'll take note.

MR. FARRELL: Yeah. Please do. It's a good thing for us to do.

MR. FITTON: Anyone know a good lawyer? (Laughter.)

MR. FARRELL: The instance here, though, is that what they're doing is in doing a damage assessment, they're pointing out that stuff that was treated as unclassified at the time was in fact classified. It's a part of a damage assessment. It's nothing new. It certainly does not exonerate Mrs. Clinton in any way. In fact, it compounds the problem. Again, it's another red herring. It's a false choice argument that's being offered up by her surrogates to say, oh, it's not as bad as you think it is – kind of like the whole Colin Powell thing. It's a phony argument. It's an attempt to muddy the waters. The facts on the ground are bad enough. And any other federal government employee doing the exact same thing, you would see B-roll of FBI agents dragging cardboard boxes out of their houses. That's the way it works for any other United States citizen.

MR. FITTON: Yeah. I see in the FBI interview notes that Mrs. Clinton thought it was okay to discussing a pending drone strike as long as it didn't actually happen. It's like she talked about a planned drone strike but as long as the drone attack never happened, it's okay despite it being highly classified itself. It's just –

MR. FARRELL: Mind-boggling.

MR. FITTON: It's really disturbing.

MR. FITTON: Jerry Corsi, author of "Partners in Crime," I want to ask you about the current secretary of state, John Kerry, whom you have a fond relationship with going back a long ways.

JEROME CORSI: Right.

MR. FITTON: But, you know, you've had – you know, you're an excellent reporter on these issues and you've really focused in on certain aspects of the Clinton scandal, along the lines that Peter has. And I thought it would be worthwhile to, you know, hear your point of view that I think more attention needs to be paid to.

MR. CORSI: And I want to start by also acknowledging the great work that, Tom, you've done, Chris, and Judicial Watch entirely because we wouldn't be nearly as far along in understanding the Clinton scams had it not been for your diligence and very hard, tedious work: FOIA requests, doggedly going after documents, documents produced by Judicial Watch that were not produced by the FBI or produced by the Justice Department. And the American people I think should owe a debt of gratitude to Judicial Watch for your diligence. And I think we all here personally thank you.

MR. FITTON: Thank you for that.

MR. FARRELL: Thank you, Jerry.

MR. CORSI: My focus on the "Partners in Crime," and if you take a look at the subtitle, it's the Clinton scheme to monetize the White House for personal profit. Now, that's what I'm focusing on. I mean, about two years ago, Charles Ortel, who's a good friend in New York and a brilliant financial analyst, came to me and said, if you've never looked at the audited financial statements or the form 990s, which a foundation, a 501(c)3 or 501(c)4, an IRS form, needs to file every year, Charles said they're fraudulent. They're patently fraudulent. I mean, first of all, I was shocked because the Clinton Foundation has been in existence since 1997. You would think someone in the federal government would have recognized this. Of course, now what we know about the IRS is that it's been a partisan IRS and will not apply the same standard of justice to Democrats or those on the political left.

So as I began to dig into it, the crime I'm talking about in "Partners in Crime" is what's called enormant (sp). I want to make that very clear, enormant. Enormant is when you use a foundation, a 501(c)3 or 501(c)4, the IRS allows you through a determination letter, which you have to apply for, to say that if you get this determination letter for this specific purpose, you can get funds raised in a tax favored way so that people contributing to you have a tax benefit, and that's because you're going after a charity. You're trying to do something that is the public good, and we will allow you to have a tax benefit for that reason. The IRS is very stingy on giving determination letters to charities or should be.

Now, the point of enormant is when you set up a foundation utilizing this great gift of the tax code, of tax deferral or tax – any kind of tax favored treatment and then you scam the foundation by stealing the money, diverting the money, making yourself rich. Enormant means instead of spending 95 cents on the dollar you get for the charity, you spend five cents, and the rest goes to yourself, your associates, your high style of life in five-star hotels, private jets, et cetera.

And what I'm saying in this book – and it's a detailed analysis, more of a – almost a prosecutorial looking at the evidence, although I'm a political scientist but really detailedly (sp) looking at the financial statements, the audited financial statements, and the form 990s. It's Al Capone if – you know, you think of the analogy of a gangster in Chicago went to jail not for racketeering but for income tax evasion.

And what I'm saying – and my book is really complementary to the work, the excellent work that Peter Schweizer has done because Peter is arguing a case for pay to play, which is that people paid the Clintons in order to get a policy decision, either when Hillary Clinton was in the Senate or as secretary of state, made in their favor that otherwise would not have been made. Policy decision, in other words, was bought and paid for by the money given to the Clinton Foundation.

Now, I'm convinced, having looked at the evidence myself, that Peter's right. I think the difficulty is that it's a vulnerable argument because a Clinton veteran defender like Lanny Davis, can come on television and say, Peter doesn't have a scintilla of proof that there was a nexus between the contribution to the foundation and the policy decision reached.

Well, Peter doesn't have that proof in large part because the evidence has been destroyed or withheld, the e-mails destroyed, which we know Clinton Foundation employees and Tanael (ph) and other foundations by the Clintons was complementary in that these foundations shared the information at the highest levels of the secretary of state as if they were all one family, even with the information being classified, confidential, et cetera, and it was shared so the Clinton Foundation could set up events and utilize decisions and opportunities coming down the road that could in fact be a pay-for-play scandal.

The e-mails we get are heavily redacted, key e-mails are destroyed or withheld or not given. And so Lanny Davis' argument fails only because Peter can't get the evidence needed to prove the case. I'm sure it's there. From what we have seen, it certainly appears abundantly there. We get the goods.

