

 CREW - citizens for responsibility and ethics in washington

## CREW Cuts

June 2007/ Issue #2

### CREW Sues the Secret Service and UnCOVERS Letter from Vice President Cheney's Office

In response to a CREW Freedom of Information Act lawsuit, the Department of Justice released a letter by Vice President Dick Cheney's attorney telling the Secret Service "not to keep" Vice President Cheney's official residence visitor records.

 photograph of Richard Cheney

The Sept. 13, 2006 letter claims logs of visits to Cheney's residence on the grounds of the Naval Observatory are subject to the Presidential Records Act. Such a designation prevents the public from learning who visited the vice president.

CREW's suit against the Secret Service and the National Archives and Records Administration was the result of the Secret Service's refusal to produce White House visitor records of conservative religious leaders.

News of Vice President Cheney's flagrant disregard for the law quickly spread throughout the country. Stories by the *Associated Press*, *Time Magazine* and *The Washington Post* detailed the vice president's abuse of power and *The New York Times* condemned Cheney's actions in an editorial.

[Read more](#)

[Watch CNN's Jack Cafferty discuss the letter from Cheney's office](#)

### CREW in Court

On May 15th, oral arguments were heard in *United States v. Rayburn House Office Building*, regarding the legality of a search conducted of Rep. William Jefferson's (D-LA) Capitol Hill office last year during the course of an investigation into his criminal activities.

In April, CREW filed an amicus, or "friend-of-the-court," brief supporting the Department of Justice's position that the Constitution does not protect a congressional office from a search conducted pursuant to a warrant issued by a federal judge. The District of Columbia Circuit Court of Appeals will issue a decision, but the case may well go to the Supreme Court.

On June 4th, Rep. Jefferson was indicted on 16 counts, including allegations of money laundering, bribery and racketeering. CREW publicly asked that Rep. Jefferson resign immediately from his congressional seat.

[Read more](#)

[Read the NPR story detailing the Jefferson legal case](#)

[Read The New Orleans Times-Picayune story on Rep. Jefferson's indictment](#)

### Valerie and Joe Wilson Sue Bush Administration Officials

On May 17th, oral arguments were heard in Valerie and Joe Wilson's case against Bush Administration officials for disclosing Ms. Wilson's covert status, for which CREW serves as lead counsel. The defendants, Vice President Dick Cheney, White House Deputy Chief of Staff Karl Rove, Vice President Cheney's former Chief of Staff I. Lewis "Scooter" Libby and former Deputy Secretary of State Richard Armitage, filed motions to dismiss. CREW's co-counsel Erwin Chemerinsky, a Duke University law professor, argued the Wilsons' case. Lawyers for the defense claim their clients cannot be held responsible for the disclosure of Ms. Wilson's CIA status because discussing foreign policy and talking to the press were within their official duties.

U.S. District Judge John D. Bates is expected to rule on the motions to dismiss in the coming months.

### CREW Exposes Legal Violations by the Department of Education

Department of Education officials told CREW counsel that Education employees have been using private email accounts to conduct official business. This practice, which violates the Federal Records Act (FRA), occurred with the full knowledge of the Department's Office of General Counsel. On May 16th, CREW asked the Department of Education's Inspector General to investigate the extent to which Department employees have been using private email accounts to conduct official business. The Inspector General's office has contacted CREW in response to its request.

On May 22nd, CREW sued the Department of Education for violating the FRA by failing to preserve copies of emails regarding official business sent by agency employees through the use of non-governmental email accounts.

[Read more](#)

[Read the Associated Press story about CREW's complaint against the Department of Education](#)

### CREW Files FEC Complaint Against Sen. Mel Martinez

On May 11th, CREW filed a Federal Election Commission (FEC) complaint against the campaign committee of Senator Mel Martinez (R-FL), the chairman of the Republican National Committee, for violating federal campaign finance laws.

CREW's complaint, based on an FEC audit, alleged that Sen. Martinez's campaign failed to disclose employer and occupation information for an astonishing 46% of individuals who contributed to the campaign and failed to provide any contributor identification at all for approximately \$320,000 in contributions. CREW has asked the FEC to sanction Sen. Martinez's campaign committee nearly \$800,000, which is equal to the total amount of the violations.

[Read more](#)

[Read The Miami Herald article about Senator Martinez](#)

### CREW Sues The White House Over Lost Emails

CREW's April report, *WITHOUT A TRACE: The Missing White House Emails and the Violations of the Presidential Records Act*, revealed that the White House lost five million emails between March 2003 and October 2005. Confidential sources told CREW that the White House counsel's office was advised of the lost emails as early as 2005, and was provided with a plan to recover the emails, but took no action.

On May 23rd, CREW sued the Office of Administration, a component of the Executive Office of the President, for failing to comply with a Freedom of Information Act request for records regarding the missing email and the White House's decision not to recover them.

[Read more](#)

[Read CNN's coverage of the missing email scandal](#)

[learn more about crew button](#)

[support crew button](#)

**Read *The Washington Post* a  
Wilsons' day in court**



(c) 2007 Citizens for Responsibility and Ethics in Washington, all rights reserved.

If you wish to cancel your subscription to this newsletter click [here](#)