



JUDICIAL WATCH

Judicial Watch Presents: An Update on the 'Deep State'

Introduction and Moderator:

Tom Fitton, President, Judicial Watch

Featuring:

Rep. Jim Jordan (R-OH), Committee on the Judiciary, Committee on Oversight and Government Reform;

Vince Coglianese, Host "Mornings on the Mall" WMAL Radio and Editorial Director, Daily Caller;

Lt. Col. Tony Shaffer, Vice President for Strategic Coordination and Operations, London Center for Policy Research;

Michael Bekesha, Attorney, Judicial Watch

**Event Link: <https://www.youtube.com/watch?v=lpjxzB1d8Y>
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TOM FITTON: Good afternoon, everyone. I'm Judicial Watch president Tom Fitton, with our educational panel talking about the Deep State – specifically, the Deep State update. We've got a great expert panel here, but before we get to them we want to introduce you to the program. Judicial Watch is a nonprofit educational foundation that seeks to uncover, more or less, what the government's up to. We try to sue the government when it does the wrong thing. To that end, we have dozens of lawsuits over what the government's been up to the last two years as it relates to the Clinton investigations and the Russia investigation.

And the Deep State is clearly out of control. You know, back in the day when we uncovered the Clinton email scandal, Judicial Watch fought tooth-and-nail against the State Department, the Justice Department, the FBI – you name it – for documents. Little did we know that as it was protecting Hillary Clinton back then, these agencies were also targeting her political opponent, Donald Trump. And since then, we've uncovered a scandal through the collective work of Judicial Watch and especially Congress – a scandal that's unparalleled in American history in terms of abuse of government officials, offices, and agencies to target the political opposition of a party in power; specifically, the Obama administration.

The Obama administration used the Justice Department, the FBI, and other agencies to target and spy on its political opposition, work with the political opponent of that person, Hillary Clinton and the Democratic National Committee, to launder intelligence from foreign nationals, and use that as a pretext to target and spy on Donald Trump and his associates.

It's an incredible story, one that deserves much attention. And in many ways, the top state initiated the activity that we are talking about – the corruption we are talking about. It begins with the Obama administration, the Obama White House, as I said, the top echelons of the FBI at the time, but it continues in the Deep State now.

And the Deep State, I think, can be fairly described as those individuals and agencies that are the permanent bureaucracy, the alternative government, those not part of the political-appointee class that the president brings in when he comes into office. And the Deep State has always been there. They've always not liked conservative governments. They've always not liked Republicans. But with Donald Trump, they hate him. And as a result, they are willing to break the rules, bypass the rule of law to try to undo his presidency with an illicit effort to target him, prosecute him, and remove him from office, if need be, through impeachment.

And so this corruption has been front and center here in Washington, D.C. It's not about Russian collusion. You didn't hear me talk about Russian collusion because that's not the scandal. The scandal is the abuse of power in the government agencies that we are talking about at the highest levels.

And Judicial Watch has dozens of lawsuits trying to get information about what's going on. We've sued about what Robert Mueller's up to. We've sued over the James Comey memos. We've sued about Andrew McCabe, the number two official of the FBI. We've sued about the

text messages and the removal of Peter Strzok (sp), Alicia Page (sp), two top FBI officials who were anti-Trump, pro-Hillary Clinton partisans. We've sued the State Department for records about the dossiers it was (grading ?) targeting Donald Trump. We've sued the CIA and NSA over the unmaskings and the targeted leaks targeting president Trump. A real outrageous abuse of power and even worse an outrageous abuse – an outrageous refusal to obey the rule of law on transparency.

And I think one of the stories we'll be talking about is how the Deep State is bending over and backwards to protect Hillary Clinton by keeping information secret, but, also keeping information secret as a way to target President Trump because if the information came out – and it's coming out dribs and drabs – we know it would probably benefit President Trump in terms of his efforts to stave off this lawless attempt to remove him from the presidency.

So that being said, I want to introduce our special guests here. Joining us first on my far right is Lt. Col. Tony Shaffer, who is a retired U.S. Army Reserve lieutenant colonel. He gained some claim to fame back in – around the September 11th attacks. He was doing the Lord's work working for the United States government at the time. He wrote a book, "Operation Dark Heart," which exposed the Able Danger scandal, which was essentially the mishandling of classified information in a way that didn't allow us to protect ourselves from the 9/11 attacks. And since then he's been an able analyst of what's been going on here in Washington, and especially the abuses of the intelligence powers we have.

He is vice president for strategic coordination operations at the London Center for Policy Research. It is not London as in the U.K.; it's London as in Guy? Right?

TONY SHAFFER: No, Dr. Herb London.

MR. FITTON: Dr. Herb London.

Also joining us is Vince Coglianesse, who is the speaker – who's been speaker of one of our panels way back when. Frankly, I don't remember way back when.

VINCE COGLIANESE: Yes, we were drunk. (Laughter.)

MR. FITTON: Speak for yourself. (Laughter.) He is co-host of one of the most influential radio shows here in Washington DC, "Mornings on the Mall" on WMAL, and he's editorial director of the Daily Caller. So, you know, Vince has been around. He's been at the Daily Caller for how many years now?

MR. COGLIANESE: For about seven years now.

MR. FITTON: Seven years. And he recently did a great video report on the Deep State, and so he's got some great insights to share with us today.

Also joining us today is one of the heroes in Congress for those concerned about the rule of law, Congressman Jim Jordan from Ohio. He serves on a Judiciary Committee and the

Government Reform and Oversight Committee. And almost singlehandedly, along with about five or six other Members of the House, have been pressuring the Deep State to turn over information about what it's been – what it's up to. Comey memos, the dossier information – everything that you might want to be concerned about. Jim Jordan and his colleagues on the Hill are trying to use the powers that the Congress – that the Constitution entrusted to them to provide oversight over the executive branch abuses that we are concerned about today.

And now, as I said, Judicial Watch is on the front lines with lawsuits about the Deep State. Finding out what's going on with the Russia collusion, with Hillary Clinton. Finding on – finding out what's going on with the protection of Hillary Clinton and the various criminalities there, and finding out what's going on with the misconduct by top level officials at the FBI, the Justice Department, and elsewhere under president Obama, and frankly, a little bit under President Trump.