Now, "Partners in Crime" says we have the evidence. The evidence is the financial statements, the audited financial statements and it's the 990s, where, for instance, as I point out, Unitaid, which is a tax structure in Europe that is administered through the United Nations, World Health Organization in Geneva, gives a huge amount of monies. It's the biggest program the Clinton Foundation runs – to the Clinton Foundation to get AIDS combated, HIV/AIDS, largely in Africa and other third-world countries.

Well, there's no year we could find when I was doing the research where what Unitaid reports they gave to the Clinton Foundation is what the Clinton Foundation reports receiving. Some years it's higher, some years it's lower, but how could this record of discrepancy exist? And then the Clintons leave the White House begging that they're desperately poor. Of course, Hillary Clinton has an \$8 million book contract from Simon and Schuster. They buy expensive homes in Chappaqua and in Washington. They're obviously not destitute. They're going to have pensions as president. Hillary Clinton is aiming in the Senate, et cetera.

But the Clintons end up with net worth of over \$100 million each. And even with the speaking fees, there's no way they could have amassed that kind of wealth on the salaries of secretary of state or the Senate. The money comes from diverting money out of the Clinton Foundation. And the reporting – Charles Ortel is right. And I also invite you to look at his website, CharlesOrtel.com, which is excellent for those who have accounting backgrounds, where you can see diversion of funds. In other words, the Clinton Foundation says, we've got a gross number of receipts this year in revenue through our charity operations and the gross number of what they spent, but there's no detail. It's almost as if the financials were intentionally set up to perpetrate a scam. And if you do a detailed analysis of the financial statements, you can see millions of dollars, tens of millions of dollars being diverted.

I'm going to end with the point that Bill Clinton has two private corporations, WJC LLC, and WJC Investments. They're filed in Delaware. Now, WJC is Bill Clinton's initials. And these were never fully disclosed. They were found out in the process of other investigations. Now, these two are – fundamentally function, especially WJC LLC, as a pass-through shell corporation. That's what money launderers set up. It's a red flag for money laundering. Drug cartels, terrorists, and the Clinton Foundation doesn't give detail as to what monies go into WJC.

And we increasingly find WJC, these organizations mentioned and noticed in the Panama Papers, which are a set of documents that were released out of Panama, showing offshore transactions. And as I proceed in the investigation, what happens is earthquake happens in Haiti. Clintons rush in; opportunity to have hundreds of millions of dollars flow through their hands and in the process divert the money in a money laundering operation that appears to involve even now John Podesta, the Russians, and other entities we don't know about fully.

With the Clinton Foundation I would maintain being not only an enormous scam to make the Clintons rich but it is also an international money laundering scam that is perpetrated with various criminals that the Clintons do business with. That's how I think my book is complementary to Peter's book. And I think the two together begin to tell the whole story of what the Clinton Foundation is all about.

MR. FITTON: Thank you, Jerry. A lot there to wrap your head around but we'll discuss it further. Next up is Joe diGenova, the former U.S. attorney, former independent counsel, former special counsel for Congress, so there's not a hat you haven't worn that isn't applicable to this situation. So we appreciate whatever you're able to share with the American people today.

JOE DIGENOVA: Well, I want to focus on the scandal within the scandal. And by that I mean what James Comey has done to the FBI. This is a sad and terrible moment in American

history of law enforcement. Never before has there been such a public and sad display of poor judgment, and, I must say, political influence in a decision as to whether or not to recommend charges.

I do not believe at this point that the Director Comey is fit to continue in office. I believe that a resolution of no confidence in him should be filed in the Senate. I believe that his recent testimonies on Capitol Hill are rife with the type of arrogance and obfuscation that should disqualify anyone with the kind of power that the FBI director has from continuing in office.

I believe that he has violated his oath as the director of the FBI because after looking at the entire record that he has made public, and it is not the entire record, it is very clear that from the moment he took control of this investigation, he decided that he was not going to recommend the prosecution of the first female nominee of a major party for president of the United States. The FBI director made a political decision. He did not make a law enforcement decision. And every step that he took in conducting this “investigation,” quote, unquote, which it was not, shows you categorically that it was not a legitimate investigation.

And I say that with sadness. You recounted the number of federal offices that I’ve held that involved investigation. I consider – James Comey said that no reasonable prosecutor would bring the case that they had come up with based on the facts. That is utter nonsense. His news conference – and it wasn’t a news conference because he didn’t answer any questions, but we’ll give him the benefit of the doubt and call it his news – where he explained all – not all but most of the details of her transgressions and then concluded, to the amazement of most of the FBI agents in that building and almost all of the former FBI agents in the United States that there was no crime because there was no intent, was absolutely ludicrous.

Not only was his news conference sophomoric in its content and in its delivery but he followed it up later, on September the 7th, with an e-mail to his staff after he took tremendous criticism for his explanation. I’m going to read a couple of sentences from that memo to the FBI staff. And I will assure you it is not a memo that J. Edgar Hoover or any other former FBI director would have written. It is embarrassment piled upon embarrassment. It has a Valley Boy quality to it that is so sad to hear an FBI director talk this way.

Now, it is evident to me that what Mr. Comey should have done at the beginning of this investigation was empanel a Grand Jury. He did not do that. When you want to investigate crimes involving national security information, classified information, you don’t do interviews. You issue subpoenas to witnesses, third parties for documents, you make people come into court and fight them in front of a federal judgment, and you worry about attorney-client privilege and all – and you work that out.

Director Comey didn’t do that. Now, why did he not do that? He didn’t do it because he didn’t want to investigate. He wanted to conclude this investigation before the election. And the only thing he could do to conclude it was to find that she did not commit a crime, Mrs. Clinton. That conclusion again, by anyone who’s looked at this evidence, who’s a reasonable prosecutor, is absolutely ludicrous. There were multiple crimes here committed by her. There were certainly crimes committed by lawyers involved in the case, by employees of the Clinton

apparatus, the destruction of evidence, of the manner in which witnesses were handled, one lawyer representing three or four witnesses. The Justice Department never permits that but Comey and the attorney general allowed it. Deletion of e-mails after they were subpoenaed by Congress, destruction of evidence by lawyers which Mr. Comey says he found no criminal intent in that.

