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Watch™**
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July 7, 2010

Leo Wise, Esq.
Staff Director and Chief Counsel
Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, DC 20515-0895

**Re: Request for Investigation into Conspiracy Between Congressman
Joe Sestak and the Obama White House to Cover Up Criminal
Conduct**

Dear Mr. Wise:

Judicial Watch, Inc. is a non-profit educational foundation dedicated to promoting transparency, accountability, and ethics in government and fidelity to the rule of law. Judicial Watch has over 600,000 supporters and a sixteen-year record of combatting government corruption.

Judicial Watch, in the public interest, hereby files this request for investigation into a conspiracy between Congressman Joe Sestak and the Obama White House to cover up criminal conduct regarding job offers made to Congressman Sestak in exchange for leaving a political campaign.

Although Congressman Sestak refused the offer, he was unequivocal that a quid pro quo did, in fact, occur when he first mentioned it in an interview he gave to Philadelphia television anchor Larry Kane in February:

“Were you ever offered a federal job to get out of this race?” Kane asked Sestak on an episode of Comcast Network’s “Larry Kane: Voice of Reason.”

“Yes,” Sestak replied. . . .”¹

¹ See Exhibit 1, James Rosen, “Anatomy of a Scandal: The Curious Case of Joe Sestak’s Job Offer,” *FOXNews.com*, March 19, 2010 <<http://www.foxnews.com/politics/2010/03/19/anatomy-scandal-curious-case-joe-sestaks-job-offer/>> accessed June 24, 2010.

However, subsequent to that interview and a slew of media inquiries concerning potential violations of federal law, neither Congressman Sestak nor the White House has offered any consistent answers regarding the job offer. The public record instead details a potential conspiracy to withhold and cover up the facts that “the Obama administration offered the second-term congressman a ‘high-ranking’ job if he would abandon his primary challenge against Sen. Arlen Specter.”²

White House press secretary Robert Gibbs sidestepped questions by the media for over three weeks regarding the job offer before finally responding at a March 16 press briefing that it appeared Sestak had been contacted by someone in the administration, but suggested that the conversations “were not problematic.”³

The record of statements made to the media leads to a different conclusion.

CONSPIRACY

The record of statements made to the media suggest that Congressman Sestak and Obama White House officials conspired to cover up the facts of a job offer made to Congressman Sestak in an effort to avoid criminal sanctions for violation of the Hatch Act and other federal laws.⁴ And by so doing, they may have engaged in a criminal conspiracy. Section 371 of the United States Code states, in relevant part:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.⁵

In Congressman Sestak’s initial statement to the press in February, he said that he had been offered a “federal job in an effort to dissuade him from challenging

² *Id.*

³ *Id.*

⁴ See 5 U.S.C. §§ 7321-7326 (Hatch Act) and 18 USC 210: Offer to procure appointive public office; 18 USC 211: Acceptance of solicitation to obtain appointive public office; 18 USC 595: Interference by administrative employees by Federal, State or Territorial Governments; and 18 USC 600: Promise of employment or other benefit for political activity.

⁵ See 18 U.S.C. § 371.

Sen. Arlen Specter in the state's Democratic primary." He remained consistent to his initial statement of a job offer through the end of May.⁶

Then, in an interview with John King on his CNN program on May 24, Congressman Sestak refused to provide any further information, instead placing the onus to respond to "what was offered" squarely on the shoulders of the White House.⁷

Just one day prior to the White House's release of its official statement regarding its investigation, Congressman Sestak told the press the Obama White House contacted his brother about "what's going to occur."⁸

The following day, May 28, 2010, the White House Counsel's Office released its official statement regarding the job offer and found "no improper conduct regarding Congressman Sestak," concluding "that allegations of improper conduct rest on factual errors and lack a basis in the law."⁹

And it was *after* the White House broke its silence about the "job offer" that Congressman Sestak's story changed. And it changed—significantly. The White House's statement indicated that Congressman Sestak had been approached about an "unpaid service on a presidential advisory board." Accordingly, "in his own statement, Sestak laid out the same scenario. 'I said no,' he said of the advisory board offer."¹⁰

The White House Counsel's report stated that former President Bill Clinton was asked by White House chief of staff Rahm Emanuel to speak to Congressman Sestak to encourage him to abandon his campaign *in exchange for* "executive branch positions on

⁶ See Exhibit 2, Thomas Fitzgerald, Sestak says federal job was offered to quit race, Not so, says White House, *The Philadelphia Inquirer*, February 19, 2010 http://www.philly.com/philly/news/breaking/20100219_Sestak_says_he_was_offered_federal_job.html accessed June 28, 2010.

⁷ See Exhibit 3, Matthew Balan, "John King Presses Axelrod, Sestak on Job Offer Issue; Goes Nowhere Fast," *Media Research Center, Newsbusters*, May 25, 2010 <<http://newsbusters.org/blogs/matthew-balan/2010/05/25/john-king-presses-axelrod-sestak-job-offer-issue-goes-nowhere-fast> > accessed June 24, 2010.

⁸ See Exhibit 4, Paul Kane, "Sestak says his brother, White House met about alleged job offer," *The Washington Post*, May 28, 2010 <<http://www.washingtonpost.com/wp-dyn/content/article/2010/05/27/AR2010052705245.html>> accessed June 24, 2010.

⁹ See Exhibit 5, Anne Marie Riha, "White House Counsel's Office on Rep. Sestak Job Offering," *whitehouse.blogs.foxnews.com*, May 28, 2010 <<http://whitehouse.blogs.foxnews.com/2010/05/28/white-house-counsels-office-on-rep-sestake-job-offering/>> accessed June 25, 2010.