And so we file lawsuits. And one of the key attorneys that we have involved in filing those lawsuits is Michael Bekesha, who is I guess the senior attorney now at Judicial Watch. He's been here for almost ten years, and he went to Northwestern University for law, and so –

MICHAEL BEKESHA: For undergrad. Missouri for law school.

MR. FITTON: Oh, the other way around. So, anyway, he's well-schooled both legally and in the practice of battling government corruption. He's been on the front lines, as I said, on behalf of Judicial Watch. I get to come on and talk about all the good work that Michael and his colleagues are doing suing in court so you can find out what your government has been up to.

So a lot to talk about. I threw out a lot in my opening comments. I think we'll talk about it – the way this will go is we'll have our presenters give some opening remarks for a few minutes, and then we'll have some further discussion. Starting us off is Tony Shaffer, who, as I said, is on the front lines, has battled this Deep State before we even called it the Deep State –

MR. SHAFFER: That's right.

MR. FITTON: – back in the day. So he's a scarred battle veteran whose expertise we'll benefit from.

Thanks Tony.

MR. SHAFFER: Thank you, Tom, for having me today. Thank you, gentlemen, for being here – honored to be with you. I'd like to start with a metaphor of sorts, regarding a scene-setter, from a great movie called "Ice Station Zebra" from 1968.

There is a scene where they're at Ice Station Zebra and a character named David Jones, an MI6 operative played by Patrick McGowan, is talking to captain James Faraday, the American captain, played by Rock Hudson, about how a Russian spy made it to Zebra, up on top of the world at the North Pole.

“Jones: Ten days ago, a Doctor Ari Goodwin (ph) appeared and applied for permission to do some research up here. A university professor of impeccable qualifications, he was immediately accepted and flown up here on the next supply plane.

Faraday: You knew he was their agent?

Jones: Ever since he became impeccable.”

That’s how we’ve seen the Deep State do this amazing manipulation of the services – of the entire landscape of reporting. What has happened over the past year is this use of intelligence authorities. People in impeccable positions of authority going out and providing information, leaking information that otherwise is highly classified, highly contentious. But the media accepted this on single-source reporting.

Some of us were talking about this a year ago – how these outlets, a number of outlets, CNN, MSNBC, NBC, were all talking about all these specific issues which could only come from the top guys. And it was amazing to watch because normally reporters – and you’re one of those – has to have multiple sources of overlapping information to do what is important related to confirmation. You want to have a sensitive? more than one person confirming it.

So what we saw last year, to support the Russian narrative, was this amazing, single-source reporting where an unnamed source – (audio break).

So why would – why would the American media, this supposed wing of oversight, completely compromise itself? Because it was talking to impeccable men. Impeccable men of the Deep State, who to this day represent themselves as somehow neutral third parties not interested in politics. Jim Clapper, John Brennan. They all continue to profess their innocence like: Oh, we are all just here to help. And that’s not the case at all because they were impeccable. And that’s why you had the single source reporting being accepted at the senior levels of the network.

The goal of the Russian narrative, I think, was from the beginning something that was designed by the Deep State for purposes of using against candidate Trump ultimately when he lost. Remember, during the time that everything was going on in 2016, most of the presumption which’ve seen and all the disclosures of issues relating to texts – the Stroke (ph) texts with his girlfriend. The Comey background. Everybody presumed Hillary Clinton was going to be the winner.

So why then did they use the narrative in the way they have? Because it’s all they had. Once President Trump was elected, they had to go with the narrative which was designed to be a stake in the heart to candidate Trump after the fact. And frankly, all the things we’ve now learned over the past year, we would have never known – not in the form that we know now, because no one would have had the courage – I’m sure, Jim, you would have had the courage, but you would not have the support of the White House to go in to do the hard work of tearing it all apart.

So we have to now look at how this was possible. How was it possible for these senior members of the intelligence community to manipulate not only the media, but then, by extension, the public opinion? The thinking. That's where the critical issues we have to address come forth.

And one of the numbers – I'm terrible with math, but this is a number I'm going to throw out. I've talked about it with Vince this morning. According to my sources, in 2016 and in 2017, 71 percent of the foreign counterintelligence budget of the FBI was diverted from looking at threats, looking at foreign counterintelligence, to focus only on Clinton and Trump – to absolve Clinton and to convict Trump.

Now, what do you call that when an official element of the U.S. government diverts money – appropriated funds for purposes of defending the American people, and turning it against domestic targets? That is the Deep State. That's what we are talking about here. This is not something that is fictional. It's not tinfoil-hat stuff. We can look at the stats. We can go back and do a study of what we have seen and figure it out. And that's where we are right now. That's why what we're doing today is so critical for the dialogue to the American people, and to make sure that this continues.

So how did all this happen? One of the things I've noticed over the years, and I'll be very quick about this, is that the other side has continued to make investments in people. Essentially, they've put political capital into getting their people into the system early and seeing them through. Louis Lerner being one of those political appointees converted over to being a government employee.

Another one. I was just doing a little research on before we went on the air. Jamie Gorelick (ph). Jamie Gorelick was a DOJ lawyer, and somehow she ends up over at Fanny Mae, a mortgage company, making 26 million. So what – how does – this is what the Deep State does. They actually find methods of trying to support the individuals they see as politically reliable and pushing them through.

So now we are seeing – we've been experiencing over the past year, the end-state results of investments of the left trying to do things to put people in place for purposes of maintaining control of nation-state capabilities for purposes of political gain.

That's simply is what I believe – (inaudible) – that is. So all is not lost. I've heard from sources that not – that when they did the raid on Mr. Cohen's office in New York, President Trump's attorney, there were some FBI agents who refused to participate. Once they figured out what was going on, they stopped. I want to talk to those men because those men know what's been going on behind the scenes. There are people who resist this all the time.

And one – (inaudible) – last points. Chuck Todd said Sunday, on the 22nd, Sunday morning, preparing for his show –

MR. FITTON: Who is Chuck Todd?

MR. SHAFFER: Chuck Todd, NBC correspondent, political operative, correspondent, talked on – I was watching this this past Sunday morning. This is what he said. D.C. is paralyzed from the Russian investigation. What he meant was the Deep State is paralyzed by the Russian investigation. It hasn't gone the way that they anticipated, so now they don't know what to do. And I think that's why you see more and more desperate measures from inside.