I must say, after watching Director Comey testify and give his news conference, one has the sense of a Russian village. This is like a Potemkin village. This was a fake investigation. Everybody knows it. I flew to Los Angeles at the beginning of this week with a former head of counterintelligence for the FBI, and we chatted throughout the flight about this and bemoaning, he bemoaned the performance of the FBI director. And he said the thing that hurt the most was how embarrassed the employees were. That's why he sent out this silly memo on September the 7th, where he literally almost laughs at them for being concerned and asks them not to do that.

I think what also is very, very serious about this from a public policy standpoint and from good government standpoint, he created a double standard of justice at the highest levels of government. There are now two systems of justice for people with classified information clearances. The big shots get a pass, the little people go to prison. It is as simple as that. It is tawdry. It is disgusting. It is flagrantly violative (sp) of his oath.

And when you destroy the concept of the fair administration of justice, you know what the American people do? They get worried. They lose confidence. And the worst thing for this country is for the American people not to trust the FBI. And they don't right now. And there's a reason for it. It's because James Comey heads the FBI. He should be gone. Now, he's not going to go. He's not going to resign. Congress is not going to impeach him. But what they should do, what Congress should do is they should pass a resolution of no confidence. They should tell him that his news conference, his memo to his employees, his conclusion, his so-called investigation are not the kind of things that they expect from a real FBI director.

I must tell you that I think that his performance is almost as brazen in its cleverness as Hillary Clinton's brazenness in her destruction of the e-mails. It is fascinating that the two of them seem to be traveling in a parallel way together, hand in hand through the meadow. If you sit back and talk to FBI agents around the country about this investigation and the way he has explained it and described it, I've heard people call him – the FBI agents in the big building in Washington call him the cardinal.

One of them said to me the other day that Mr. Comey heard that there was a vacancy in the Holy Trinity and he's applied. He has a sense of himself that is so pompous and arrogant and you see it – and he's a man of great height and he's a very impressive fellow, and he knows it, and he uses it as a tool and he uses it in Congress.

His pretense yesterday and at the other hearings that he was deeply offended that anyone would question the integrity of his investigation, you'd have to be a loon not to question the integrity of his investigation. It's so blatantly obvious that this was like a cheap prize fight and he took a dive. I mean, this is the 1930s movie, you know, where a bunch of hoods pay some guys off and the guy takes a dive. That's what this was. This was a law enforcement dive.

And for him to sit there and pretend to members of Congress that he was offended by having the conduct of him and his agency called weasely (sp) is quite sad. I think everyone knows what he did. He took a pass. He took a dive. And I think what he has done to the agency is what matters to me. I don't care about James Comey. I mean, he will go. His term – he has six more years or whatever, and good riddance to him when it's over.

But the truth is this: he has done damage that is incalculable and irreparable at this point to the FBI because now what will people think of the next classified information case when there was no grand jury in this case, not a single subpoena was issued, and he grants immunity to a number of people who never should have been granted immunity. They should have been thrown in front of a grand jury, forced to take the Fifth and then continue the investigation.

The absence of a grand jury is the answer to every one of his questions of his critics. He says, well, what did you expect me to do? Well, Mr. Director, we expected regular order. We call that regular order. When you have a serious criminal violation – and there is no doubt that what Mrs. Clinton – he says there was no intent. And you're absolutely right, Chris, intent was not required under the statute. It's gross negligence. However, there were other parts of that statute that require intent that could have been met by a legitimate investigation.

And if the director of the FBI thinks that putting a private server in a private home in Chappaqua, New York, with no encryption, with multiple devices working off it that are not encrypted is not a violation of 793, that's another reason he should resign. To me, this is one of the grossest miscarriages of justice.

All of these people sitting around in the military who have lost their clearances, lost their jobs, been prosecuted – that poor submarine guy who took a photograph which he never sent to his family, the guy was prosecuted and was convicted and has a year in the brig, how can Comey go to sleep at night knowing about that kid? I must say, I find Comey's presence still in the directorship at the FBI an insult to everybody in federal law enforcement. And I think he should go. And I think he's violated his oath. And I think that Congress should at least do something to manifest their outrage at this clearly political decision he made.

And, you know, I think the fact that he's offended shows that he knows how awful his performance was as a federal law enforcement official. And all you have to do is talk to people like James Kallstrom in New York, the great assistant director, who called this a farce because that's what it is. This investigation was a farce, and Comey knows it. Thank you, Tom.

MR. FITTON: Well, thank you, Joe, and everyone for your presentation. You know, just a few points, going back first to Jerry's comment about the lack of evidence. I mean, I think we're seeing that evidence to the degree it's necessary because the jails are full of people put there on circumstantial evidence. But now we have evidence of the e-mails that Judicial Watch has uncovered showing that –

MR. SCHWEIZER (?): Yes. Yes, absolutely.

MR. FITTON: – Clinton donors were given special favors at the department despite promises to the contrary. And, to be clear, it's not just the foundation that benefited. You know, we had uncovered these documents showing these conflict of interest reviews that were not really reviews at all. They were just rubber stamps. China wants to give you money to speak? Okay. You know, foreign potentate X wants to give you money to speak? Okay. And these are speaking fees that went to the Clintons personally. Bill Clinton took the money but, obviously, Mrs. Clinton's married to him and she benefits, to the tune of nearly \$48 million in speaking fees that Mrs. Clinton earned through her husband's work speaking to every foreign potentate and major corporation in the United States while she was secretary of state.

