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The Corruption Chronicles: Obama's Big Secrecy, Big Corruption, and Big Government

By Tom Fitton



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Judicial Watch President Tom Fitton exposes Obama administration secrecy, secrets, and corruption by providing behind-the-scenes details of what America's leading government watchdog has uncovered in its and successful legal battles to pry loose secret documents from a stonewalling Obama administration.

Judicial Watch, America's largest non-partisan government watchdog, has investigated the Clinton, Bush, and Obama administrations. Judicial Watch is the group that helped impeach Bill Clinton and took the Bush White House secrecy all the way up to the Supreme Court. Since the beginning of the Obama administration, this grassroots group has filed over 700 open records demands and dozens of lawsuits, including a successful fight over the secret Obama White House visitor logs. In this book, Fitton reveals what Judicial Watch has uncovered in its battles on high-profile issues, such as the bailouts, Obamacare, terrorism, the Black Panther scandal, czars, the ACORN network, illegal immigration and stealth amnesty, the Obama White House's actions against FOX News Channel, and Obama's radical Chicago connections.

The book provides highlights of Judicial Watch's historic role in pursuing corruption and the truth during the Clinton and Bush administrations. *The Corruption Chronicles* comprehensively highlights how the Obama administration, which promised to be the most transparent administration in history, became the most secretive in a generation, and it exposes the inside facts that the Obama administration has desperately fought—sometimes in court—to keep from the American people. A major feature documentary film is slated to debut nationally in late Spring 2012 and will tie in to and support the release of *Secrets*. Both the film and the book will educate the American public about the Obama White House's creation of a government “transparency crisis” in Washington, DC.



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Editorial Review

Review

"The Corruption Chronicles is the *Encyclopedia Britannica* of corruption in Washington DC. It shows Americans that there is a way of forcing DC politicians to follow the rules." (Glenn Beck, #1 bestselling author of *Miracles and Massacres*)

About the Author

Tom Fitton has helped lead Judicial Watch since 1998 and overseen its tremendous growth and success in recent years. Under Fitton's leadership, Judicial Watch was named one of Washington's top ten most effective government watchdog organizations by *The Hill* newspaper. He is an internationally recognized expert on government corruption, immigration enforcement, congressional and judicial ethics, and open government. He has been quoted in most every newspaper in the country and has also appeared on every major network and cable news network, including ABC, CBS, NBC, CNN, FOX News Channel, C-SPAN, and MSNBC.

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1.

THE CLINTON MACHINE

To understand our current crisis of government in these times, it is useful to go back to the 1990s. The liberal media constantly lectures Americans about the alleged crimes of the Nixon administration. They would have you think that Richard M. Nixon was the first and last corrupt president of the twentieth century.

Far from it. It is certainly ironic that one of the young prosecutors on the congressional impeachment team was Hillary Rodham, who would later become Hillary Rodham Clinton, the First Lady, U.S. senator, and current secretary of state—yet Nixon's hallmarks, including dirty tricks, abuse of office, misuse of the FBI, crony politics, intimidation, and cover-ups, became hallmarks of the Clinton presidency. While the heart of this book lies in the secrets of the Obama administration, I want to be clear from the outset: corruption and secrecy didn't start with President Obama.

Judicial Watch was established in 1994, in the aftermath of the election of President William Jefferson Clinton. Judicial Watch became nationally known during the Clinton administration for its use of FOIA requests and other legal actions to hold corrupt politicians like Bill and Hillary Clinton to account. Of course, if the Clinton administration had been full of misunderstood innocents, we'd have gotten no attention. But because the Clinton administration was the most corrupt since Nixon's, our watchdog group, the first from the right to take on government corruption in a serious and sustained way, gained a national following.

Every day seemed to bring new information linking the Clinton administration to abuse of power. Undergirding the corruption was cover-up culture that gave new meaning to the term made famous by Nixon: *stonewalling*. We made it our mission to hold the Clinton administration accountable to the law—we weren't afraid of the Clinton administration, and we wouldn't be intimidated.