¹⁰ See Exhibit 6, Linda Feldmann, "Joe Sestak job offer? White House says it did nothing wrong," *CSmonitor.com*, May 28, 2010 <<http://www.csmonitor.com/USA/Politics/2010/0528/Joe-Sestak-job-offer-White-House-says-it-did-nothing-wrong>> accessed June 29, 2010.

advisory boards that were uncompensated.” From this point forward, Congressman Sestak was careful not to refer to his exchange with former President Clinton as a “job offer” in the sense that it was and is most commonly understood—and a term he had used emphatically and consistently prior to May 28.¹¹

Specifically, the fact that Congressman Sestak changed his story after consulting with the White House points to a potential conspiracy to cover up criminal conduct.

What is even more astonishing is the White House Counsel’s admission that an “unpaid advisory position” had been offered to Congressman Sestak in exchange for his agreement to drop out of the Democratic primary race. It *remains* a violation of federal law to interfere in a federal political campaign through any form of inducement, whether paid or unpaid. This raises even more questions and concerns about what may have actually transpired and between what parties.¹²

The House rules provide concise guidelines for disciplining a Member of Congress for engaging in conduct that diminishes the creditability of the House and states, in relevant part:

A House rule specifically authorizes the Standards Committee to enforce standards of conduct for Members, officers, and employees; to investigate alleged violations of any law, rule, or regulation pertaining to official conduct; and to make recommendations to the House for further Action. . . . Some standards of conduct derive from criminal law. Violations of these standards may lead to a fine or imprisonment, or both.¹³

Public office is a public trust. It is not to be subjected to political manipulation, sale, or offered as payback for political favors. We strongly urge the Office of Congressional Ethics to conduct an independent investigation of these allegations so that the record may be clear. If criminal or unethical conduct is uncovered and

¹¹ See Exhibit 7, Major Garrett and Chad Pergram, “White House Asked Bill Clinton to Urge Sestak to Drop Out of Senate Race, *FOXNews.com*, May 28, 2010 <<http://www.foxnews.com/politics/2010/05/28/white-house-asked-clinton-urge-sestak-drop-senate-race/>> accessed June 24, 2010.

¹² Congressman Darrell Issa and Judicial Watch have independently filed complaints with the U.S. Office of Special Counsel, Hatch Act Unit, in response to Congressman Sestak’s admission of a job offer.

¹³ Committee on Standards of Official Conduct, Publications & Forms, *2008 House Ethics Manual*, Committee Procedures, *General Ethical Standards*, Conduct Reflecting Creditably on the House [See House Rules 10, 11 and 23] <http://ethics.house.gov/Media/PDF/2008_House_Ethics_Manual.pdf> accessed July 7, 2010.

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appropriate sanctions are forthcoming, the public's confidence in the high standards of elected office and the rule of law will be strengthened.

I am aware that the False Statements Act, 18 USC §1001, applies to information submitted to the Office of Congressional Ethics.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Fitton', with a stylized flourish at the end.

Thomas Fitton
President

Enclosures

EXHIBIT 1

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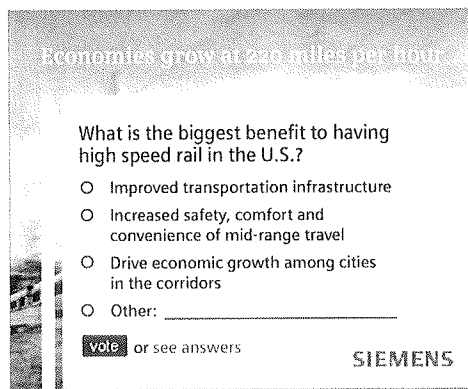
James Rosen

- FOXNews.com

- March 19, 2010

Anatomy of a Scandal: The Curious Case of Joe Sestak's Job Offer

Rare is the Washington scandal where both the accuser and the accused refuse to talk about the charges. But silence has been the norm in the case of Rep. Joe Sestak, D-Pa., who alleges the Obama administration offered the second-term congressman a "high-ranking" job if he would abandon his primary challenge against Sen. Arlen Specter, D-Pa.



Rare is the Washington scandal where both the accuser and the accused refuse to talk about the charges.

But silence has been the norm in the case of Rep. Joe Sestak, D-Pa., who alleges the Obama administration offered the second-term congressman a "high-ranking" job if he would abandon his primary challenge against Sen. Arlen Specter, D-Pa.

In the aftermath of the allegation, Sestak remains a challenger to Specter, the five-term Republican who defected to the Democrats last year, in the Keystone State's May 18 primary.

And while the White House repeatedly dodges questions about the supposed job offer, Sestak is keeping mum.

"There's nothing to be gained by focusing on this politics stuff," Sestak told Fox News recently.

The story behind the potentially explosive charge remains vague.

The allegation first surfaced in an interview Sestak gave last month to Philadelphia television anchor Larry Kane. A veteran journalist, Kane was previously best known for his coverage of The Beatles' 1964 American tour, and for a memorable appearance John Lennon made, delivering a zany weather report, on Kane's local Philadelphia TV broadcast in 1975.

"Were you ever offered a federal job to get out of this race?" Kane asked Sestak on an episode of Comcast Network's "Larry Kane: Voice of Reason."

"Yes," Sestak replied.

"Was it the Navy secretary?" Kane followed up.

"No comment," said Sestak, adding. "I would never get out for a deal. I'm in this for the Democratic principles."

"OK," Kane cut in. "But was there a job offered you by the White House?"

"Yes," Sestak replied.

Asked if it was a "big" job, Sestak declined further comment.

By Feb. 23, the allegation arose at the White House daily press briefing.

"I have seen some stuff that (Sestak) said, but I have not looked into this," White House Press Secretary Robert Gibbs said.