MR. FARRELL: You know, Tom, it was July of two years ago when we got those waiver documents from the State Department. And of the 200 and some odd – I forget the exact number – the 200 and some odd, not a single one was ever rejected, nor was there ever even a delay, you know, wait six months or – so every single one was approved. And guess who the approval authority was on each one of those forms: Cheryl Mills.

MR. FITTON: Yeah.

MR. FARRELL: Isn't that convenient?

MR. FITTON: The person who negotiated the agreement was –

MR. DIGENOVA: And the FBI director, who should be very inquisitive about all of this sees nothing because he wasn't asked by Congress to do so. This guy has no nose for crime. He's got a nose for publicity.

MR. CORSI: And so much of the – take the e-mails from Huma Abedin, and I was going through those very closely, which Judicial Watch was instrumental in obtaining. A huge proportion of them are almost totally redacted, which means that there obviously is sensitive material in here which I'm sure would contribute not only to proving Peter's case but my case in terms of enormant and pay to play.

But then, we find out that Huma Abedin has a private server at Yahoo.com. And to the count of these e-mails, two-thirds of the e-mails you've released, Tom, from Huma Abedin, she forwarded to her own Yahoo.com account with all the sensitive material redacted.

Now, what that means is all she would have had to have done is given the password and user name to anyone – Muslim Brotherhood, whomever – you know, with her connections in the Muslim Brotherhood, and they could have been being read in not only Russia but anywhere in the world in full non-redacted form, real time, just because she was forwarding them to herself.

And, Joe, I would go back to you, I mean, isn't that a violation in security?

MR. DIGENOVA: You know, this whole scenario is so replete with lawlessness and an arrogance knowing that no one will stop you. The reason this all occurred is because there was

an impunity which came from the stature of the Clintons. They felt, and, more importantly, they knew that no one would try to stop them.

The question has been asked recently, apropos of what you say, Jerry, where was the civil service? Where was the civil service in our government? You know where they were? They were in Clinton's pocket and they were there because they all feared retribution. The Clintons used retribution and this administration used retribution, whether it was the IRS or freezing you in your job, failure to get promotions, retaliation if you raise an issue. People finally decided that they weren't going to have their careers ruined by the Clintons and their little minions in the Justice Department, the enforcer, Cheryl Mills. They simply gave up. They stopped doing their jobs.

When they saw Cheryl Mills signs the waivers, they all knew it was over. There was going to be no ethical enforcement. The Clintons could do whatever they want. And for James Comey to sit and tell Congress that there was no evidence of intent is so ludicrous –

MR. FITTON: Well, to be clear, he said she – the violations of law that don't require intent, it would be unfair to apply to her, which, as you know, it's been applied to others.

But I want to get back to – I want to connect Jerry's point with Peter's work on Clinton cash. And I want you to speak more about Frank Giustra, who had this Canadian entity set up, associated with the Clinton Foundation, to amass moneys from foreign entities that went into the Clinton Foundation, and those foreign entities had a specific interest and a specific policy decision by Mrs. Clinton.

MR. SCHWEIZER: Yes. That's exactly right. I mean, I think – you know, Jerry makes a great point, that proving pay to play can be a difficult thing. But I also think that, you know, there are examples – and maybe Joe and others can talk to it – there are certainly individuals that, you know, are put before a grand jury and are, you know, prosecuted and convicted based on a pattern of evidence. And I think one of the things that the Clintons have tried to do is create this misnomer that you don't have a smoking gun that say, we'll trade this for this. And absent that, you have no legal case.

MR. DIGENOVA: Peter's book is the smoking gun. That's the bottom line here. I mean, it's nonsensical. I mean, where's your smoking gun? Read the book.

MR. SCHWEIZER: Thank you, Joe. But to your point precisely. You're exactly right. This was a global enterprise so you had individuals like Frank Giustra, who has mining interests around the world. And here's the thing that we know about, you know, trying to develop mining assets around the world. It's all about relationships with third-world governments. So if you want to get a mining concession in, say, Kazakhstan or in the Congo, that concession is granted by the government there. Unlike the United States, where you have private entities that own mines, it is a government operation.

If you are somebody like Frank Giustra, who wants to get lucrative mining concessions around the world, who better to have a relationship with than America's chief diplomat who's

providing foreign assistance, who's providing, you know, the kinds of aid or other policy prescriptions that are so important to third-world elites. So you had a situation like the one in Kazakhstan, where the timing is just overwhelming.

You know, Bill Clinton flies over with Frank Giustra, who's been trying to get a uranium concession in Kazakhstan, has not been able to get it. Bill Clinton shows up, has a press conference, says wonderful things about the dictator of Kazakhstan, Nazarbayev, saying what a great human rights record he has, which, you know, is laughable. It makes human rights groups go apoplectic.

And three weeks after that, well, first of all, Frank Giustra, two days later gets the uranium concession in Kazakhstan. Then three weeks later, the Clinton Foundation gets \$30 million from Frank Giustra. And then you have the pattern move forward because this entity, which becomes Uranium One, has this lucrative asset in Kazakhstan. It starts buying up uranium assets in the United States. And what happens in 2009 is the Russians come calling, specifically Arms (sp), which is an entity wholly owned by Rosatom, the Russian state atomic nuclear agency.

So, to be clear, Vladimir Putin's Russia wants to buy uranium assets in the United States and these lucrative assets in Kazakhstan. That's great, but it requires approval from the federal government, specifically nine government agencies that have to sign off on this deal, including Hillary Clinton's State Department.

What makes Hillary Clinton's role in this process, this CFIUS review, this national security review, are two things. Number one, of the agencies that are reviewing this Russian purchase, only one agency head has a record of being opposed to assets, critical assets in the United States being bought by foreign entities, and that's Hillary Clinton. She was opposed to the Dubai ports deal in 2005. And in 2008, she cosponsors and pushes legislation to tighten the screws and make far more effective the so-called CFIUS review process. So she's been a hawk on this issue –

MR. FITTON: CFIUS is – that's committee of agency heads.

