



PO 9576  
Washington, DC 20016  
December 8, 2010

Judge Pat Priest  
Blackwell-Thurman Criminal Justice Center  
509 West 11th, 9th Floor  
Austin, Texas 78701

**Re: State of Texas v. Tom Delay**

Dear Honorable Judge Priest:

I am writing you today on behalf of ProtectOurElections.org, a network of more than 150 groups dedicated to honest and transparent elections with more than a million members. This network seeks to educate the public about the importance of fair elections and to hold accountable those who use positions of power to unfairly manipulate elections.

We are asking that you impose a prison term of not less than ten years on Mr. Delay in order to punish him for violating Texas law and to send a strong message to others who might violate election law for a partisan advantage.

Mr. Delay earned the nickname, "The Hammer," for his hard-nosed tactics and his use of fear and intimidation to get done what he wanted. This reputation led him to engage in many acts that crossed the line of decency, ethics and legality. For example, the Federal Election Commission audited and fined his organization for violating federal election law, the Department of Justice investigated him for his ties to Jack Abramoff, the House Ethics Committee admonished him for misusing federal resources, and his former partner accused him of perjury in a civil suit. The list of Delay's wrongdoing is so long that the respected non-partisan watchdog group Common Cause has dedicated an entire web page to it titled, "**Tom Delay's Transgressions: A Pattern Of Misbehavior.**" Attached as Exhibit A. Seven years ago, Houston's *IndyMedia* published an article listing scores of unethical conduct under the title, "**BEYOND REDEMPTION: The Crimes of Tom Delay.**" Attached as Exhibit B.

These examples and articles demonstrate that Mr. Delay's criminal conduct in this case was not an aberration but rather part of a pattern of criminal conduct by a man who believes that he is above the law. In fact, Mr. Delay has never once owned up to

any of the misconduct charges. Instead, as set forth in these exhibits, he has always attacked those who have investigated him including the House Ethics Committee, prosecutors, judges, the media and NGOs. This continues to this day with pronouncements that this case is “baseless” and an “outrage,” and calls by his supporters to demand that Governor Rick Perry “*immediately issue a total pardon of Mr. Delay on all charges, in order to end the absurd political circus and gross abuse of our judicial system by Earle and his successor, as well as the corrupt Democrat judges of that county.*” [http://www.statesman.com/blogs/content/shared-gen/blogs/austin/politics/entries/2010/12/01/srec\\_to\\_consider\\_calling\\_for\\_d.html](http://www.statesman.com/blogs/content/shared-gen/blogs/austin/politics/entries/2010/12/01/srec_to_consider_calling_for_d.html)

Politicians are not above the law and those who violate campaign finance laws must be held accountable. Just this year, we saw close to a half billion dollars spent by outside groups in the 2010 mid-term elections, much of it secret money laundered through organizations in violation of the Federal Election Campaign Act in ways eerily similar to what Mr. Delay did in the instant case. These organizations have calculated, based on past history, that they can violate the law because the punishment, whether a fine or admonishment by the FEC or others, is simply a cost of business.

But now, with the conviction of Mr. Delay after those mid-terms, it is imperative that the sentence imposed against him not only reflect punishment for violating the law but also demonstrate that the calculus has changed so other election law violators understand that they will be criminally prosecuted rather than slapped on the wrist. The only sentence that would serve these two purposes is a lengthy one involving imprisonment. We believe that any sentence of less than ten years in prison would be unwarranted, and we ask that you consider ten years to be the floor. We believe that you should consider increasing that sentence based on Mr. Delay’s lack of remorse, his lack of cooperation, his attacks on the prosecutors and judges in this case, his failure to condemn others who attack the court and the legal process, and his decades long pattern of criminal conduct.