Four more times over the next three weeks, Gibbs deflected reporters' questions about the Sestak allegation.

[Click here to watch Gibbs' responses to questions about Sestak.](#)

"I have not made any progress on that," Gibbs said on March 1. "I was remiss on this and I apologize. ... Let me check into that."

Shortly thereafter, Rep. Darryl Issa, R-Calif., ranking Republican on the House Oversight and Government Reform Committee, wrote to White House Counsel Robert Bauer to request an explanation from the Obama administration.

But Gibbs was still not forthcoming. "I don't have anything additional on that," he said at the March 11 press briefing. "Are you ever going to have anything additional on that?" he was asked.

"I don't have it today," he said.

The next day, it was more of the same from Gibbs: "I don't have any more information on that."

Finally, on March 16 -- three weeks after he was first queried on the issue -- Gibbs produced his first substantive response. The press secretary's comments appeared to confirm that someone in the administration had indeed been in touch with Sestak, but Gibbs also suggested -- with equal opaqueness -- that the discussion had not been improper in any way.

"I've talked to several people in the White House," Gibbs said on March 16. "I've talked to people that have talked to others in the White House. I'm told that whatever conversations have been had are not problematic."

He added: "Whatever happened is in the past..."

Sestak, meantime, also proved unwilling to elaborate on what he had originally told Kane.

In an interview on March 10 with Fox News' Bret Baier, Sestak said the offer was made "last summer, before I got in the race," and that he had rejected it.

"I would never get out for a deal," Sestak told Baier. "If I were to get out, as I told this person, I would get out because it was the right thing to do. And the person responded, 'Yes I knew you'd say that.'"

But beyond that Sestak would not budge: "To go beyond that, Bret, doesn't serve any purpose. ... Everything else is nonsense and doesn't help the working families."

By contrast, the White House was swift and explicit in denying a similar allegation made last fall. In September, The Denver Post reported the claim by Andrew Romanoff, the former speaker of the Colorado statehouse, that White House Deputy Chief of Staff Jim Messina had offered Romanoff a job in exchange for Romanoff's abandonment of his primary challenge against Sen. Michael Bennet, D-Colo. Romanoff said he turned the offer down; White House spokesman Adam Abrams was quoted in the article as saying, "Mr. Romanoff was never offered a position within the administration."

Some analysts argue such offers, if they were indeed made, would constitute violations of federal law, specifically, Title 18 of the U.S. Criminal Code, Section 211, which covers "bribery, graft, and conflicts of interest."

The statute imposes a fine and/or possible imprisonment on anyone who "solicits or receives ... any money or thing of value in consideration of the promise of support or use of influence in obtaining for any person any appointive office or place under the United States."

Still, the job offer stories -- either individually or in tandem with one another -- have generated little interest among major news media.

Mark Feldstein, a former TV correspondent who is now a professor of journalism at George Washington University, told Fox News this disinterest owes to two factors: the White House's treatment of the stories, and the perception that such dealings are common in the nation's capital.

"The White House is certainly being cagey," said Feldstein, "and they're handling it the same way that they handled it with their (former) social secretary (Desiree Rogers), when those folks snuck into the White House under her watch: They're trying to clamp down the lid, keep it mum and hope it goes away. And so far, largely, it has."

The public, Feldstein suggested, is unlikely to get too worked up about the Sestak allegation.

"This kind of 'I'll give you a job if you do X or Y,' or 'I'll give you a favor if you do X or Y' is the way Washington works, on both parties," he said. "Much as in the health care debate, when senators were bought off with exceptions in their states: Nebraska, Louisiana, and so forth. So, like sausage-making, it's not a very pretty sight."

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Posted on Fri, Feb. 19, 2010

Sestak says federal job was offered to quit race

Not so, says the White House

By Thomas Fitzgerald

INQUIRER STAFF WRITER

Rep. Joe Sestak (D., Pa.) said yesterday that the White House offered him a federal job in an effort to dissuade him from challenging Sen. Arlen Specter in the state's Democratic primary.

The disclosure came during an afternoon taping of *Larry Kane: Voice of Reason*, a Sunday news-analysis show on the Comcast Network. Sestak would not elaborate on the circumstances and seemed chagrined after blurting out "yes" to veteran news anchor Kane's direct question.

"Was it secretary of the Navy?" Kane asked.

"No comment," Sestak said.

"Was it [the job] high-ranking?" Kane asked. Sestak said yes, but added that he would "never leave" the Senate race for a deal.

A White House spokesman this morning strongly denied an offer had been made to Sestak. Before the spokesman issued the denial, a senior Pennsylvania Democrat said Sestak's account was met with anger by White House officials yesterday.

After yesterday's taping, Sestak said he recalled the White House offer coming in July, as he was preparing to formally announce his Senate candidacy in August. He declined to identify who spoke to him or the job under discussion. Sestak also would not say whether the person who approached him worked for the administration or was an intermediary for the offer.

"I'm not going to say who or how and what was offered," Sestak said in an interview. "I don't feel it's appropriate to go beyond what I said," because the conversation was confidential.

Sestak, 58, a retired Navy admiral, has said that some Pennsylvania Democratic leaders have tried to entice him to drop his campaign with promises of support for other offices in the future. He also has said that Sen. Robert Menendez of New Jersey, chairman of the Democratic Senatorial Campaign Committee, urged him to run when Specter was still a Republican, then tried to force him out after Specter switched parties.

But Sestak has brushed aside talk of White House pressure.

"He asked me the question, and I had to answer it honestly," Sestak said of his exchange with Kane. Sestak said he had declined the job offer immediately and added, "The person said, 'I knew you'd say that.' "

It's no secret that leading Democrats are backing Specter, a five-term incumbent who switched from the GOP last spring, soon after providing the critical vote for President Obama's \$787 billion stimulus program.