Abuse of Power

President Bill Clinton was, above all, a bully. He used the power of his office to intimidate those who disagreed with his political agenda, and he wasn't shy about doing it—and he couldn't do it without the cover of secrecy. If the public had known about the tactics the Clinton administration was using to silence its critics and opponents, the public could have held Clinton accountable, which was the last thing he wanted. As always, the more powerful the person—or the more power he or she seeks—the more they are interested in avoiding transparency. The goal of law is to be both regular and proper; bypassing rules, abusing the law, is neither regular nor proper.

In 1996, the Internal Revenue Service audited Joseph Farah's Western Center for Journalism (WCJ), which had led the way in investigating the death of Clinton deputy White House counsel Vince Foster. In 1998, we helped the WCJ sue the IRS for what we alleged was its retaliatory audit—the audit itself, by the way, came to nothing, and the WCJ was found to be in total compliance. “When IRS field agent Thomas Cederquist first visited our accountant in 1996 to announce the audit, he told us that this was a ‘political case’ and the decision about our fate would be made ‘at the national level,’” reported Farah. “In America, things like this are not supposed to happen—especially to journalists simply doing their job reporting on corruption in government.” Farah said that by early 1996, he was hearing rumors that WCJ had been fingered by the IRS. Farah stated that the IRS was asking why WCJ had been investigating White House corruption, why they were working on the Vince Foster case, and what the center was doing to “balance” their stories.¹

Sure enough, we found that the audit originated with a complaint forwarded to the IRS by the White House. The White House had forwarded it after Bill Clinton himself received it from a California resident. According to the Treasury Department, “the audit originated from a taxpayer who faxed a letter to the White House expressing his concern over a one-page advertisement paid for by WCJ [Western Center for Journalism] that asked for contributions to investigate Foster's death. The fax was forwarded to the EO (Exempt Organizations) National Office and then to the respective Key District Office for appropriate action.”²

Other Clinton enemies felt the brunt of the administration's secret manipulation of the IRS, too. Juanita Broadrick's nursing home business was audited in 2000, just after she filed a lawsuit against the White House. Broadrick, a Judicial Watch client, had alleged that Bill Clinton had raped her. Gennifer Flowers, too, was audited by the IRS following a lawsuit we helped her file against James Carville, George Stephanopoulos, Little Brown & Company, and Hillary Rodham Clinton based on the Clinton administration's ongoing attempts to defame her. Carville had famously told the press, “you all are more interested in putting some bimbo on the air than in getting at the truth. And the truth is that this is just sleazy tabloid trash and you all should be ashamed of yourselves.” In the book he wrote with his wife, Mary Matalin, Carville bragged, “I was the first surrogate to go after her. By going with the *Star*, taking the money, playing the aggrieved lover, she put herself in the line of fire, she was fair game. I thought, ‘Just don't call her a whore—but short of that, let 'er rip.’”³

Paula Jones, too, was audited by the IRS, shortly after announcing her historic lawsuit against Clinton and then rejecting a settlement. In fact, the White House actually declined to comment when the *Washington Post* asked if they had any role in the IRS audit.⁴ Former White House Travel Office director Billy Dale was audited shortly after Travelgate came to light—a White House lawyer apparently told friends that the IRS commissioner was “on top of it.”⁵ Elizabeth Ward Gracen, an actress who had an affair with Clinton, was audited. So was Katherine Prudhomme, a concerned citizen who at a public forum in New Hampshire grilled Vice President Al Gore about Clinton's Broadrick assault.