And the last point I want to make, and this is something pertinent to all of us because we've all known what the government can do, and not do, regarding technology and intelligence collections. The U.S. government has immense technology and intelligence capabilities. Immense. As someone who's used these for purposes of trying to defend the country, I'm very much aware of what they are. But these are ambivalent to the user. That is why it is so critical that these technologies and capabilities remain controlled by people who are objective and essentially are willing and able to fulfill their oath of office and try to remain above reproach relating to political maneuvers and enticements.

And that's why it is so critical that we continue this argument. And, Tom, thank you for having us this discussion for us today.

MR. FITTON: Thank you, Tony, for setting things up the way you did. Appreciate that. Those numbers you gave are pretty astonishing in terms of that diversion of resources. Our instincts are a lot of money is being wasted investigating Donald Trump, and you put a number on it that is making it clear that our security may be harmed as a result of that diversion of resources.

MR. SHAFFER: Absolutely.

MR. FITTON: Vince, you've been seeing this from more of a disinterested perspective from your perch as a radio host and an editorial director with the Daily Caller, so I'm interested in really your point of view on this.

MR. COGLIANESE: Yes. Spending some time actually looking at this with any sincerity should scare anyone who spends at least a little bit of time looking at it. I have a natural, as you've mentioned – in my disinterest, I have a natural aversion to conspiracy theories of any kind. Like, I go running in the opposite direction when I even feel like that's where it's going. But then I spent a little bit of time pulling back the curtain on what the Deep State is, and I was really very troubled by what I found.

We did a report for the Daily Caller called "What is the Deep State?" Very simply, wanted to ask the question of what is it, and what animates it, and what historical precedent is there for one to exist. And it actually does exist. It's cyclical throughout history. A lot of governments have dealt with this. Turkey and Egypt come to mind as places that have real deep states with aggressive control over their governments in the past. But, then you look at the American example. I spoke to James Rosen, an investigator reporter, and he talks about the extent to which Richard Nixon was controlled by his own government – the people around him, who were spying on him, and the people who worked for him.

Henry Kissinger constantly had his briefcase rifled through. The director of – the attorney general of the United States was spied on by the protective detail that was assigned to him by the FBI director. They were keeping copious notes on conversations between him and his wife, and sending them back. That seems pretty bad. That does not seem like the America that any average citizen is going to be voting for, yet that's what we have in our history.

I think that the example there – the Hoover example as head of the FBI, led the United States to try and rein in the power of the FBI, and the power of people who act as a deep state actors. But there has been this creep since then where they are increasingly empowered. And the reason we know they are empowered is because, thanks to the people who are on this panel for one, and for others who are likeminded, there has been an actual call for accountability of late.

I think over the last two weeks we've gotten at least a semblance of some information, that informs us how much we don't actually know. We see bits and pieces. And I have couple of examples. I think the James Comey memos – has been interesting to watch the media coverage of this as a member of the media, to assess it. And so much of it has been wrapped up – oh, Donald Trump protests too much. He is – by protesting, by wanting to clear the cloud as we've heard, of this notion that he had some sort of rendezvous with prostitutes in Moscow that involved watersports. And that by wanting to clear that cloud, that he therefore is guilty. That being so obsessed with it is guilty, which of course is insane because anyone who's ever been falsely accused of anything in their life is going to reflexively tell you the fervor with which they are going to oppose those accusations.

So of course this is Donald Trump's issue. And in these Comey memos which, again, I think were revelatory, we learned a couple of things, but two jump out to me that are key. One is that initial meeting with James Comey in Trump Tower, wherein he is the only person in the room – (audio break).

Why does he say this? Well, he tells the president of the United States, or at least he notates, that James Clapper is the one who urged him to say it. He needed to have this meeting. Ok, well why are you telling him about this. And why, by the way, didn't you tell him about the rest of the dossier? Why was it just this salacious details? The reason for this, according to James Comey, in his own memos, was that media outlets were prepared to publish something on it.

All they need now is a news hook, he wrote in his memo. All they need now is a news hook. And he specifically name-drops CNN in the course of that meeting. Or again, at least he notates that CNN is the one who wants it. Well, wouldn't you know it. A week later CNN is the outlet that breaks the news.

James Clapper connected to this insofar as he pushed James Comey and how did he get to CNN? Well, here is what we know. Finding 44 of the House Intelligence Committee Report was that James Clapper had provided inconsistent testimony about his contacts with the media. Specifically, CNN. James Clapper now works for CNN.

I don't like conspiracy theories. I hate them. They drive me crazy. But when you can put that many bullet points on a board, you begin to get very suspicious of the situation.

The other thing is, from those memos, and the ways that I think they are revelatory, is that James Comey, for the course of last the year, has insisted that the president of the United States had requested his loyalty in a way that seemed that he was a mob boss. In fact, that's how James Comey had described him. Well, the memo reveals a detail that he never revealed in the congressional testimony, and it's the following thing. He talked about how frequently the government of the United States leaks. In fact, there is a portion of this that it does not make its way to congressional testimony ever. I've read the full transcript. Never makes its way to congressional testimony. He said the following of Trump. He asked whether the FBI leaks, and I answered that, of course, in an organization of 36,000 we were going to have some of that, but I said, I think the FBI leaks far less then people often say. I predicted he, like all presidents, would discover that the entire government leaks like crazy, and explained that it often comes from the first or second hop out from those actually working on a sensitive thing.

He replied that he needed loyalty and expected loyalty. His reply is directly related to the conversation about the leaks, that were already troubling the Trump administration. The fact that his phone calls with foreign leaders were already leaking in the Trump administration was highly suggestive of the fact that he needed people around him who were not disloyal, who were not sharing the contents of those information, but were instead loyal to him.

By the way, how did the contents of that information get out? Again, the Deep State.

In his testimony, James Comey testimony. Here is his opening statement. This is the way he described the same conversation. He talked about how he was on no one's political side. I added that I was not on anybody's side politically and could not be counted on the traditionally political sense – a stance, I said, that was in his best interest as president.

The leaks, summarized by the following words. A few moments later, comma, the president said, I need loyalty. I expect loyalty.

If that's not lack of candor, I don't know what is. That's the very thing that jumped out at me when I read these documents.

Andrew McCabe, a perfect example. Yet again, somebody in the FBI who thought he can act with impunity. Lie to his own agency four times over the idea that he had contacts with the media. I'll be very – one of the outcomes I hope we get from this panel, but certainly from all of the investigations that all of us are participating in in some capacity, is, how is it that so many people within the government, with so much power, think that they can act with impunity.