Obama endorsed Specter at the White House and has raised money for him. Gov. Rendell has been vocal in calling Sestak's challenge harmful to the party, as has state chairman T.J. Rooney.

Party leaders are worried that an expensive primary could weaken an incumbent Democratic senator in what is shaping up to be a Republican year, and also about the possibility of losing the House seat that Sestak won in 2006. He is only the second Democrat since the Civil War to represent the Delaware County-centered Seventh District.

An added concern: possibly losing the seat in Harrisburg occupied by the leading Democratic candidate to replace Sestak in Congress, State Rep. Bryan Lentz. Democrats have a 104-99 majority in the state House; control of the chamber is crucial with Pennsylvania expected to lose a congressional district next year in the reapportionment that follows the census.

Still, Sestak's account was startling.

"Clearly, the offers are made," said Ross Baker, a Rutgers University political science professor who specializes in Congress. "When a White House wants to preempt a challenge, they'll dangle something. But it is almost never uttered."

In addition, Baker said, conversations in such cases are nuanced, and savvy operators know not to use explicit quid pro quo language.

He said he could not, off hand, think of another instance in which a candidate has divulged an approach from White House officials. Baker said that, in theory, that might be an advantageous gambit for a candidate who, like Sestak, is positioning his campaign as an outsider and wants to demonstrate that "the big guys" are worried about the challenge.

Nachama Soloveichik, spokeswoman for former Rep. Pat Toomey, the leading GOP candidate for the Senate seat, said she had no information on Sestak's story but added: "It's just like Arlen Specter to get an insider Washington deal to try to save his political career."

Christopher Nicholas, Specter's campaign manager, declined to comment on the report or the Toomey campaign comment.

Last week, after Sestak received nominating petitions for the House from the Pennsylvania secretary of state, talk buzzed in political circles that he would give up the Senate race and run for reelection.

He says he is running only for the Senate, and volunteers are circulating nominating petitions for that office.

Legally, Sestak could circulate two sets of petitions, and experts say there is no prohibition on running for two offices simultaneously.

Larry Kane: Voice of Reason is set to air Sunday at 9:30 p.m.; audio of the interview will be on the KYW NewsRadio Web site tomorrow. The show will be rebroadcast at 5:30 p.m. Wednesday.

Contact staff writer Thomas Fitzgerald at 215-854-2718

or tfitzgerald@phillynews.com.

Find this article at:

http://www.philly.com/philly/news/breaking/20100219_Sestak_says_he_was_offered_federal_job.html

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EXHIBIT 3

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John King Presses Axelrod, Sestak on Job Offer Issue; Goes Nowhere Fast

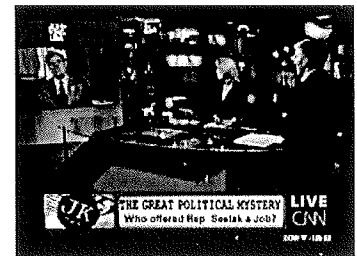


By Matthew Balan (Bio | Archive)
Tue, 05/25/2010 - 12:51 ET

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On his CNN program on Monday, John King pressed both Obama senior advisor David Axelrod and Democratic Rep. Joe Sestak on the latter's allegation that he was offered a job by the White House in exchange for getting out of the Pennsylvania Senate primary against Arlen Specter. Even though King pushed for an answer, Axelrod denied any wrongdoing on the White House's part and Sestak refused to explain further [audio available here; **video below the jump**].

The CNN anchor raised the controversy with Sestak 16 minutes into the 7 pm Eastern hour. Though King was late in pressing Sestak on the issue, given the politician made the allegation against the Obama White House in February, he tried hard to get the Pennsylvania Democrat to divulge further information. The congressman went beyond filibustering, rephrasing his vague answer and even trying to change the subject:



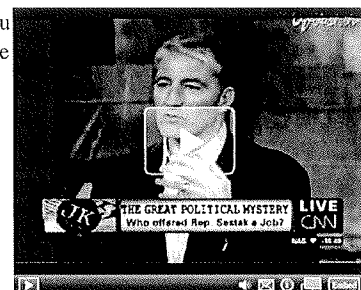
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KING: Congressman, I want to clear up, once and for all, a controversy that has dogged you a little bit. You said some time ago that when Arlen Specter was still in the race- early in the primary- somebody at the White House came to you and said, I will offer you a job- will give you some kind of a job if you would get out. I talked to David Axelrod earlier today. He said White House lawyers have assured them that all these conversations were appropriate. What specifically did they offer you, sir?

SESTAK: Well, I was actually asked by a reporter something that- a few months ago, that had happened almost eight months earlier.

KING: Right.

SESTAK: And I answered it honestly (unintelligible)-



KING: You answered it honestly, and you said they offered you a job.

SESTAK: I said- and I did answer it honestly, and said yes, because I felt, as you asked me about my naval experience, that I have a personal accountability- I should have for my role in a matter, which I talked about. Beyond that, I'll let others talk about their roles. Beyond that, I have-

KING: Sir, I need to ask you about this. I need to ask you about this. You mentioned your military experience and you cast yourself- and I don't question- as a man of great integrity. The American people, as you know, don't trust politicians. They don't trust this town. **If somebody was playing politics as usual, or possibly, breaking the law, sir, in trying to induce you to leave a political campaign with a federal appointment, that could possibly be breaking the law. We're trying to get just the basics of who said what and offered what?**

SESTAK: Yes, sir, and I'll let others speak for themselves and (unintelligible)-

KING: You're the only one who knows, sir. You're-

SESTAK: Actually-

KING: There's you and someone at the White House involved in these conversations. You're one of the parties who knows.