When it came to conservative 501(c)(3) organizations, Clinton's IRS was even more active with regard to his perceived enemies. During his tenure, the Heritage Foundation, Concerned Women for America, National

Rifle Association, and *National Review*, among others, were all audited.⁶

One reason we were so determined is that we knew that IRS-gate was real, since it had happened to us. Judicial Watch felt the sting of IRS-gate directly in 1998, when the IRS sent us an audit letter. The letter told us to provide “the names and addresses of the directors and their relationship to any political party or political groups.” Was this a politically motivated siccing of the IRS on one of the president’s political opponents? The answer came just a few months later, in January 1999, when a senior IRS official admitted to me and my colleagues during a meeting at IRS offices, “What do you expect when you sue the president?”

It turns out that our claims that the IRS’s moves against us were politically motivated weren’t just speculation—in July 2002, after the IRS finally responded to our FOIA requests, columnist Robert Novak reported that the Clinton White House had received an email in September 1998 from an unspecified sender stating, “[Judicial Watch has] obviously targeted you and the vice president. My question is how can this obviously partisan organization be classified as tax-exempt.” One month later, the White House sent the message on to the IRS, and two weeks later, Judicial Watch found itself on the receiving end of the IRS audit. Several Democratic politicians, including Representatives Charlie Rangel (D-NY), Martin Frost (D-TX), Jim Moran (D-VA), Tom Harkin (D-IA), John Lewis (D-GA), and Richard Neal (D-MA), were linked to requests that the IRS check out our nonprofit status. “The mystery surrounding Internal Revenue Service tax audits against critics of President Bill Clinton during his administration has been cracked,” Novak announced. “The unmistakable evidence is that the supposedly nonpolitical tax agency responds to complaints by prominent politicians.”⁷

Former commissioner of the IRS Donald Alexander stated, “the circumstances surrounding the IRS’s audit of Judicial Watch are unusual and deviate from the procedures and practices normally followed by the IRS when investigating and auditing 501(c)(3) tax-exempt organizations.”⁸ In the end, we were given a clean bill of health. So now the IRS is going after Tea Party organizations. Executive branch corruption never dies—it just fades in and out.

The Clinton Payoff Administration

When it came to secrecy and corruption, the Clinton administration didn’t limit itself to tracking down its political opponents—they also used the instruments of government to both create and cover up completely inappropriate deals designed to bulk up Clinton’s campaign finance coffers. Nowhere is it more important for the American people to know about the actions of their politicians than with regard to campaign finance, since the potential for abuse of office is so high. That’s why Judicial Watch made it one of its key missions during the Clinton administration to rip the cover off any campaign finance improprieties. The most famous of these cases was Chinagate.

As David Limbaugh wrote in *Absolute Power*, “Of the innumerable scandals of the Clinton administration, none is more shocking and disturbing than the campaign finance scandal. None is more far-reaching or complex.”⁹ During the 1996 election cycle, according to the Senate Governmental Affairs Committee report, Clinton spent endless amounts of time campaigning; in the ten months before the 1996 election, Clinton attended no fewer than 230 campaign functions, bringing in almost \$120 million. In order to end-run around campaign finance regulations, Clinton softened the line between hard money (which generally meant contributions made specifically to a candidate) and soft money (more lightly regulated expenditures by political parties and entities “independent” of the candidate) by taking control of Democratic National Committee operations.¹⁰

The worst sort of corruption started in 1995, however, when former Commerce Department official John

Huang, who had worked for the huge Indonesian finance company and Clinton donor the Lippo Group, joined the DNC. At Commerce, Huang was a regular at the Clinton White House—visiting seventy-eight times between July 1, 1995, and October 3, 1996. With Huang at the DNC, his top-secret clearance should have been revoked, but it wasn't. Huang was in charge of Asian outreach for the 1996 Clinton campaign. He funneled immense sums to the Clinton campaign, and seemingly in return, the Clinton administration shifted its positions on issues ranging from Taiwan to Indonesia. Meanwhile, Clinton was also fund-raising from a Miami drug kingpin (who had a picture taken with Hillary) and from a front company for the Russian KGB.¹¹ Judicial Watch deposed Huang five times in the course of FOIA litigation that investigated cash for seats on Commerce Department international trade trips, and this deposition testimony remains Huang's most detailed account of his close ties to Clinton (which went back to Clinton's tenure as Arkansas governor).