And that's the answer that I'd like to get. I know all of you would like to as well.

MR. FITTON: Thank you, Vince, for that excellent presentation.

Jim Jordan, thank you, on behalf the American people, for the work that you and your colleagues are doing, Bob Goodlatte is doing some good work, even Trey Gowdy. Devon Dunez obviously. It strikes me that the Houses leadership has acquiesced to the efforts to get

information out of the government, which is a positive development. It's not all there in my perception, but to the degree that they acquiesced, it's because of pressure from you and your colleagues.

We have the Comey memos thank to this pressure. We have information about the dossier. We have the Nunez memo thanks to this pressure, and who knows what else.

JIM JORDAN: Based on a lot of what you guys – (inaudible).

MR. FITTON: But I'm glad to see the Congress following our lead.

REP. JORDAN: You've got to go on the offense like Judicial Watch.

MR. FITTON: That's right. Thank you for doing that. Any insights you could give us on the current crisis would be appreciated.

REP. JORDAN: A couple of thoughts, Tom. Again, thank you for the great work that you do, and for the panel. And I want to pick up on a few things Tony and Vince started us off with. Tony talked about the incredible intelligence capabilities this country has and how you need the right people in control of these.

But, more importantly, you need people who are actually elected to have the ultimate say. So, remember back, during the transition, Chuck Schumer on one of the Sunday shows says, when Donald Trump is – when President-elect Trump is concerned about the leaks, he says, you've got to be careful. Remember, the intelligence community has six ways from Sunday at getting back at you.

When I heard that statement, I'm like, you've got to be kidding me. That is not how it works in the United States of America. It's not unelected people getting back at folks who stood in front of the voters, name on the ballot, and were elected by we the people. So that, to me, is probably the biggest concern about some of these things we're seeing from the swamp.

Here is how serious it is. Think about what's happened at the very top of the FBI. Jim Comey fired. Deputy Director Andrew McCabe fired. Now faces criminal referral, maybe prosecution. Fired for, as Vince indicated, lying four separate occasions to the FBI, three of those under oath. Here's how bad Mr. McCabe was, and he thought he was above all: He not only leaks information to the Wall Street Journal for his personal interest – not the public interest, not the FBI. He leaks it. Devlin Barrett then runs the story the next day. When the story runs, what does McCabe do? If you saw the inspector general's report. He gets on the phone and calls up two other people not associated with the leak at all and reads them the riot act as a way to cover his tracks.

Now, you talk about as bad as it gets and the power that some people believe they had. So this is how serious – so you've got Jim Comey fired; Deputy Director Andrew McCabe fired, facing criminal prosecution potentially. Jim Baker, chief counsel at the FBI, demoted,

reassigned. Peter Strzok, deputy head of counterintelligence, demoted, reassigned. Lisa Paige, FBI counsel, demoted, reassigned.

So this is a – these are the top people. Some of the very top people at the Federal Bureau of Investigation. I don't know of any time you've seen that many people fired, potentially facing prosecution, demoted or reassigned, in any other type of agency.

Second, Vince mentioned the January 6 meeting in Trump Tower. The very first memo. I had the same takeaway that Vince did. We thought that this was the case before. The news hook was the fact that Comey was briefing the president. That gave it the weight – the, quote, “legitimacy” the press wanted, and it instantly is leaked. And of course, CNN runs with the story. Oh, the dossier was so important – (inaudible) – on that document.

I thought all along – I don't know this for sure, but I still believe this – that Clapper was the guy who orchestrated the entire thing and orchestrated the leak. CNN ran with the story, Buzzfeed then prints the entire dossier.

And finally, I have to say just this. Well, two other thoughts. Here's how crazy the swamp is. And the thought of that – we were talking about this the other day. Think of what had started the whole counsel special investigation. Rod Rosenstein writes the memo to fire James Comey. James Comey, leaks another document to the New York Times to create momentum for a special counsel, and of course he wanted Robert Mueller, to be the special counsel. Rod Rosenstein then names Bob Mueller as special counselor and overseeing that investigation, and one of the things they looking at was the obstruction of justice and how Jim Comey was fired.

I mean, this is the biggest roundabout circle thing I ever seen, and it just drives Americans crazy when they see all this, and probably drives them the most crazy and I'll finish here is the double standard. Or said better, the two standards. One set of rules for us regular people, but a different set if your name is Comey, Clapper, Brennan, Lynch, Lerner. Nothing frustrates the American people more. And this is why this is all so important.

In this great country, and this is in your opening comments, Tom. In this great country, it is supposed to be equal treatment under the law. From the highest person to whomever, is equal treatment for every single individual. The rule of law and the equal treatment of the law is of paramount importance. And that's why we have to get the answers and keep digging, so the American people can rest assured that that's still the case.

MR. FITTON: Thank you, Congressman Jordan. What occurs to me also about that meeting that Comey set up. Remember, this is the first meeting the president had with the FBI director. The president-elect, and he ambushes him with this material. That was orchestrated in the Oval Office.

President Obama, Clapper, Brennan, Rice, and Comey all talked about what he was going to do.

REP. JORDAN: And they had it choreographed.

MR. FITTON: And Obama – and you read Comey’s interview about it with George Stephanopoulos – I didn’t see it in the book. I haven’t read all the book, to be fair, you know. Obama looked at him and raised his eyebrows. “It’s going to be a big deal, watch it.” Obama’s in the middle of this. And this is going to be, I think, an increasing focus over the next year or so is Obama’s involvement in the handling of the dossier and directing of all these resources targeting Donald Trump and defending Hillary Clinton.

REP. JORDAN: Yeah, we – we don’t know that yet, but what we do know is this thing was – this thing was planned, all the way down to you’re staying with him, which is going to be James Comey and the President. Clapper’s the one who told him to stay. I mean everything points to Clapper certainly choreographing this thing. Again, we don’t have definitive proof, but that’s where my hunch is. Clapper was the guy who leaked it. Clapper happened.

MR. FITTON: I believe everything. (Laughter.) We’ve been asking for all these documents and you would have thought we would have gotten a change of heart from the Trump administration, but it hasn’t been such, Michael, has it?