SESTAK: Someone, as I said, was asked. I answered the question, and I did forthrightly for my personal accountability in that matter. But if others-

KING: So what is the harm- **what is the harm of you saying this is the person who called me and this is what they offered me so that we can go to that person and get the other end of the conversation?**

SESTAK: I'll tell you what the harm actually appears to be. You and I should be talking right now about how people were slammed in this economy, John, and that's all that I-

KING: I would love to talk about those things, sir. We have talked about them in the past and I hope we will talk about them in the future of this campaign. And we have talked about them in the past, **but this is a question about the public trust in institutions.** You want to move to the United States Senate. You want to put your hand on a bible and take an oath. When people look at this town, they don't like the shenanigans, and **I'm simply asking you, who offered you a job to say get out of the race?**

SESTAK: Yes, sir, and I've said all I'm going to say on the matter, and I have great respect for you, but others need to explain whatever their role might be. I did explain, with integrity, my role, and- but thank you very much.

KING: All right, Congressman, we'll keep trying to get that answer.

SESTAK: It's always-

KING: If you change your mind, we'll be here to take your phone call- I promise you.

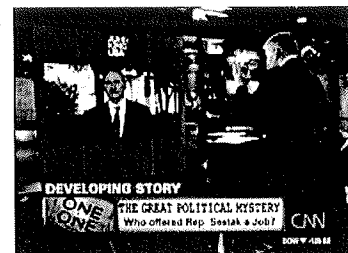
SESTAK: Yes sir, and I'm sorry to rush. I have a vote- literally time just ran [out], but they give an extra minute. And John, thank you very much.

Earlier, the anchor interviewed Axelrod during the first full segment of his program. He raised the issue of Sestak's allegation near the end of the segment: "Sestak says, early on, he was offered a job in the administration to get out of that race. Robert Gibbs...said lawyers in the White House and others have looked into conversations that were had with...Sestak, and nothing inappropriate happened. But the White House has refused to say what happened. If nothing inappropriate happened, then what appropriate happened?"

The White House senior advisor stuck by the official White House position, and added that he wasn't a participant in any of the conversations:

AXELROD: Well look John, I didn't have any conversations with Congressman Sestak and I didn't have any conversations with anybody connected with Congressman Sestak. So all I can tell you is what Robert told you- you know, these allegations were made, they were looked into, and they were found unwarranted-

KING: But David- David, forgive me for interrupting, but candidate Barack Obama promised the most transparent administration in history-



AXELROD: And he's delivering that as well.

KING: If these conversations did happen, it marches up into the gray area, perhaps into the red area, of a felony. It is a felony to induce somebody by offering them a job.

AXELROD: Well, certainly.

KING: So why won't the White House just say here-

AXELROD: And-

KING: Either Congressman Sestak is lying, or somebody had some conversation with him about a job.

AXELROD: Well, John, you're absolutely right. If such things happened, they would constitute- they would constitute a serious breach of the law, and that's why when the allegations were made, they were looked into, and there is- there was no evidence of such a thing....

KING: You cannot say what the conversations were? If this has been looked into by White House lawyers-

AXELROD: I was not a party to the conversations. So no, I can't say that.

KING: And you haven't been briefed on what the lawyers told Robert Gibbs?

AXELROD: All I know is- well, I've been briefed, as Robert has, that they looked into it and their conclusion was that it was perfectly- the conversations were perfectly appropriate.

KING: **So then why can't we understand what those conversations were?** We're talking in circles here because- (unintelligible) can somebody say- well, this guy talked to-

AXELROD: Well- we're not- we're only talking in circles because I wasn't a part of those conversations, so I can't relate to you what the conversations were.

KING: Can you make available the people who had the conversations?

AXELROD: I'm sure that all of this will be- you know, I don't think any questions will be left unanswered on this.

—Matthew Balan is a news analyst at the Media Research Center. You can follow him on Twitter here.

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INVESTIGATE!!!

Tue, 05/25/2010 - 13:03 ET by Airforce_5_O

The reason he got nothing is because it was illegal. The selling of post and seats are not new to the Chicago and Illinois politicians we have in office right now!

Hey Nancy, does the words "Culture of corruption" sound familiar?

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Test for CNN

Tue, 05/25/2010 - 15:06 ET by sawing batta

Here's your test, CNN. are you a "viable" news network?

will you push for an answer or be pushed around?

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King...

Tue, 05/25/2010 - 17:43 ET by unkeeeaf

King will sometimes act like a real reporter. I have no doubt there may be something to all of this, but the Obama administration is counting on the press just ignoring it. Good bet.

Democrats replace donkey with fitting new symbol - Part 2:

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Questions left unanswered

Tue, 05/25/2010 - 22:46 ET by MadRat

I think John King did a great job in pressing his interviewees for an answer and blocking their escape routes.

KING: You cannot say what the conversations were?

KING: And you haven't been briefed on what the lawyers told Robert Gibbs?

KING: Can you make available the people who had the conversations?

AXELROD: I'm sure that all of this will be- you know, I don't think any questions will be left unanswered on this.

I'm sorry but Mr. Axelrod but you've already left questions unanswered.

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Yes, it is the Chicago

Tue, 05/25/2010 - 17:37 ET by dscott

Yes, it is the Chicago way. Blagojevich didn't see a problem with it nor did Obama until he somehow got wind of the FBI investigating Blago. Don't you think it was rather coincidental that Obama withdrew Valerie Jarrett JUST before the FBI came down on Blago? The whole point of community organizing is creating the pretense of group conferred power when there isn't any at all so it shouldn't be a surprise that appointing one's successor is just another pretense of democracy. Daley, Blago and Obama all come from and fully participated in the Chicago culture of corruption. Daley and Obama were only clever enough not to get caught - yet. Corruption in Chicago is endemic and Obama is just taking this to the next logical step - nationwide.