Through Huang's testimony, we exposed that the scandal was bipartisan. In fact, Republican senator Mitch McConnell (now the leader of the Senate Republicans) was forced to return a contribution from Huang as a result of our discovery.

That was just the beginning. In December 1996, it came out that the head of a weapons company owned by the Chinese military was invited to have coffee with Clinton. The meet-up was brokered by Yah Lin "Charlie" Trie, a "Friend of Bill," an American citizen who had raised in excess of \$600,000 in illicit money for Clinton's legal defense fund. That was only the beginning: in February 1997, Bob Woodward reported that the Justice Department was looking into information that the Chinese embassy had tried to fund Clinton's reelection effort. The Chinese had already funneled cash to the campaign accounts of several major congressional leaders who oversaw trade standards with China. It turns out that the contacts between the Chinese and the Clinton administration ran wide and deep, and the cash flowed freely—as did the policy promises. Eventually, the Democrats were forced to return \$3.2 million in tainted cash.¹² Meanwhile, Clinton's attorney general, Janet Reno, with the full-throated support of her then-deputy Eric Holder, did everything in her power to stonewall a serious investigation by refusing to appoint an independent counsel.

Another key player in the Clinton-China fund-raising scandal was Johnny Chung, a contributor who signed checks worth \$360,000 to the DNC while visiting the White House in excess of fifty times. Chung, who became Judicial Watch's client, rocked Washington when he testified that an officer in China's military and an executive for a Chinese government-run aerospace company had arranged for a \$300,000 donation to the DNC. "I see the White House is like a subway," Chung told the *Los Angeles Times*. "You have to put in coins to open gates."¹³

Chung's turning state's evidence changed the entire complexion of the case. He said that the DNC knew full well what was going on, and that a DNC finance director asked him personally for a \$125,000 donation, already aware that Chung was a middleman for the Chinese. As for that \$300,000 donation, Chung now testified that China's military intelligence chief was behind it, and quoted him as saying, "We really like your president." Chung also said that after turning state's evidence, his life was threatened.¹⁴

The most deeply troubling element here was the Clinton administration's lackadaisical approach to national security and the Chinese government. Loral Space and Communications CEO Bernard Schwartz was the single biggest individual contributor to the DNC in 1997, and had opened up his wallet to the tune of over \$1 million since 1995. Loral had an interest in having the Chinese launch its satellites into space, but such business had to be approved by the State Department, which had to approve sensitive exports under law. The State Department, with the support of the Defense Department, wanted to make sure that sensitive technology on U.S. commercial satellites did not fall into the wrong hands. At Loral's request, Clinton overruled his national security establishment by transferring satellite licensing authority from State to a more

export friendly Commerce Department. Another law designed to punish the Chinese after the Tiananmen Square massacre required Clinton to also approve waivers for the Loral satellite launches with the Chinese regime. Clinton signed the necessary waivers. When one of these Clinton-approved Chinese launches failed, Loral tried to help the Chinese figure out what went wrong. In 1996, Loral and another company allegedly gave the Chinese assistance that could have been used to make Chinese intercontinental ballistic missiles more accurate. This assistance was a potential violation of law and a Justice Department criminal investigation was launched. Nevertheless Clinton approved another waiver allowing Loral to launch another communications satellite a Chinese missile—even as his own Justice Department was investigating Loral for its alleged earlier illicit assistance to China.¹⁵ A special congressional investigation, the results of which was published as the Cox Report, disclosed that government reviews concluded that Chinese ICBM's were made more reliable thanks to Loral's help and were "likely to lead to improvements in the overall reliability of [Chinese rockets] and ballistic missiles and in particular their guidance systems."¹⁶ In other words, the Chinese could better aim their nuclear missiles at us.