MR. BEKESHA: It hasn’t been. And one of the reasons we don’t have definitive information is all we’re getting are leaks. Judicial Watch is asking for – we sued over the Comey Memos. The government fought us for it. The court ruled against us, and then they’re leaked. The government still hasn’t come back and said, “Those are actually all of the memos and those are all correct memos.” We don’t know that.

We’ve asked for the Peter Strzok, Lisa Page text messages and emails. They haven’t turned any of those over yet. We asked for records of McCabe involved with his conflicts, text messages he sent. None of those, they haven’t even told us text messages exist, even though the IG report just came out and talked about some of the text messages and quotes to them.

So we keep on fighting. It’s after three years after we learned about Hillary Clinton’s private email server, we still don’t have all of her emails. It’s almost two years after the FBI investigation’s over. We still don’t have all of her emails and we don’t have all the files related to the investigation. We’re still waiting for all this stuff. We keep fighting in court. The government keeps slow walking. They keep obstructing. And so all we have are the leaks from the Deep State, and that’s a problem. We don’t know – the American public doesn’t know what to believe because we don’t have the full picture, and we’re not going to until everything’s released.

And Judicial Watch keeps suing. We keep fighting, but the government keeps fighting back. And if I didn’t know, if I wasn’t around on election day, I would have thought that Hillary Clinton had won because the administration, the positions taken in federal court, they haven’t changed. They would be the exact same as they would have been if Hillary Clinton had won.

MR. FITTON: That’s quite a statement and it reflects poorly on the Justice Department and the agencies that are supposed to – like the State Department that are responsible for this. But what really strikes me about this whole crisis we’re in is – and we didn’t really talk about

this – is the Mueller investigation. In my view, the Mueller investigation is the dog tail wagging the dog at the Justice Department. And they don't want to prosecute Hillary Clinton, so why would they release documents that would make it more likely that public pressure would lead to her prosecution?

They do want to prosecute Donald Trump. So why would they release documents that would undermine in the public mind the credibility of an investigation into him.

REP. JORDAN: Tom –

MR. FITTON: Isn't the Mueller investigation at this point, on a positive note, a zombie investigation?

REP. JORDAN: Well, yeah –

MR. FITTON: With the collapse of the credibility of Comey and –

REP. JORDAN: McCabe.

MR. FITTON: – and McCabe.

(Cross talk.)

MR. FITTON: The DNC dossier. And Mueller covering up Strzok in the file.

REP. JORDAN: Yeah, yeah.

MR. FITTON: And covering up four months from Congress that he was removed because of –

(Cross talk.)

REP. JORDAN: The great irony is, to date, one year into this, no evidence whatsoever of any type of coordination between the Trump campaign and Russia to impact the election. But we got all the evidence that the Clinton campaign and the DNC paid the law firm, who paid Fusion GPS, who paid Christopher Steele, who most likely paid Russians to get information that was salacious and unverified, even according to James Comey.

And on the documents Michael and you guys were talking about, we met with John Lausch, who's now the point person, the U.S. attorney from Chicago brought in by the Attorney General to be the point person to get the documents to the Congress that we're entitled to, as a separate and equal branch, entitled to get. So Congressman Meadows and I met with Mr. Lausch, who seemed like a great guy. Him and a few other attorneys from Justice Department, two weeks ago. And we're in the meeting and I'm getting impatient. And I finally said, "Look, I got four questions for you. What's the approximate number we're entitled to? Give me the approximate universe of what we're supposed to get. Tell me currently, in your current process, how many

steps are involved? How many people it has to go through before it comes to the Congress? And then tell me the production standard you use.” So the number, the steps, the standard, and then finally, the most important question, when? When are we going to get it?

And their answer literally to all four questions was, “I don’t know.” I said – (laughter) – “You got a week. Send me a letter; send us a letter answering those four questions.” We got the letter and they answered the first question. They couldn’t answer the other three. The first question answer was, “We think it’s 46,000.” Now, the 1.2 million that Horowitz had seen, looking at all the stuff in the Clinton and everything else. They think ours is approximately 40-some. I say, “Great, that’s nice you get a number, but in six months so far, we’ve received 6,000 documents.”

So at that pace, we’re talking years, years before we ever get the information. That is what’s so frustrating. And it’s again, why? Why can’t you just – if you can give Michael Horowitz 1.2 million, you can certainly get to 46,000 and get them to us.

MR. FITTON: I’ve told the White House they need to take this approach of extreme transparency.

REP. JORDAN: Yeah.

MR. FITTON: This is panel agreement, but I think one of the issues that I think Congress has got to face and we have to face collectively is that based on the Watergate scandal, the FBI and the Justice Department think they’re outside the government. They don’t answer to the president of the United States. It’s inappropriate for the White House to tell Justice Department and the FBI what to do, even in terms of complying with members of Congress constitutional requests for documents or lawful requests in the case of Judicial Watch or anyone else or the media.

And so the Justice Department and FBI are literally answerable to no one as we speak. They don’t believe they should be communicating with the White House in the substantive matters and taking direction from the White House in substantive matters. Even on matters of oversight and transparency. It’s a real crisis. And I want to ask you, Tony about the FBI, which is an absolute mess.

The leadership has been shown to be thoroughly corrupted and Christopher Wray, every time I see him in public, he’s talking about how he needs to protect the institution of the FBI, as opposed to cleaning it up. Am I wrong in thinking he’s seemingly oblivious to the corruption crisis his agency faces and the credibility crisis his agency faces?

LT. COL. SHAFFER: No, you’re actually correct. I will say this about him, he wears a JCPenney suit better than anyone else I’ve ever seen wear one of those. (Laughter.)

MR. FITTON: Good for him.

LT. COL. SHAFFER: So kudos for him. With that said, look, he has not been a good steward of his responsibilities of the American people. I've talked to a number of FBI agents and it's really interesting that one of them in particular had talked about how there was great skepticism of Comey's firing. I believe James Comey, during the time he's with the FBI, was more focused on his image, management of his image than managing the FBI. And I know of a number of crises. Some of us have talked about these offline.

But the rank and file members really believe that Comey was a standup guy fighting for them. And over the past six months, eight months, there's been a complete reversal of that. Now, these agents, who really do the hard work, and I've worked undercover with the FBI two separate times, I've deployed with them. My book, "Operation Dark Heart," the FBI guys were working with me in Afghanistan. I love those guys.