MR. SCHWEIZER: Correct. The Committee on Foreign Investment in the United States. Correct.

MR. FITTON: Okay. Right.

MR. SCHWEIZER: And the State Department is one entity. And so she is unique in that of all the other agencies that are reviewing this, including the Pentagon, including the Treasury Department, only one has a record of opposing precisely these kinds of deals. That's Hillary Clinton.

But the second factor that's critical is of all of the government agencies that are reviewing this and agree to this process, only one agency is headed by somebody whose private foundation collects \$145 million from shareholders in that deal. Now, to me, that enough

warrants investigation. I mean, imagine – take the Clintons out of it. Imagine a secretary of defense is making a national security decision similar to this. And their private foundation takes \$145 million from foreign businessmen, I mean, you can bet everybody would be investigated.

MR. DIGENOVA: I think Peter raises a very important point which gets back to something that was said over here by Jerry.

MR. CORSI: Right.

MR. DIGENOVA: All of this has been on the public record for some time.

MR. FITTON: Front-page “New York Times” story.

MR. DIGENOVA: Ask yourselves this question: why has not one FBI field office and one U.S. attorney in either Brooklyn, New York, California, Texas or Boston, or Washington opened a grand jury to investigate all of these transactions? And to me, that is why what Comey did in the Hillary Clinton e-mail case confirms without a doubt that the Justice Department and the FBI have been hopelessly politically compromised.

MR. FITTON: Well, there have been two stories there that – one, an investigation is ongoing, and then, secondly, an investigation was –

MR. DIGENOVA: But only recently. I mean, that investigation allegedly only started –

MR. FITTON: I don’t know which one to believe.

MR. DIGENOVA: It’s in the Southern District.

MR. FITTON: Right.

MR. DIGENOVA: Allegedly been started by Preet Bharara, the U.S. attorney but nobody knows if that’s true or not. We think it is.

MR. CORSI: See, the key point – we now know that President Obama to access Hillary Clinton’s e-mail server used an alias. Now, that’s right there an indication of guilt, I would think, because why would you use an alias unless you’re trying to hide the fact that you’re using a private e-mail server offline to the State Department?

Now, the Giustra case is interesting also because the –

MR. SCHWEIZER (?): That’s the Russian uranium deal.

MR. CORSI: Uranium deal that Peter was just talking about. Because Giustra created a Canadian version of the Clinton Foundation.

MR. DIGENOVA: Right.

MR. CORSI: And they took in foreign donations which they bundled and did not disclose because they tried to argue the Canadian law didn't require it. Now, what I'm pointing out as we find these companies showing up in the Panama Papers, in the money laundering operation – remember, I did a lot of the first research of the HSBC showing they were money laundering. Now, that was a \$9.9 billion fine which Loretta Lynch did not prosecute anyone for when she was in the Southern District in New York.

And the point of it is that everybody knew the money laundering was going on in the HSBC system. A bank manager came out with the data, 1,000 pages of it. Now, you're not going to say that the Clinton Foundation, including WJC, at the highest levels of government, with international money laundering going on, the Panama Papers validating a lot of this, that it wasn't known in the Federal Reserve that the wire transfers weren't seen.

But if the highest level of government is involved, then clearly the Justice Department can investigate because you're going to have to get into the revelation to the American people. You know, we've been silent while drug cartels, terrorists, et cetera, have used all our banking facilities and international banking facilities with people like the Clintons quarterbacking it for their own personal gain.

MR. FITTON: To be clear, there's been no congressional hearing on the Uranium One scandal.

MR. SCHWEIZER: Correct.

MR. FITTON: Again, reported out by the "New York Times" based on Peter's initial work. Now, to be clear, Judicial Watch doesn't take a position on the election. I don't know what you all think about who to vote for or against but we're not saying vote for or against anyone. But people have pointed out that Donald Trump has played games with his foundation or it's been alleged, and that he's not as transparent as he should be and he may have something to hide. Do you have any feedback on the issue of transparency?

MR. DIGENOVA: Well, Comey was asked about that yesterday. And he demurred. He said, I'm not at liberty to confirm or deny any investigation. All of a sudden, the loquacious Mr. Comey clams up. He should be telling us as much as he's told us about all these other things. I'm quite – you know, what is it, my dear friend, Mr. Comey? Are you doing something or not? I mean, I don't have any objection to investigating Donald Trump. If he's done something wrong, have at it. But I'm expecting to get exactly the same treatment that Hillary Clinton got, exactly the same. No subpoenas, no grand jury, just sort of light-touch interviews, maybe ask for a few documents, you know, not too much. We don't want to push this.

MR. FARRELL: The overarching thing I think that's most disturbing is this very I would say sad but really it's not sad, it's shocking lack of courage from senior professional staff in these various departments. This e-mail routine with Hillary Clinton went on for years. And people at the deputy, at the assistant, at sort of the division chief level, all knew this was going on. It was unavoidably obvious to all of them not a single person, not a peep and –

MR. DIGENOVA: But there's a reason for that, you know. There's somebody in the State Department who ruins, who ends people's career. His name is Patrick Kennedy. He's the under secretary of state for administration.

MR. FARRELL: Absolutely. Absolutely.

MR. DIGENOVA: You cross him, your career is over. And everybody in that building knows it. And that meant you didn't cross the front office of Hillary Clinton.