Keeping Specter, a willing person to bought is high on the list of the corrupt. Without willing people to buy and be bought, corruption can not flourish

Either Sestak has lied about the whole thing which makes him totally unsuitable as a candidate in the public's eye OR Obama committed a

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EXHIBIT 4

The Washington Post

Sestak says his brother, White House met about alleged job offer

By Paul Kane
Friday, May 28, 2010; A06

Rep. Joe Sestak (D-Pa.) said Thursday his brother has spoken with White House officials about the congressman's allegation that he was offered an Obama administration job if he would stay out of a Democratic Senate primary.

Sestak ran in, and won, that primary, defeating the White House's preferred candidate, Sen. Arlen Specter.

He told reporters Thursday that he would not expand upon his prior statements until the White House releases its report on the matter. President Obama said in his news conference such a report would come "shortly."

Richard Sestak, who has served as his brother's top political adviser and campaign lawyer, spoke with administration officials Wednesday, Joe Sestak said.

"They got ahold of my brother on his cellphone, and he spoke to the White House . . . about what's going to occur," said Sestak, who said he expects the White House will release its information Friday. He declined to elaborate on his discussions with his brother.

Joe Sestak first alleged the White House offer in February, but the matter has caught fire since the upset victory over Specter, Pennsylvania's senior senator, in last week's primary. The White House has refused to explain its version of events; press secretary Robert Gibbs has said legal aides have reviewed the situation and have declared that nothing "inappropriate" occurred.

Obama responded briefly, and a touch awkwardly, when asked about the allegation at Thursday's news conference.

"There will be an official response shortly on the Sestak issue, which I hope will answer your questions," Obama said. He declined a follow-up request to answer those questions personally.

"You will get it from my administration. So -- and it will be coming out, when I say shortly, I mean shortly. I don't mean weeks or months," he said. "I can assure the public that nothing improper took place. But as I said, there will be a response shortly on that issue."

In a 15-minute interview with the Capitol press corps Thursday, Sestak said the fixation with the story is an inside-the-Beltway phenomenon that does not translate into hurting his efforts to defeat Republican Pat Toomey in November. He said the ordeal has grown out of a single quip -- answering "yes" and saying he was offered a "high-up job" -- to a question posed by longtime Philadelphia TV newsman Larry Kane during a February interview.

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"Something happened last July, literally, hardly even remember it," Sestak said of the offer. "All of a sudden, in this interview, someone asked a question . . . and I answered it up front. But I immediately said the same thing I said to you and haven't deviated: Look, let's move on, the rest is politics."

Congressional Republicans have refused to move on. Seven Republicans on the Senate Judiciary Committee wrote Attorney General Eric H. Holder Jr. Wednesday to request a further review of the legal implications. The offering of high-level jobs to members of Congress is a routine matter -- Vice President Biden, Chief of Staff Rahm Emanuel, Secretary of State Hillary Rodham Clinton, Interior Secretary Ken Salazar and Labor Secretary Hilda Solis were serving in Congress when approached by Obama -- but Republicans said a job offer designed primarily to impact the outcome of an election crosses the line.

"If true, it's a crime," said Sen. John Cornyn (Tex.), chairman of the National Republican Senatorial Committee and one who signed the letter to Holder. The Justice Department has declined other requests to investigate or an appointment for a special prosecutor.

Sestak declined to say whether the alleged job offer was inappropriate and defended Obama's integrity. "I think the president's a pretty legitimate, you know, person," he said.

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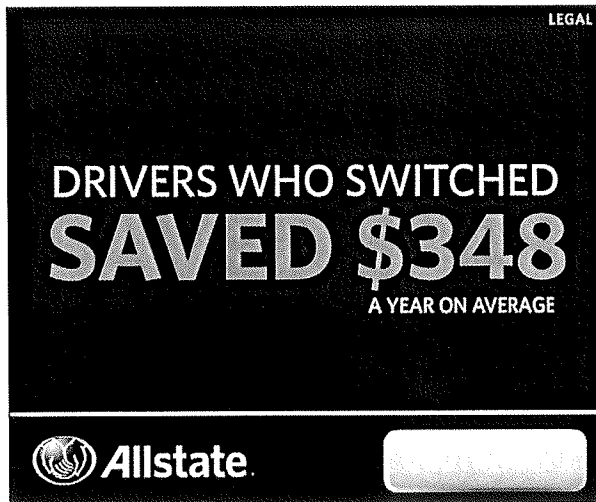
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EXHIBIT 5

- Row 2, Seat 4 - <http://whitehouse.blogs.foxnews.com> -

White House Counsel's Office on Rep. Sestak Job Offering

Posted By [Anne Marie Riha](#) On May 28, 2010 @ 11:59 am In [White House](#) | [Comments Disabled](#)



UPDATE: The White House Counsel's Office released an official statement today regarding an 'unpaid advisory council' position that was offered to Congressman Joe Sestak by former President Bill Clinton. The White House maintains there was no improper conduct regarding Congressman Sestak. After the White House statement was released, California Representative Darrell Issa (R), who has criticized the administration on this issue, put out his own written statement in response. A short time ago, Congressman Joe Sestak put out his own statement on the matter. To read Sestak's statement, please click [here](#) ^[1]. Below are the White House

Counsel's Office Statement and Representative Issa's response.

The White House Counsel's Office has released the following statement about any discussions White House officials may have had with Pennsylvania Democratic Congressman Joe Sestak about a job offer in lieu of running against Senator Arlen Specter for a senate seat. Major Garrett questioned President Obama directly about this in Thursday's press conference.