It's not them. It's not the guys on the ground doing the hard work. It is, as you pointed out, Tom, and you, Jim, pointed out, it's this upper stratus of leaders who have decided, "We are going to take the organization and everything in it and bend it to our political will." And they're not liked by anybody.

So Christopher Wray comes in as another, maybe not as vociferous, but a very strong advocate of the Deep State because I've seen his testimony, and it's all about, "Well, we'll get to that. We're going to have lunch and we'll get back with you on that." And that's exactly what we're seeing here. So this is where Congress has to roll in. they may want to look at other agencies. Your own Christopher Hills has talked about the Marshals, U.S. Marshals Service being involved in doing something to try to reorganize the FBI around something more. You may not be able to salvage the leadership of the FBI, but you have a lot of good operatives, field agents, special agents, and the military.

I argue 71 percent of the foreign counterintelligence budget that the FBI gets has been abused. All the U.S. military services, DOD has the ability to do the same thing. So again, Jim, you may want to look at actually having DOD takeover some of the FBI mission until you can figure out are these guys standing up or not? And again, it's not the field guys. It's the leadership. It's going to take some time to fill it up.

But the bottom line is we cannot have any government agency that functions, not only believes, but functions outside the scope of appropriate oversight and the law. And this is where we're at right now.

MR. FITTON: I want to talk about conspiracy theories. The left tries to use –

(Cross talk.)

MR. FITTON: The left tries to use the phrase "conspiracy theory" to freeze discussion about substantive issues.

LT. COL. SHAFFER: Right.

MR. FITTON: But in my experience, there is always a conspiracy behind specific government misconduct. And we've got specific government misconduct. We have leaks of classified information targeting General Sessions, General Flynn. General Flynn's a real general. General Sessions is a general because he's serving general, just to be clear. And that was illegal. And arguably, the unmasking of their names that led to the leaks it was also illegal.

MR. COGLIANESE: Completely.

MR. FITTON: So it took probably more than one or two people to do that. That's the definition of the conspiracy.

MR. COGLIANESE: Right.

MR. FITTON: So the GLs are full of people put there based on conspiracy theories of the law. You talk to people on the radio. You get people calling in from Washington, D.C., so it's a heavily government crowd. Are they buying what you're selling on this?

MR. COGLIANESE: What I'm selling?

MR. FITTON: Yeah, these are the folks who –

(Cross talk.)

MR. FITTON: But these are the folks who know what's going on. They've got this – four and a half million people have security clearances.

MR. COGLIANESE: Yes.

MR. FITTON: Many of them live around here.

MR. COGLIANESE: Yes.

MR. FITTON: They know how this works. Do they think we're just making stuff up?

MR. COGLIANESE: No, they don't. In fact, they're deeply skeptical. We speak to, obviously, listeners all the time, but like Tony, I'll talk to some sources as well at the FBI. And when I talk to these guys, they are skeptical of their own leadership. And you talk about wanting to preserve the integrity of these institutions, this notion that Christopher Wray wants to preserve the FBI. Good, clean it up. That's how you preserve the integrity of an institution. You actually make it operate effectively and live up to the oaths that these guys take when they actually take the job.

One of the things that drives me crazy, and I'm glad Jim Jordan's here, the congressman. Congressman, drives me nuts when I see letters sent back to Congress to talk about the extraordinary –

REP. JORDAN: Oh, yeah.

MR. COGLIANESE: – exception in measures that the Justice Department had to take in order to be responsive –

(Cross talk.)

MR. COGLIANESE: – to your requests, as if they're doing you a favor.

REP. JORDAN: Yeah.

MR. COGLIANESE: It's nonsense because, again, one thing you stated, they're not elected. We're a country of civilian leadership trying to run the institutions that oversee the entire thing and hold it together. So it's reasonable to expect that our elected leadership is in charge. And I'm really struck by the reason this can be abetted, this notion of a conspiracy theory, and people who ask questions like this, which is, "Is our government a good government?" The reason that gets abetted is because in the Trump era, the media has gone all-in on credulity of those sources.

So the press is not speaking truth to power. They're accepting truth from power. And that is probably one of the most insidious forces in all of this that they reflexively believe that the president of United States asked for a loyalty oath without context. And again, as I mentioned, it's not. There's plenty of context, except James Comey decided he didn't want to release it. He was being duplicitous.

In fact, Comey's such an interesting figure in all of this because I think he's become – and it's nice that he's out in the public because we can watch kind of how he's – cameras reveal a lot. And I think they reveal a lot about James Comey.

LT. COL. SHAFFER: It's like a train wreck.

MR. COGLIANESE: Yeah. You watch him – he was asked, I think it was by George Stephanopoulos, "Why is it that you leaked through a friend, a professor friend, your memos?" And his – instead of just giving it to a reporter. Why didn't he just do that directly? What was the idea of creating that hop? And he's like, "You know, the reason," and I'm not quoting him verbatim, but go find this, the reason he said he did it is because he didn't want the other reporters to be jealous. He didn't want to give it to one reporter at the expense of the others. He couldn't – really?

(Cross talk.)

REP. JORDAN: That's in the interview.

MR. FITTON: That's an experienced leaker who understands that.

REP. JORDAN: Yeah, exactly.

MR. FITTON: That's an experienced leaker. You are source for someone and your other reporters that you're sources for say, "Why did you give them that?"

MR. COGLIANESE: That's a smart interpretation, but I'll tell you one other interpretation I had, which is that he discovered – once he started facing down congressional testimony, what a bad arrangement that actually was, and felt that he had to be forthcoming very quickly in that testimony, in order to smother the idea that he did something on tort.

He leaked those memos. Now, those questions of whether or not there was classified information within them that he leaked. And he is in conflict with his own buddy, who, it turns out now is also his attorney. I think he'll try to claim attorney-client privilege. But that classified information was in there. And he leaks to him. And the guy says, he tells Fox News, a year ago, I think, "I got four memos from Comey." Comey right now is saying, "I gave him one memo." Who's telling the truth because your lawyer's saying something different?

REP. JORDAN: Yeah, good point.

MR. FITTON: I have a complaint about Congress.

REP. JORDAN: Imagine that.

MR. FITTON: I'm sure you will have – (laughter) – complaints about Congress too.

REP. JORDAN: You may be the only guy in America – (inaudible).