MR. FARRELL: You know, we had the opportunity to interview a couple of people, a couple of brave souls who provided us with some information concerning devices that Mrs. Clinton sought to use in her official capacity, in other words, using in particular an iPad and the fact that the technical services people within diplomatic security said, no, you can't use it. It's not secure. Essentially it's a beacon constantly giving your location and the device itself is unsecure even for unclassified. We won't approve it. And they would send a memo back up to the seventh floor saying, no, you can't use it. And then, about two weeks later, they get another – well, the seventh floor really wants to use – and they would laugh in their staff meetings and say, well, who writes the memo this week and send it back up?

And so there's some institutional resistance at lower levels that sort of try to at least enforce provisions. But what I'm waiting for, and I have reason to believe is occurring and hopefully will manifest itself, is that there are whistleblowers inside State and there are whistleblowing FBI agents who know better and have been in contact and communication with the committees on the Hill and that they're going to step up and say, look, we're not buying it. This is the truth.

The problem is there is such a lack of leadership. There's such a reticence of people to do the right thing. It's really – it's a sense of – there's a careerism.

MR. DIGENOVA: Sure.

MR. FARRELL: There's people that are looking just to get to their retirement and screw it. They're not going to do anything beyond that.

MR. FITTON: Just quickly, just outside the criminal aspect of this and whether Hillary Clinton should go to jail or be prosecuted, there's this fundamental issue about government transparency that's been put at risk as a result of this Clinton scandal. And we don't understand – I think we take for granted how open and transparent our government is relatively speaking to every other government in the world. No other country allows to the courts to groups like Judicial Watch the way the United States does to force the government to turn over records. And that whole process is contingent on good faith on the part of the government. We're not naïve about that.

But, generally speaking, when the government says, we looked for the records and these are the records, we can't go in and necessarily second guess every time they say they've looked

and say, hey, you should look here or there and everywhere. We have to rely on the government doing the job they've been entrusted to do by the American people.

Hillary Clinton tore that compact up because now we can't trust anything the government says, at least the State Department says because they promised us and they promised the courts they looked everywhere they should have for records. And Mrs. Clinton, if she gets away or there's no accountability – whether she gets away personally is not the issue. There's no institutional accountability for the misconduct that Mrs. Clinton did as secretary of state and the agency did.

FOIA may end practically speaking because you can't rely on the law being enforced because the government officials may say, I have a way of getting around these darned taxpayers who want to find out what I'm up to because I can text privately or come up with another, whatever the innovation is technically on social media or elsewhere to do my business, the people's business in secret.

MR. DIGENOVA: Well, that's why this point that was made about the civil service is so important because when they first responded to the Freedom of Information Act request, are they suggesting, when they didn't find any Hillary Clinton e-mails that that didn't raise a red flag right away in the first series of responses? This is beyond belief that no one said, where the hell are Hillary's e-mails? And, at that point, nothing happened?

I think the amount of duplicity and deception and lying and perjury that has been committed in the freedom of information lawsuits involving you and other people is staggering. It is precisely why what Comey said at his news conference and in testimony is so offensive to people who believe in good government and accountability because what Comey has done, he has piled on this abuse of the Freedom of Information Act and he has made it less likely that people will comply with judicial requests, subpoenas and other documents.

This is – this is the scary part of this. What Hillary has done with her private server and then the lying about it, and what Comey has done with, in essence, an FBI cover up, an official cover up – this is like the old Soviet Union. You know, let's blot her out of the photograph. I mean, this, what he has done is he has undermined confidence in the ability of the government to investigate itself.

MR. FARRELL: Joe, let me tell you that in court hearings, where we've been in front of Judge Emmet Sullivan in one of the principal FOIA cases, he got very frustrated at one point and turned to the government attorney representing the State Department and said, I want one question answered. It should be very clear who authorized use of the server. It's a basic interrogative. And, in this case, the dissembling, the double talk, the staring at one's shoes, it made Judge Sullivan really come out of his seat at this point because it's so fundamentally simple. Who authorized the use of the server?

MR. FITTON: We have questions pending. Wait a second, Jerry. We have questions pending, so you know, with Mrs. Clinton. We had sought her deposition testimony which would have required her to come in and be questioned directly. The judge didn't bite on that but did

authorize us to give her questions in writing, which we did, 25 questions which are simple and available to the public online.

MR. DIGENOVA: And the answers will be written by the same lawyers who deleted the e-mails after they were subpoenaed.

MR. FITTON: And those answers are due October 13th. So either way, there's going to be further accountability.

MR. DIGENOVA: Good luck.

MR. FARRELL: We had her under oath and the FBI didn't even do that.

MR. FITTON: Jerry, go ahead.

MR. CORSI: I want to make a point. Remember, the other negligent group in this is clearly the mainstream media and the fourth estate, the press. If we take a look – remember, we learned about this private e-mail server through Guccifer, through a hacker who first released e-mails and it was clear that these were not in the State Department e-mail system and that there were addresses, the Clinton e-mail, and everyone saying, well, what is this? That's how we found out about this. It didn't come from a civil servant. It didn't come from the mainstream media. It came from a hacker. And, in fact, we've gotten – you know, the two ways we've gotten information on the Clinton e-mails, including on the Clinton Foundation, have been from people from Julian Assange and Judicial Watch, not from the Department of Justice –

MR. FITTON: We do it the legal way, just to be clear.

MR. CORSI: Well, you do it the legal way. And, you know – I'm not trying to justify what Julian Assange or anyone else is doing in hacking. But my point is that, you know, when you have to get down to a hacker who is going to tell the truth, you know, the criminal breaking into the system is telling the truth, where those responsible for making sure the system is legitimate – FBI, civil service, law enforcement are not doing their jobs, this is where Judicial Watch and others have come in, and Judicial Watch especially with the FOIA requests, to demand and continuing to demand that e-mails, those weren't destroyed. We just found them. Well, how do you find 14,000 e-mails –

MR. SCHWEIZER: It's corruption. It's just corruption.