This is where Judicial Watch came in. We came up with a creative strategy to uncover the corruption that had resulted in the transfer of crucial missile assistance to the communist Chinese: we filed a lawsuit seeking to hold Schwartz and the Clinton administration accountable under federal racketeering law, arguing that the campaign contributions from Schwartz were a sort of bribery. As far as Schwartz's China mission went, he told the *Washington Post* that meetings Ron Brown (the former head of the DNC that Clinton installed as commerce secretary) had put together for him "helped open doors that were not open before." Schwartz also told the *Wall Street Journal*, "I think that political involvement does enhance the visibility of a corporate executive, and to the extent that visibility is enhanced, access is enhanced as well." Schwartz went even further with *BusinessWeek*: "I can open any door I want as chairman of a \$6 billion company." No wonder Deputy White House Chief of Staff Harold Ickes told Clinton to call Schwartz for donations, explaining, "I have it on good authority that Mr. Schwartz is prepared to do anything he can for the administration."¹⁷ (As you might imagine, the courts weren't too thrilled by Judicial Watch's suggesting that the Clinton White House was run as a racketeering operation that benefitted the Chinese missile program and our lawsuit was dismissed.) In 2002, the Bush administration let Loral off with a fine \$14 million for helping China. Loral paid the fine without admitting or denying the government's charges.¹⁸

Our work left little doubt that the Clinton administration used the Commerce Department as a payoff center for large campaign contributors. Clinton appointed his 1992 chairman of the DNC, Ron Brown, to secretary of commerce; Melissa Moss, a former top DNC fund-raiser, became director of the Commerce Department's Office of Business Liaison; Alexis Herman, a DNC fund-raiser, became director of public liaison for the White House before becoming secretary of labor. Under Brown, many of Clinton's biggest contributors were granted seats on government-sponsored trade missions, including Schwartz, who received a Commerce Department Trade Mission slot to China. According to a DNC brochure, contributors of more than \$100,000 to the DNC were "invited to participate in foreign trade missions, which affords opportunities to join Party leaders in meeting with business leaders abroad."

On this score, Judicial Watch secured testimony from Nolanda Hill, business partner and friend of Ron Brown, stating that Hillary Clinton was behind the fund-raising scheme involving the sale of seats on official trade missions—and that she had the support of both her husband and Vice President Al Gore.

Our work prompted court findings that stuck against the Clinton administration. Judicial Watch "got the ball rolling" with its FOIA requests on the Commerce Department. We obtained a court judgment against the Clinton-Gore Commerce Department, finding that evidence had been destroyed and testimony falsified. In our lawsuits related to Commerce Department trade missions, we were awarded just under \$900,000 for attorney fees and costs. The judge noted in his ruling that Judicial Watch's efforts prompted two

congressional committees and the Federal Election Commission to investigate, and that the Commerce Department thereafter changed its policy for selecting participants in trade missions.

Perhaps the most obvious patronage scandal of all was yet another -gate, this time Travelgate. When the Clintons entered the White House, they quickly decided to fire several members of the nonpolitical White House Travel Office. One of those was Billy Dale, head of the office. In place of Dale and his employees, the Clintons put in place several of their buddies, including major campaign donors as the associated travel planning company, World Wide Travel. Hollywood producer Harry Thomason also attempted to get the Clintons to use their air charter business to book presidential travel. Hillary Clinton stood behind the moves, utilizing the FBI to investigate the Travel Office employees. Billy Dale was wrongly tried for embezzlement of \$68,000 in news media cash. A year afterward, the General Accounting Office (GAO) released a report ripping the Clintons' handling of the Travel Office, and, according to the *Washington Post*, "the appearance of improper influence because of easy White House access by Clinton friends."¹⁹

Hints of What Was to Come

It would be almost a decade before the American people became aware of the implications of what seemed to be a small-scale scandal, at least for the Clintons. That scandal broke in 1999, when Judicial Watch brought a shareholder lawsuit against Deutsche Bank specifically to stop the bank from giving special treatment to the Clintons on a home loan. In September 1999, we sent a letter to Deutsche Bank and its subsidiary, Bankers Trust Company, about recent reports that Deutsche Bank and Bankers Trust were going to give a cozy home mortgage deal to the Clintons. Collateral for the deal was to be provided by a \$1.35 million guarantee from future Democratic National Committee chairman Terry McAuliffe, at the time chairman of Clinton's 53rd Presidential Inaugural Committee and chairman of the White House Millennium Celebration.