MR. FITTON: But this one is probably one –

(Cross talk.)

REP. JORDAN: Everyone's got a complaint about Congress, deservedly so.

MR. FITTON: I think everyone in Congress is afraid of Mueller. Everyone's afraid to take on the Mueller investigation. As we pointed out, it was engendered by a crime. Rosenstein was cornered, I think, into doing it and he told me. He said, "Boo, Rosenstein did it without thinking." Mueller, I think, if he were honest, he'd probably go back and say, "I didn't want anything part of this. I had no idea this was happening."

And frankly, he should have just pulled out once he understood the machinations that Comey illegally took to get him appointed. He's uncontrolled. He doesn't report in any constitutional way to anyone in the Justice Department that is answerable to the people. Yet, what I hear investigations targeting what went on in the Justice Department, what went on with the dossier, what went on in the FBI, all of that goes to what Mueller's doing now.

He's still using the dossier. He's taken up a baton handed to him by James Comey and Andrew McCabe, and he's running with it. He had Peter Strzok running his investigation.

Judicial Watch found that his number two, Andrew Weissmann, is an anti-Trumper, who sent an email to Sally Yates, who helped ambush General Flynn, supporting her lawless attempt to thwart the president's agenda in the Justice Department. He got her fired.

He also went to Hillary Clinton's campaign event on the night of the election up in New York. And no one in Congress is providing oversight over Mueller –

REP. JORDAN: We –

MR. FITTON: – and that's why here, in terms of oversight, it is an oversight, it's the Deep State protecting Mueller through these senators who want to make sure he's not fired. I'm just disappointed that there's been a lack of focus at taking on Mueller directly, and whether his investigation should even continue.

REP. JORDAN: I would say this, a lack of focus at getting to when are we going to depose Peter Strzok and Lisa Page? Remember, they had the text message that talks about an insurance policy. They were talking about it in Andy's office, Andy McCabe, criminal referral Andy McCabe. I mean lied four times Andy McCabe. So when Vince talks about being skeptical, heck if you're not skeptical, you're not looking at any of the facts. This is the era where the IRS systematically and for a sustained period of time targeted conservatives for their First Amendment liberties, went after them.

This is the era where the FBI took a dossier, dressed it all up, made it look like legitimate intelligence, took it to a FISA court, and didn't tell the court two things: who paid for it, didn't tell the court that. And then in subsequent renewals didn't tell the court that the author of the document had his relationship with the FBI terminated because he was out leaking to the press, something you cannot do when you're working with the FBI.

So they didn't tell the court those two. When we go to court, we better tell the whole truth, not just part of the truth. So this, if you're not skeptical of all this – I will say this in defense on the Mueller thing. I'm one of the few people who, when Mueller was named, didn't say great things about – now, Mr. Mueller's a good guy and he served our country. But one interaction with Mr. Mueller was back on the IRS investigation –

MR. FITTON: I remember.

REP. JORDAN: – when he came in front of the Judiciary Committee – this was six weeks after it was discovered the Internal Revenue Service was targeting people, and of course the president and the attorney general, all say, "This is terrible." And it's the biggest news in the country, the biggest story in the country. And I asked the FBI director in front of the Judiciary Committee, I said, "Can you tell me the lead agent on the case, how many agents you've assigned to the case, and if you talked to any of the victims?" And he said, "I don't know. I don't know. I don't know." And I'm like not exactly confidence inspiring, when this is the biggest story.

So I thought from the get go, my one interaction with Mr. Mueller wasn't great. We'll see how he handles this thing.

MR. FITTON: Well, remember this about Mueller and the IRS, and look, the IRS scandal is part and parcel of the 2016 targeting Donald Trump. You see IRS, the FBI, and the DOJ to target President Obama's political opposition to help ensure his reelection. Now, Lois Lerner worked with Department of Justice public integrity officials –

REP. JORDAN: Yeah.

MR. FITTON: – as we first uncovered and Jim Jordan followed up on this.

REP. JORDAN: Yep.

MR. FITTON: And then we – to figure out ways to prosecute the very groups that Lois Lerner was suppressing. And as part of that discussion, they gave the FBI, under Robert Mueller a one – was it 1.2 million pages of documents? Basically, the FBI –

(Cross talk.)

MR. FITTON: The IRS file on every nonprofit, quote, political group in the country. And only after was uncovered by Judicial Watch in Congress that Lois FBI turned over those documents back to the IRS, admitting they didn't have a right to have them. And they may have had them in violation of law. That was Mueller's FBI that was willing to work with Obama's FBI – Mueller's FBI willing to work with Obama's IRS to prosecute the very groups that Lois Lerner was targeting.

No accountability on that, and we expect him to honestly evaluate the agencies that may have engendered this additional misconduct, in 2016. It's just incredible. Now, the FBI, I want you to get more specific on the FBI because we've asked for Comey records, and described the sort of gamesmanship we've been getting in terms of the numbers and how quickly the FBI – because you'll be interested in this, Jim – how quickly the FBI can analyze and process these records.

MR. BEKESHA: Yeah, the one thing I learned today is at least the Justice Department and the FBI is consistent because we asked those same four questions every time we're in court. And every time the judge asked those questions, either us or the judge, they say, "I don't know." They're not willing to tell us how many records there are. How long it'll take? What type of processing it needs to go through? When we start pushing, they say, "Well, I think four or five people are going to need to look at every page. And we can only review 500 pages every month." So if you're asking for 2,000, it's a total of 5,000 pages, you're basically waiting a year.

And that's kind of where we are. We ask for records that were put aside when Comey left, so records that were archived. They have all these files. We highlighted some that we wanted. We were interested in. They came back and they said, "There's probably over 30,000 pages. Can you narrow it down a little?" We said, "Okay." We took a look at them. We'll

probably narrow down to maybe 12,000 or so, something that is really like two banker's boxes. So not really that much paper.

They're still telling us, "Well, it's probably going to take a year, a year and a half to get through all that."

MR. FITTON: Five hundred pages a month.

MR. BEKESHA: Five hundred pages a month. And the courts have accepted this. And now, the FBI is telling us, "Look, we may even have to process your requests slower because we had to take 20 people out to respond to Congress." So they took 20 people out of the FOIA operations to respond to Congress. It sounds like you're not getting the records any quicker either.