Sincerely,

Sincerely,  
  
Kevin Zeese  
Attorney at Law  
301-996-6582

# Tom DeLay's Transgressions: A Pattern of Misbehavior

Prepared by Common Cause

## Unprecedented four admonishments by unanimous votes of the bipartisan House Ethics Committee

- **K Street Project (1999)** – Admonished for threatening Electronic Industries Alliance for not hiring a Republican as its president. The Ethics Committee itself initiated this investigation.  
*Source: "Ethics Panel Chastises DeLay For Threatening Trade Group," The Washington Post, May 14, 1999*
- **Westar Energy (2004)** – Admonished for creating at least the "appearance" that Westar Energy executives were provided special access at a West Virginia golf retreat as result of \$25,000 in corporate contributions to Texans for a Republican Majority, a political group affiliated with DeLay. At the time of the retreat, the House was about to consider an energy bill that Westar hoped to influence. A complaint filed by former Rep. Chris Bell (D-TX) initiated this investigation.  
[Link](#)  
*Source: Memorandum to Members of the House Ethics Committee*
- **Texas Redistricting (2004)** – Admonished for using government resources for a political undertaking. DeLay's staff contacted the Federal Aviation Administration (FAA) during the 2003 Texas redistricting battle to obtain information from FAA databases on the whereabouts of Democratic Members of the Texas House who had fled Austin in a plane for the purpose of denying the House a quorum. A complaint filed by Bell initiated this investigation. [Link](#)  
*Source: Memorandum to Members of the House Ethics Committee*
- **Medicare Bill (2004)** – Admonished for offering to endorse Rep. Nick Smith's (R-MI) son, who would be running for Congress, on the House floor in exchange for Rep. Smith's vote in favor of the Medicare/prescription drug bill. The Ethics Committee itself initiated this investigation. [Link](#)  
*Source: Investigation of Certain Allegations Related to Voting on the Medicare Prescription Drug, Improvement, and Modernization Act of 2003*

## Pending case

- **Illegal Campaign Contributions (2005)** – The House Ethics Committee last year was asked to investigate Rep. DeLay for allegedly using his political action committee, Texans for a Republican Majority (TRMPAC), to launder corporate money to Texas state campaigns in 2002, a violation of state law. The committee decided not to take action on the complaint until after Travis County (Austin), Texas District Attorney Ronnie Earle completes his investigation of TRMPAC activities and until indictments against DeLay associates in Texas are disposed

of. [Link](#)

*Source: Memorandum to Members of the House Ethics Committee*

## Questionable Conduct (not considered by House Ethics Committee)

- **Celebrations for Children (CFC)** – This charity, which counted DeLay political operatives among its officers, planned to sell tee times to Long Island golf courses, as well as VIP tickets to Broadway plays, yacht cruises and other events that offered access to DeLay during the 2004 Republican convention in New York. The plan was an attempt to misuse the charity’s IRS tax-exempt status to circumvent the ban on raising soft money. After the charity’s plan drew unfavorable attention from the House Ethics Committee, the charity backed away from its convention plans. [Link](#)

*Source: “Charity Tied to DeLay Is Questioned; Group Asks Lawmakers To Demand Ethics Probe,” Washington Post, March 24, 2004*

- **Cruise Ship in N.Y.C.** – DeLay proposed anchoring the 2,224-passenger Norwegian Dawn cruise ship in the Hudson to accommodate Republicans during the Republican National Convention as an exclusive hotel for lawmakers, lobbyists and special guests. This plan was criticized for providing an environment of special access for large contributors to elected officials. The idea was scrapped after unfavorable publicity.

*Source: “They’ll Take Manhattan: Republicans Drop Ship Idea,” The New York Times, December 3, 2003*

- **Legal Defense Fund Contributions** – After Public Citizen complained about possible ethics violations, DeLay was forced to return contributions to his legal defense fund from registered lobbyists because House ethics rules explicitly prohibit such contributions. [Link](#)

*Source: “Gifts Broke Rules, DeLay Trustee Says,” The New York Times, December 8, 2004*

## The Latest Ethics Allegations Against Tom DeLay

- A trip DeLay took in 1997 to Moscow may have been underwritten by business interests lobbying on behalf of the Russian government. The \$57,238 cost of the trip was reportedly transferred from a mysterious company registered in the Bahamas, Chelsea Commercial Enterprises Ltd., to the nonprofit group, the National Center for Public Policy Research, which officially paid for the trip. On the trip, DeLay met with two registered lobbyists for Chelsea, including Jack Abramoff.

*Source: “A 3rd DeLay Trip Under Scrutiny; 1997 Russia Visit Reportedly Backed by Business Interests,” Washington Post, April 6, 2005.*

- DeLay's political action and campaign committees have paid his wife and daughter more than \$500,000 since 2001. According to disclosure forms, the payments were for “fund-raising fees,” “campaign management” or “payroll.”

*Source: "Political Groups Paid Two Relatives of House Leader," Washington Post, April 6, 2005.*

- Accepting illegal gifts of foreign travel, lodging and an exclusive golf outing from lobbyist Jack Abramoff. Although DeLay listed the nonprofit National Center for Public Policy Research as the sponsor of a \$70,000 trip, Abramoff reportedly had actually solicited checks from two of his clients, the Mississippi Band of Choctaw Indians and eLottery Inc., to pay for the trip through the nonprofit group. Two months after the trip, DeLay helped kill legislation opposed by the tribe and the company.