The loan would have violated the law. Under federal campaign finance laws at the time, campaign contributions in the amount of \$1,000 or more were illegal. Further, gratuities are obviously illegal under federal law. Since Hillary Clinton was then running for U.S. senator from New York and seeking to establish residency in the State of New York, the loan guarantees counted as campaign contributions—what else would you call it when someone puts up the collateral for a multimillion-dollar home, freeing up cash for you to use yourself for other purposes, including campaigning?

We threatened to sue the bank to stop the loan, and when they refused, we went ahead with the lawsuit. In it, we noted that McAuliffe seems to have made it his personal mission to back the Clintons with copious piles of money, raising nearly \$5 million for Clinton's legal defense fund and raising \$150,000 for Hillary's Senate campaign. As far as the loan itself, Bill and Hillary were well over \$5 million in debt, Hillary was unemployed, and Bill was making only \$200,000 as president. How could they afford a \$1.35 million loan, even with a below-market rate? They couldn't without McAuliffe's help.

Meanwhile, New York mayor Rudy Giuliani made hay out of the budding scandal, wryly noting, "People are trying to figure out how they can get someone to give them \$1.3 million to buy a house."²⁰ Again, the court was not too keen to intervene in the Clintons' fraudulent mortgage deal because doing so might make the Clintons look like "crooks." To this day, I can think of no worse example of court justice being cowed by political power.

At the time, this seemed like a relatively minor scandal, at least on the Clinton scale, but it presaged a series of scandals that would rock the U.S. economy down to its foundations in 2008, as we'll discuss. The close dealings between the congressmen charged with oversight of the mortgage industry and the mortgage lenders

themselves resulted in financial disaster for virtually all Americans. The Clintons led the way here, and it's not surprising that Deutsche Bank would later be called on the carpet for home loan fraud. One government lawsuit alleged that Deutsche Bank "lied to be included in a Government program to select mortgages that violated program rules in blatant disregard of whether borrowers could make mortgage payments. While Deutsche Bank . . . profited from the resale of these Government-insured mortgages, thousands of American homeowners have faced default and eviction, and the Government has paid hundreds of millions of dollars in insurance claims, with hundreds of millions of dollars more expected to be paid in the future."²¹ Countrywide Financial, a major player in the subprime mortgage market, had an official VIP program that provided special discounts and services to politicians on the Hill, both Democrat and Republicans. Sweetheart mortgage loans for politicians by banks implicated in the subprime mortgage crisis is a near-perfect example of the everyday corruption in Washington that sets many Americans seething.

Of course, President Clinton affected the mortgage market in more ways than simply getting a personal favor from Deutsche Bank. In September 1999, the *New York Times* reported that Fannie Mae, the biggest mortgage underwriter in the country and a government-sponsored entity, was "under increasing pressure from the Clinton administration to expand mortgage loans among low and moderate income people and felt pressure from stockholders to maintain its phenomenal growth in profits. In addition, banks, thrift institutions and mortgage companies have been pressing Fannie Mae to help them make more loans to so-called subprime borrowers." Clinton's former budget director, Franklin Raines, was running Fannie Mae at the time; he was also allegedly receiving a nice benefit from Countrywide in the form of a sweetheart mortgage deal. "Fannie Mae has expanded home ownership for millions of families in the 1990s by reducing down payment requirements," said Raines. "Yet there remain too many borrowers whose credit is just a notch below what our underwriting has required who have been relegated to paying significantly higher mortgage rates in the so-called subprime market."²² Woe for those newly underwritten borrowers ended up as woe for millions more Americans as the real estate market tanked a decade later.