MR. FITTON: You know, just quickly, Peter, before I go to you, you know, Jason Leopold of VICE News, to his credit, you know, he had the main case that resulted in the 55,000

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MR. CORSI: Yes. Yes.

MR. FITTON: May result in more e-mails coming out before the election now. You know, Jason participated in the previous Judicial Watch panel, which is also available online.

You know, he made the point Hillary Clinton was an important person and he was just doing what he thought all reporters do.

MR. CORSI: Right.

MR. FITTON: Well, this is an important person who's probably going to run for higher office, in the presidency, so give me her e-mails. And he didn't think – he didn't know what he was getting into when he – he thought he was just doing regular reporting work. And indeed he was but he was the only reporter and the first to go to court about the records and got them as a result. And it just shows you just how little effort it takes in the end to get the accountability.

MR. DIGENOVA: And apropos of what Jerry has said about the mainstream media. How many FOIA requests have been filed by the "New York Times" and the "Washington Post"? How many? There are nothing. I mean, talk about AWOL. You know, Bob Woodward talks about, we have 27 reporters working on Donald Trump. Great. Give me 27 on the e-mails and let's find out where they are and what happened to them. Have you interviewed all these guys who were part of this process?

I mean, the notion that the mainstream media serves a useful function under the First Amendment is really under attack.

MR. CORSI: The questions being asked – you know, so we get the revelations, Judicial Watch comes out with the series of e-mails we haven't seen, you're not going to go to the "New York Times." You're going to go to the Internet sources, we try at WMD very hard to keep it current, on Twitter and on Facebook, you're going to find people commenting. They're asking questions that the Justice Department refuses to even look at. And they're doing it with great skill so that the Internet is suddenly becoming the source in which the debate is really happening.

MR. DIGENOVA: Vox populi.

MR. FITTON: And, to be fair, the "New York Times" and the "Washington Post" – and this is the problem that's been for Mrs. Clinton – are actually following our lead here and covering this. And, Peter, you had –

MR. DIGENOVA: They have written some good stories.

MR. FITTON: – and you've had some good relationships with the press in the past.

MR. SCHWEIZER: Yeah. No. They have. I do think as it gets closer to election, the window closes. There's a great reluctance by the mainstream media to drop a large story or to report a large story because of fears it might affect the election.

But getting back to your original question about Trump, I think of the transparency basically on three levels. One is just the general obligation that candidates have to be transparent. There's no legal commitment. It's just a general obligation. And I think on that, people want to know who their candidates, what their financial ties are, who they might owe

money to, where the sources of income or their wealth are coming from, who's contributing to their campaigns, et cetera. And so I believe that, you know, Mr. Trump and Hillary Clinton both should be transparent in those areas. That's the lowest one.

Then you start to move up to commitments that candidates have made. You know, Hillary Clinton made a commitment, signed an agreement with Barack Obama, this memorandum of understanding in 2008. This was not a general obligation somebody made up. It was – you know, non-binding but written agreement with the president of the United States, which she completely violated. And, you know, we've talked about how civil servants have been kind of, you know, complicit in not raising it.

To me, the great mystery here is Barack Obama. If you look at that 2008 commitment, a memorandum of understanding, Barack Obama clearly knew what was going on. In fact, the Frank Giustra entity in Canada is listed as one of the entities that they are required to disclose donations for. So think about this for a second. You tell the president of the United States in a written agreement, we will disclose all contributions, it now comes out that they completely thumbed their nose at President Obama. President Obama doesn't seem to care. He doesn't seem to care that his secretary of state essentially said, I signed an agreement with you but I don't care.

MR. FITTON: Well, because he, in many ways, would be an unindicted co-conspirator –

MR. SCHWEIZER: Yes, in a lot of ways.

MR. FITTON: – for allowing this to take place and not doing anything about it.

MR. CORSI: And the abuse of the foundation. I mean, here you've got people in Haiti. And, you know, the outreach of the Democratic Party to the African-American community has been decades long. And you look at what's done by the Clintons in Haiti, where they come in and it's clear that only pennies on the dollar donated got to any of the Haitians who were today in misery conditions and protesting Hillary Clinton actively today because, again, it's the enormant (sp). It's the transfer of money and pay to play because you had, you know, the Irish criminals that they've dealt with for years and years coming in and cornering the telecom market in Haiti, building luxury hotels when the people don't even basically have drinkable water. You know, the U.N. comes in and creates cholera and denies that it does it. I mean, these crimes – you know, this is what we can't have happen is that Hillary now is in the White House and so the price of a Clinton speech goes to – you know, Bill will give a speech but now it's \$5 million.

MR. FITTON: Oh, sure. Yeah.

MR. CORSI: And, yes. Well, there's another disaster tomorrow in X, Y, Z country. Great. Let's rush in because here's another chance for the Clinton Foundation to make, you know, not \$1 billion but we'll raise \$5 billion.

MR. FITTON: Roger will be back, Roger Clinton, the Clinton –

MR. CORSI: And our net worth will go to whatever. Our net worth of \$100 million will go to \$500 million.

MR. FITTON: And Rohdam brothers.

MR. SCHWEIZER: Yeah. And Tony Rodham will get another gold mine.

MR. FITTON: You know, let me just say this on Trump. You know, with Mrs. Clinton, I think the crisis she's created for herself and her new presidency, if she indeed wins, is that the conflicts of interests have been cast in stone. So all of the companies that gave money to the foundation, all their interactions with the Clinton administration are going to be given extra scrutiny, and there's going to be less confidence that the administration, even if it acting innocently – is acting innocently.