So they're just playing games. They're just moving people around to complain to you all that, "All right, we don't have the resources to produce to you." And so they move the resources to us. And then, when we ask, they move the resources to responding to Congress. And it's just game and chip.

And we also have this instance where we know there're Andrew McCabe text messages, so we asked for them. They finished producing all records. They don't produce a single text message. We asked them, "What about the text messages?" They say, "Well, tell the court about it." So now, we're waiting to hear what they're going to say.

Former Director Comey, in his book and on TV, in all these interviews is talking about hundreds of thousands of Hillary Clinton emails that were found on Anthony Weiner's laptop. When they produced those records to us, I think there was maybe 2,000 pages total. So where's the rest? What happened to them? Is Comey lying or is the FBI hiding what was actually found? We don't know. We ask for answers, and they say, "We'll tell you eventually. We'll tell you in court," which means it's going to be six months to a year before they tell the court. We fight back, and then it takes another year for the court to respond. So it's going to be 2020, and we're still going to be fighting over records that if they wanted – if they wanted out there, they would have leaked already.

MR. COGLIANESE: This is so crazy because this means that President Trump will have come and gone by the time you figure out if the government abused his agenda.

MR. BEKESHA: Right.

MR. COGLIANESE: That's it.

MR. BEKESHA: Yeah.

LT. COL. SHAFFER: They want to run the clock out. That's what they always do.

MR. FITTON: So speaking of wanting to run the clock out, we're almost out of time. I want you to give folks a heads up as to what to look for over the next few months from what should be happening or what might be happening.

LT. COL. SHAFFER: Very quickly, I think we need to look at James Comey, Jim Clapper, and John Brennan to specifically go after what they did regarding criminal releases of information to the media. Jim, we've always talked about this, the rule of law has to apply to everybody. And as someone who's been through that process of trying to get information cleared, I was a whistleblower, all the hell I went through, we need to encourage whistleblowers to come forward, to talk about what they know, to get around some of this barrage of political extreme bureaucracy countermeasures. And get to the bottom. But I do believe that's where things are going to go, need to go. And I hope they do, so.

MR. FITTON: Vince.

MR. COGLIANESE: Yeah. I think I'd like to see some radical transparency on the part of the government. I think there's enough questions here that in order to restore confidence in the institutions that are demanding it right now, they need to merit it. I think the Justice Department and the FBI especially have to come out and explain themselves on why any of this, including their leadership, got to this point.

I think that – I'd like to get to the bottom of something that we've kind of glance passed a couple of times, and you mentioned, Tony, which is the government's immense surveillance capabilities and why they haven't been useful in disproving a Russia-Trump collusion story. We know from Ed Snowden that there are massive capabilities that the government has – and Tony, you've reiterated them – to surveil the American public and, of course, peoples around the world.

And I harken back to when the president of the United States tweeted about the notion that Trump Tower was wiretapped. And I remember thinking at the time, "Remember when Ed Snowden told us that was true of every American?" And how much, how much incredulousness the press gave the president on that very question? It's like they weren't even alive for Ed Snowden. Like, what had happened in those few short years? Well, Donald Trump became president. The politics changed. So therefore the things that we admit are uncomfortable and untrue change as well.

So I think I'd like to see, of course, this story develop in such a way that the press is going to be publishing immeasurable corrections over the course of the next six months. I'd like to see that.

MR. FITTON: Jim.

REP. JORDAN: Yeah, I would just say, going back to where I started, not one single individual who's making it so difficult for us to get this information, not one of them ever had their name on a ballot. None of them are directly accountable to the American people. They elect us. They can throw us out every two years. That's a good thing. So there's where the checks and balances are supposed to be. And if there was one individual I would point to I want to talk to,

who I think demonstrates how bad this process is, the guy is Peter Strzok. He's the guy who ran the Clinton investigation, interviewed Mills, interviewed Abedin, interviewed Secretary Clinton. He's the one who helped change the letter, the exoneration letter from gross negligence criminal standard to extreme carelessness.

He is the one who launched the Russia investigation. He's the one we got all the text messages on, where we see the arrogance this individual has, where he talks about Trump should lose 100 million to zero. Talks about the insurance policy that they discussed in the Andy McCabe's office. So that's something we got to do. I think Peter Strzok is a key individual we have to bring in. We have to depose him, ask him all kinds of questions. But it's a lot easier to do that if you first have the information, the documents in front of you, so you can best prepare for that kind of deposition.

MR. FITTON: Get all the text messages, yes.

MR. BEKESHA: Absolutely. I'm going to be hopeful. I think like we saw with the Clinton email scandal, the courts eventually came around. The courts realized they had enough of this. They didn't like the games the government was playing and the records were released a little bit quicker. We were able to take some discovery and find out some answers. So I'm hopeful that the courts are going to see all the leaks, here, with everything that's coming out, but that isn't being provided to the American public, and say, "It's enough." And say, "It's time for the records to be released.

And I'm hopeful that Congress will use its subpoena power, use its contempt power and force these records out because otherwise we're just going to have a bunch of leaks and we're not going to know the full story.

MR. FITTON: Well, we've been told repeatedly there are 27 leak investigations by the Justice Department. I'd like to see how those leak investigations turn out, at least the McCabe leak investigation. Will that be pursued criminally? Will James Comey be pursued criminally? Will he have to use the defenses he used for Hillary Clinton to defend his own mishandling of classified information? And I'm really interested to see where this IG report's going to come out on.

I would borne everyone, I expect there'll be interesting information in any IG reports that come out of the DOJ looking to any of these issues, but in my experience, IG reports are both exposés and cover-ups. And so to the degree they're exposés, we should use that to follow up. To the degree they're cover-ups, we should recognize that there still will be more work to do, even after IG reports are issued.

And along those lines, you can always count on Judicial Watch to be asking all the questions that you're concerned about for the Freedom of Information Act, educating people about what we find and going to court, federal court, where Congress is rarely, and where the media fairly isn't often enough to get the government accountable to you about what it's been up the last few years. And if you like or dislike Donald Trump or like or dislike Hillary Clinton, we

don't know what the documents are going to show. All we know is we want the documents because you have a right to them under the law.

So thank you for joining us on this Deep State update. There's a lot, obviously, to be tracking over in the next few months, and we'll be back with you sooner than you know with more information. Thanks for joining us here with Judicial Watch.

(END)