The financial crisis helped set in motion by the Clinton administration wouldn't happen until 2008. But the Clinton administration's failure to pursue Osama bin Laden began impacting America almost immediately.

On December 11, 2001, we used FOIA to request documents concerning the government of Sudan's reported offer to share intelligence files on bin Laden. The Clinton administration had supposedly rebuffed an offer by Sudanese officials to turn bin Laden over to the United States. In August 2005, we finally got the documents we'd been seeking: two declassified "Top Secret" State Department documents showing that Clinton administration officials were warned of the activities of bin Laden following his expulsion from Sudan in May 1996. "Bin Ladin," the report noted, "seemingly should be on the run. But his willingness to speak more openly to the press about his militant opposition to the Saudi regime and the West suggests more a man emboldened by recent events, whether or not he was involved in them. He may believe tensions in Saudi Arabia are ripe for exploiting through increased terrorism. Keeping bin Ladin on the move by reducing his haven options will inconvenience him, but his informal and transnational network of businesses and associates will remain resilient. Even a bin Ladin on the move can retain the capability to support individuals and groups who have the motive and wherewithal to attack U.S. interest almost worldwide." This wasn't hindsight being twenty-twenty—these documents showed that the Clinton administration knew the danger bin Laden posed back in 1996 and failed to take any meaningful action to stop him.²³

In 2008, Judicial Watch obtained access to the redacted portions of the document, and they were even more shocking. The document stated, "[redacted] . . . indicated bin Ladin planned to sponsor suicide car bombings against US interests in the UK, in part to punish London for 'submitting' to US pressure to bar his entry into the UK." Other information in the documents showed that the leadership of Sudan, President Omar Al Bashir and Hassan Turabi, had ties with bin Laden. The Clinton administration also rebuffed an offer by Sudanese

officials to turn bin Laden over to the United States. Bin Laden's many passports, his private plane, and the backing he received from foreign sponsors allowed him to travel freely "with little fear of being intercepted or tracked," the report said. The report even warned that bin Laden's prolonged stay in Afghanistan "could prove more dangerous to U.S. interests in the long run than his three-year liaison with Khartoum," and predicted that even if bin Laden were forced to move from place to place, it wouldn't be anything more than an inconvenience, since "his informal and transnational network of businesses and associates remain resilient." Bin Laden, the report said, wouldn't be stopped from pursuing his activities while on the move: "[he] can retain the capability to support individuals and groups who have the motive and wherewithal to attack U.S. interests almost worldwide." The document showed that well over five years before 9/11, and four years before the USS *Cole*, the Clinton administration was warned in full about bin Laden's murderous intent, including specific threats to attack U.S. interests, but took no meaningful action against bin Laden. As a result, thousands of Americans were murdered in New York, Washington, D.C., and Pennsylvania.²⁴

Clinton's inaction with regard to Sudan had other ramifications, too—when he finally bombed the al-Shifa plant in Sudan in 1998, most experts thought it had been a mistake. Judicial Watch made a FOIA request in January 2000 to the CIA on this topic, and only two years later did they respond. They provided a set of heavily redacted documents, including a September 21, 1998, Senior Executive Intelligence Brief, titled "Middle East: Currents Favor Saddam." That document stated that "Arab anger over the US military strike in Sudan . . . added momentum to regional trends benefitting Saddam. . . . [The strike] has fueled Arab perceptions of US hostility toward Muslims, increasing the political risk to US allies of siding with Washington to renew pressure against Saddam." At the time, Clinton's Sudan strike was seen as a "wag the dog" distraction, as it came shortly after Clinton appeared before a federal grand jury about the Lewinsky scandal. (*Wag the Dog* was a movie that year in which a fictional presidential administration made up a war against Albania in order to cover up a presidential sex scandal.²⁵) The "wag the dog" Sudan strike didn't do any damage to bin Laden, but it did create support for Saddam Hussein.²⁶

On the Way Out

The Clintons hadn't entered the White House with any sense of honor, and they left it the same way: by pilfering the silverware and pardoning criminals in the dead of night. To the last minute and beyond, we knew we would have to stay on top of them, ripping away the mask of secrecy and power behind which they hid.