MEMORANDUM FROM ROBERT F. BAUER, WHITE HOUSE COUNSEL

SUBJECT: Review of Discussion Relating to Congressman Sestak

Recent press reports have reflected questions and speculation about discussions between White House staff and Congressman Joe Sestak in relation to his plans to run for the United States Senate. Our office has reviewed those discussions and claims made about them, focusing in particular on the suggestion that government positions may have been improperly offered to the Congressman to dissuade him from pursuing a Senate candidacy.

We have concluded that allegations of improper conduct rest on factual errors and lack a basis in the law.

Secretary of the Navy. It has been suggested that the administration may have offered Congressman Sestak the position of Secretary of the Navy in the hope that he would accept the offer and abandon a Senate candidacy. This is false. The President announced his intent to nominate Ray Mabus to be Secretary of the Navy on March 26, 2009, over a month before Senator Specter announced that he was becoming a member of the Democratic Party in late April. Mabus was confirmed in May. At no time was Congressman Sestak offered, nor did he seek, the position of Secretary of the Navy.

Uncompensated Advisory Board Options. We found that Congressman has publicly and accurately stated, options for Executive Branch service were raised with him. Efforts were made in June and July of 2009 to determine whether Congressman Sestak would be interested in service on a Presidential or other Senior Executive Branch Advisory Board, which would avoid a divisive Senate primary, allow him to retain his seat in the House, and provide him with an opportunity for additional service to the public in a high-level advisory capacity for which he

was highly qualified. The advisory positions discussed with Congressman Sestak, while important to the work of the Administration, would have been uncompensated.

White House staff did not discuss these options with Congressman Sestak. The White House Chief of Staff enlisted the support of former President Clinton who agreed to raise with Congressman Sestak options of service on a Presidential or other Senior Executive Branch Advisory Board. Congressman Sestak declined the suggested alternatives, remaining committed to his Senate candidacy.

Relationship to Senate Campaign. It has been suggested that discussion of alternatives to the Senate campaign were improperly raised with the Congressman. There was no such impropriety. The Democratic Party leadership had a legitimate interest in averting a divisive primary fight and a similarly legitimate concern about the Congressman vacating his seat in the House. By virtue of his career in public service, including distinguished military service, Congressman Sestak was viewed to be highly qualified to hold a range of advisory positions in which he could, while holding his House seat, have additional responsibilities of considerable potential interest to him and value to the Executive Branch.

There have been numerous, reported instances in the past when prior Administrations - both Democratic and Republican, and motivated by the same goals - discussed alternative paths to service for qualified individuals also considering campaigns for public office. Such discussions are fully consistent with the relevant law and ethical requirements.

Issa Written Statement

"After more than ten weeks of outstanding questions, the White House has offered a version of events that has important differences from what Congressman Sestak has been saying for months - that he was offered a 'job' by 'someone in the White House' in exchange for leaving the Pennsylvania Senate race.

"I'm very concerned that in the rush to put together this report, the White House has done everything but explain its own actions and has instead worked to craft a story behind closed doors and coordinate with those involved. The White House has admitted today to coordinating an arrangement that would represent an illegal quid-pro-quo as federal law prohibits directly or indirectly offering any position or appointment, paid or unpaid, in exchange for favors connected with an election.

"President Clinton and Congressman Sestak now need to answer questions about what the White House has released today - that at the behest of the White House Chief of staff, they dispatched a former President to get Joe Sestak out of the Pennsylvania Senate Primary. Regardless of what President Clinton or Congressman Sestak now say, it is abundantly clear that this kind of conduct is contrary to President Obama's pledge to change 'business as usual' and that his Administration has engaged in the kind of political shenanigans he once campaigned to end."

Article printed from Row 2, Seat 4: <http://whitehouse.blogs.foxnews.com>

URL to article: <http://whitehouse.blogs.foxnews.com/2010/05/28/white-house-counsels-office-on-rep-sestake-job-offering/>

URLs in this post:

[1] here: <http://congress.blogs.foxnews.com/2010/05/28/sestak-responds-to-wh-counsels-report-on-job-allegations/>

EXHIBIT 6

Joe Sestak job offer? White House says it did nothing wrong.

The GOP isn't buying the White House assertion that it offered Rep. Joe Sestak only an unpaid position on an advisory board if he'd drop his effort to unseat Pennsylvania's Sen. Arlen Specter.



Rep. Joe Sestak (D) of Pennsylvania speaks to reporters on Capitol Hill Friday. The White House acknowledged that it had enlisted Bill Clinton to try to ease Representative Sestak out of Pennsylvania's Senate primary with the offer of an unpaid position on an advisory board.

(Charles Dharapak/AP)

By Linda Feldmann, Staff writer

posted May 28, 2010 at 5:27 pm EDT

Washington —

After months of speculation, the White House has released an explanation of its effort to lure Rep. Joe Sestak (D) of Pennsylvania away from running for the US Senate.

The two-page memo from White House counsel Robert Bauer, issued Friday, states that White House chief of staff Rahm Emanuel had enlisted former President Bill Clinton to approach Congressman Sestak last summer to discuss the possibility of unpaid service on a presidential advisory board, while retaining his seat in the House.

In his own statement, Sestak laid out the same scenario. "I said no," he said of the advisory board offer.

The releases provide an embarrassing peek into White House political maneuverings, months after Sestak himself revealed in a Philadelphia TV interview that the White House had made him an offer designed to steer him away from challenging Sen. Arlen Specter (D) in the Democratic primary.

The White House cared about preventing a primary challenge against Senator Specter, because it had promised Specter full support for his 2010 reelection campaign when it persuaded him to jump from the Republican Party to the Democratic Party in April 2009. Specter's party switch gave the Democrats their 60th Senate seat — a filibuster-proof majority.