Now, the problem that Mr. Trump has is that he probably thinks, I suspect and I would encourage him to think otherwise, well, I'm Donald Trump, I'm not Bill Clinton. Why would – or Hillary Clinton. Why would anyone think that I would do anything wrong? Well, you know, he is the owner of a major corporation. And he may think, well, I don't – I'm not going to be influenced, but people will try to influence him. And he needs to be aware of that and he needs to take steps about it as opposed to the typical arrogant way of thinking that I've seen with the Bush administration that we're not Bill Clinton, we're not the Clinton administration so, therefore, the ethics rules and the sensitivities that anyone else ought to have don't apply to us because we're not the bad guys.

When, point in fact, the temptation for corruption never leaves, especially when you have the government as much as possible. And it would be foolish for people not to try to influence Trump from the corruption point of view. They're going to try to do it because it's the way – easiest path of – it's the path of least resistance to getting good with the Trump administration by taking care of his companies or people close to him. And if he's not aware of that, he needs to be aware of it because I guarantee you, if you think the media has been soft on Clinton, they're not going to be soft on Trump. And it's the right thing to do and he's going to be held to account for it, unlike the way that Mrs. Clinton obviously won't be from ideologically sympathetic media.

MR. CORSI: Right now, the magnitude is all – I mean, the Trump Foundation is relatively small compared to the magnitude of the Clinton Foundation. It's not a \$2 billion entities. Transactions that have been questioned are like \$20,000 and \$30,000 or \$40,000 transactions, not hundreds of millions of dollars.

But I think the – and, you know, first of all, yes. There should be transparency. The Clintons do tend to play a gotcha. If they can find a \$20,000 transaction that they want to criticize Trump's foundation for, they think it frees them from scrutiny on \$2 billion worth of transactions.

MR. FITTON: Right.

MR. CORSI: And the point is, you know, I think, ultimately, we're going to have to really raise the question, should every two-bit dictator anywhere in the world, who graduates from being head of state now then go into creating their own foundation and play the will exploit misery for our own gain and profit game. And if that game is legitimated, what's at stake here is the integrity of charitable giving.

MR. SCHWEIZER: Yes. And to add to that point, a lot of people – you know, the defense made by the Clinton supporters oftentimes is, well, the Clinton Foundation, they don't actually get a salary from the Clinton Foundation, which is technically true. They get a lot of side benefits.

But the other thing to point out is that Bill Clinton's speaking fees for where he's paid \$500,000, \$750,000 oftentimes he goes to precisely talk about the Clinton Foundation. And he actually wrote a book called "Giving," about the great work of the Clinton Foundation.

MR. DIGENOVA: To me.

MR. SCHWEIZER: Yes. Yes. For which, by the way, he received \$6 million royalties which did not go to the foundation.

MR. CORSI: Peter, you can prove diversion of funds out of the financials. In the book, Charles Ortel's work, you can see tens of millions of dollars disappearing. Now, with Clinton having a WJC pass-through corporation, that we don't have audited reports on, finding that these show up in the Panama Papers, what happened to that money?

MR. FITTON: Okay.

MR. CORSI: You know, those are legitimate questions. How do you get to \$100 million net worth? Certainly you don't do it even on the excessive speaking fees. You certainly don't get it on the secretary of state or U.S. Senate salary or the president's pension.

MR. FITTON: Okay.

MR. CORSI: And so, you know, we've got to take – just take a look at the money involved and say, where did it go? Because you can see years where, literally, the Clinton Foundations spent five cents on a dollar in charity.

MR. FARRELL: There's going to be competition because there will be the Obama Foundation shortly.

MR. FITTON: Yeah. I'm sure that's the biggest problem Mr. Obama has with Mrs. Clinton is that he's – (inaudible).

MR. DIGENOVA: They created the template. He's going to copy it. He won't have to do any setup work.

MR. FITTON: Well, you know, we're going to have to bring this to a close. I'd be remiss in not promoting Judicial Watch's book. We have a great book out, "Clean House," which provides key background on the Clinton e-mail scandal and the Benghazi scandal and the IRS scandal and pretty much every other major scandal in the last several years. It's a New York Times bestseller and I encourage you to pick it up in addition to Jerry's book, "Partners in Crime," and Peter's book, "Clinton Cash," which is not only a great book but now graphic novel and there's a DVD or a movie available widely on the Internet for free. You can look it up and view it for free.

So just great work that's being done by us all around. You know, I'd like to give Judicial Watch credit as if I'm not involved but it's a great work that we're doing. And that leverage – you know, we educate the people and we put the material out there. People like Jerry take it – do with it what they will.

MR. SCHWEIZER: Absolutely.

MR. FITTON: You take it with it and do what they will. The FBI takes it and does it won't. And it's important work. And it's great to have – you know, to think that it's easy for someone like Joe to come out and complain as strongly as he does about the FBI director, as a criminal defense lawyer, it's not like you're not doing at some risk to your professional career.

MR. DIGENOVA: That's very kind of you.

MR. FITTON: You're to be credited for taking this very public point of view on the misconduct by the FBI, some of which you have to deal with in your professional life otherwise.

MR. DIGENOVA: You know what? Once you're a cop, you're always a cop. And when you see a dirty cop, which is what we have here, you've got to say something about it.

MR. FARRELL: And the damage to the country is horrendous, horrendous.

MR. DIGENOVA: Oh, it's incalculable what Comey has done, incalculable.

MR. FITTON: Well, thank you, gentlemen. And if you want to follow up on the new Clinton e-mails that are going to be released over the next several weeks, go to our website at JudicialWatch.org and, of course, they'll be coming out after the election as well. So no matter what happens, we'll be on the case.

Thank you for all of you joining us. And, hopefully, we'll have a panel like this soon again. So stay tuned. But you can track us on the web at JudicialWatch.org. And, of course, we're on Facebook and Twitter as well. And you can learn more about all the panelists on our website as well and find out more about them and figure out how to get their books and other information. So thanks again for joining us. And have a great week.

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