One might not think it possible that an impeached president, implicated in selling his office to foreign interests, could top this corrupt record on his final day in office, but Clinton managed to end his presidency on a truly infamous note. On the last possible day of his administration, Clinton issued an unbelievable 140 pardons, commuting thirty-six sentences; in full compliance with established Clinton precedent, many of those pardons went to convicted felons who had paid large fees to Clinton's associates. One of them was Marc Rich, whose wife, Denise, had donated over \$1 million to Democratic Party causes and the Clinton Library.

This Pardongate scandal also caught Hillary Clinton, who had just been elected to the U.S. Senate to help represent New York. It turns out that Hugh Rodham, Hillary's brother, took a payoff of \$400,000 from associates of two felons who successfully used Hugh to lobby Bill for their pardons.²⁷ He later supposedly had to return the money in order to avoid the fallout. And were pardons exchanged for votes? Years later, in 2008, our investigators obtained thirty-four photos from the Clinton Presidential Library of Hillary Rodham Clinton, then-president Bill Clinton, and Grand Rabbi David Twersky at a White House meeting during which the grand rabbi and other community leaders allegedly lobbied the Clintons to commute the jail sentences of four Hasidic men convicted of stealing \$30 million in government education aid. The meeting

took place in December 2000, just after the New York–based Hasidim sect delivered 1,400 votes to Hillary Clinton’s Senate 2000 campaign and only twelve to her opponent, Rick Lazio.

This was the second meeting between Hillary Clinton and representatives of the Hasidic men. Prior to the election, in August 2000, Hillary Clinton visited New Square, the Hasidic community just outside New York City.²⁸

Our FOIA requests for the Clinton pardon documents were initially stonewalled by the Bush administration, so we had to file one of our first lawsuits against the Bush administration—about a Clinton scandal!

Clearly the case began as an investigation into corruption, but it quickly became a fight against government secrecy. The Bush administration tried to stop us in our tracks by suggesting that the pardon recommendations of the Justice Department’s Office of the Pardon Attorney (which never were reviewed by Clinton!) were subject to the presidential communications privilege—a presidential executive privilege recognized by the courts to protect the confidentiality of communications between the president and his closest advisors.

The second most important federal court in the country, the U.S. Court of Appeals for the District of Columbia Circuit, rejected that Bush secrecy gambit in 2004. To allow the presidential communications privilege to govern the pardon documents from the Justice Department “would be both contrary to executive privilege precedent and considerably undermine the purposes of FOIA to foster openness and accountability in government,” said the court. “Indeed, a bright-line rule expanding the privilege could have the effect of inviting use of the presidential privilege to shield communications on which the President has no intention of relying in exercising his pardon duties, for the sole purpose of raising the burden for those who seek their disclosure.”²⁹ When the department finally released some 915 pages of documents in May 2005, they blacked out virtually everything. The text of the recommendations was completely covered by black ink. Since the presidential communications privilege was not available to them, the Bush Justice Department invoked the deliberative process privilege, which can allow the government to keep secret pre-decisional material. So, since all the pardon recommendations were “pre-decisional,” the Bush administration wouldn’t offer anything of importance in the end and gave us 915 blacked-out pages.³⁰ This smarmy contempt for the people’s right to know is a good illustration of Washington corruption in the Clinton-Bush era.

The Bush administration’s protection of Clinton through a narrow reading of FOIA proves that government secrecy can be part of the governing platforms of both political parties.

Users Review

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