In the White House memo, Mr. Bauer stated that nothing improper had taken place, citing erroneous speculation that Sestak, a retired Navy admiral, had been offered the position of Secretary of the Navy.

"We have concluded that allegations of improper conduct rest on factual errors and lack a basis in the law," Bauer wrote.

At issue in the flap is whether anyone in the Obama administration broke the law by interfering with a political campaign. A job offer to Sestak could constitute such interference. Sestak, in fact, stayed in the race, and beat Senator Specter in the May 18 primary.

Republicans were less than satisfied with the White House's memorandum.

"This memo frankly raises more questions: What was Bill Clinton authorized to offer? Did President Obama sign off on this conversation before it took place?" Republican National Committee Chairman Michael Steele said in a statement.

Rep. Darrell Issa (R) of California, the ranking Republican on the House Oversight and Government Reform Committee, also took a dim view of the White House memo.

In a statement, the congressman questioned why the White House memo does not square with what Sestak had originally said, which is that he had been offered a job by an administration official.

Congressman Issa had sought and failed to get the Justice Department to investigate the matter. He also asserted that the maneuvering with Sestak "is contrary to President Obama's pledge to change 'business as usual' and that his administration has engaged in the kind of political shenanigans he once campaigned to end."

Political analysts don't see the flap getting much traction in Pennsylvania – or having much impact on the outcome of the race. Sestak faces former Pennsylvania Rep. Pat Toomey (R) in November.

"I just don't see this as a huge story for Sestak," says Terry Madonna, director of the Center for Politics and Public Affairs at Franklin & Marshall College in Lancaster, Pa. "He didn't get out of the race. He didn't do anything wrong. He continued to campaign. And I don't get any sense among voters in this state that it's a huge deal."

The RealClearPolitics.com average of recent polls shows Sestak ahead of Toomey by 1 point – within the margin of error.

Related:

Dig into alleged Joe Sestak job offer, GOP tells Justice Department

Arlen Specter out, Rand Paul advances, Blanche Lincoln fights on

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EXHIBIT 7



Print Close

- FOXNews.com

- May 28, 2010

White House Asked Bill Clinton to Urge Sestak to Drop Out of Senate Race

The White House asked former President Bill Clinton to talk to Rep. Joe Sestak about the possibility of obtaining a senior position in the Obama administration if he would drop out of the Democratic primary race against establishment-backed Sen. Arlen Specter, the Obama administration will say in a report to be released Friday morning, Fox News has confirmed.

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The White House asked former President Bill Clinton to talk to Rep. Joe Sestak about the possibility of obtaining a senior position in the Obama administration if he would drop out of the Democratic primary race against establishment-backed Sen. Arlen Specter, the Obama administration said in a report released Friday morning.

But the report, by White House Counsel Robert Bauer, concluded that "allegations of improper conduct rest on factual errors and lack a basis in the law."

Batting down allegations that the White House dangled the secretary of Navy position in front of Sestak, the report said that Sestak was offered executive branch positions on advisory boards that were uncompensated.

One of the jobs Clinton specifically discussed with Sestak was the president's intelligence advisory board. But a White House official said the plan always was for Sestak to remain in the House, and he couldn't have served in the House and on the president's intelligence advisory board.

The report also described the Clinton conversations as informal and not tied to any precise job offer since, as a former president, Clinton could not guarantee Sestak anything.

Clinton initiated conversations with Sestak at the behest of White House Chief of Staff Rahm Emanuel, who was Clinton's political director when he was president. As president, Clinton promoted Sestak to vice admiral and made him his director of defense policy. Sestak was also a loyal and tireless supporter of Hillary Clinton's run for the presidency in 2008.

At hastily arranged news conference Friday afternoon, Sestak said Clinton called him last summer to express concerns over his jumping into the Senate primary, and how his military background could help him leave a mark on the House.

Sestak said he almost interrupted Clinton to tell him Clinton that "I am going to decide to get into this or not only depending upon what's good for Pennsylvania's working families and not an offer. And he said 'I knew you'd say that,'" before the conversation moved on to other subjects.

The White House report disputed any suggestion that there was "impropriety" in Clinton's discussion with Sestak over possible alternatives to his Senate candidacy.

"There have been numerous, reported instances in the past when prior administrations -- both Democratic and Republican, and motivated by the same goals -- discussed alternative paths to service for qualified individuals also considering campaigns for public office," the report read. "Such discussions are fully consistent with the relevant

law and ethical requirements."

The report comes one day after President Obama insisted "nothing improper" happened with Sestak. On that same day, Obama had [lunch](#) with Clinton.

"This is punishable by prison. This is a felony," said Rep. Darrell Issa, R-Calif., who has been leading the charge for more details on the allegation.

"This is about the White House. This is not about Congressman Sestak," Issa said, adding that he wants to know what Clinton was empowered to say. "They've answered a question and it begs many more answers," he said. "We want elections not to be appointments."

Sestak's opponent in the general election for the Senate seat, Republican Pat Toomey, questioned why it took so long for this explanation.

"If this explanation is as innocent as it looks, I sure don't know why it took three months to say so," Toomey said in a statement. "As I've said many times, this job offer issue is not my focus, and it's not where Pennsylvanians want the focus of the campaign to be."

Critics say the Sestak job offer may have violated the part of the U.S. code that says: "Whoever, directly or indirectly, promises any [employment](#), position, compensation...appointment...provided for or made possible in whole or in part by any Act of Congress...to any person as consideration, favor, or reward for any political activity...or in connection with any primary election ...shall be fined under this title or imprisoned not more than one year, or both."

Fox News' Major Garrett and Chad Pergram contributed to this report.

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