*Source: "Probe of Abramoff and Nonprofits' Money Opens; Senate Finance Committee Seeks Records on Trips by Reps. DeLay and Ney, Donations to Indian Tribes," The Washington Post, March 17, 2005*

- Taking trip to South Korea with other House Members and staff funded by Korea-U.S. Exchange Council, a business-financed group created with the help of a lobbying firm headed by DeLay's former chief of staff. The Council is a registered foreign agent, and House rules state: "a Member, officer or employee may not accept travel expenses from a registered lobbyist or agent of a foreign principal."

*Source: "S. Korean Group Sponsored DeLay Trip; Visits May Have Broken House Rules," The Washington Post, March 10, 2005*

## **Protecting Delay: Changing Ethics Rules**

- Changed House ethics rules to let a complaint die if the ethics committee cannot decide whether it should be investigated within 45 days. [Link](#)
- Changed House ethics rules to allow either party to block an ethics investigation by voting along party lines, thus denying a majority vote to allow it to proceed.
- Changed House ethics rules to allow several members involved in a single ethics investigation to hire the same attorney. House rules had prohibited this practice in order to ensure one attorney could not gain access to too much information and potentially coordinate testimony.
- The House Republican Conference changed its internal rules, rescinding a provision that required a member to step down from a leadership post if indicted. The rule change was itself later rescinded after adverse publicity. [Link](#)
- Unsuccessful attempts were made to change House ethics rules to eliminate the broad rule that Members should conduct themselves in a manner that "reflects creditably" on the House. This had been the basis for sanctions by the ethics committee and the House. [Link](#)

*Source: "House to Consider Relaxing Its Rules; GOP Leaders Seek Ethics Changes," The Washington Post, December 31, 2004*

## Protecting Delay: Ethics Committee Purge

- Speaker Dennis Hastert removed Rep. Joel Hefley (D-CO) as chairman of the Ethics Committee that oversaw three admonishments of DeLay in 2004. Prior to his removal, Hefley said of Republican colleagues he would not name: “They said I was hurting my career here. The implication is that some form of retribution would be taken.” Hefley also told a newspaper after the third DeLay admonishment: “I’ve been attacked; I’ve been threatened.” [Link](#)  
*Sources: “Ethics Panel’s Chair Is the Toughest Seat in the House,” The Washington Post, January 7, 2005; “Hefley: ‘I was threatened’,” The Hill, October 13, 2004*
- Replaced the two members of the Ethics Committee, Rep. Kenny Hulshof (R-MO) and Rep. Steve LaTourette (R-OH), who both admonished DeLay and voted against the Republican Conference rule changes to protect DeLay, with two Republican loyalists, Rep. Lamar Smith (R-TX) and Tom Cole (R-OK). Smith and Cole contributed \$10,000 and \$5,000, respectively, to DeLay’s legal defense fund. Smith also co-hosted a fundraiser with DeLay for Texans’ for a Republican Majority, which is now the subject of a grand jury instigation. [Link](#)  
*Source: “Ethics Purge,” The Washington Post, February 5, 2005*
- Rep. Doc Hastings (R-WA), who replaced Hefley as Ethics Committee chairman, fired several longtime committee staffers, including John Vargo, the staff director and chief counsel, and Paul Lewis, a counsel. Hastings’ office defended his decision to replace Vargo and Lewis as standard practice for a new chairman, although both Vargo and Lewis had been working on the committee since before Hefley was its chairman. [Link](#)  
*Source: “Critics Slam Hastings’ Dismissal of Ethics Staff,” Roll Call, February 17, 2005*

## Protecting Delay: Intimidate Accusers

- After being scolded twice by the Ethics Committee in one week, DeLay responded through his lawyer with a letter to the chairman of the House Rules Committee alleging Rep. Bell’s complaint was filed in order to “raise funds for non-member groups,” specifically Citizens for Responsibility and Ethics in Washington (CREW). The letter stated “Bell and CREW lodged libelous and specious allegations against Majority Leader DeLay ... apparently with blatant disregard to the veracity of their statements.” In response, Ethics Committee Chairman Hefley said: “If DeLay and his lawyer feel he was treated unfairly, they can come back and we can open it all back up again.” [Link](#)  
*Source: “DeLay attacks accuser after ethics panel rebuke,” The Washington Times, October 9, 2004*
- Even though the Ethics Committee admonished DeLay for two of the allegations raised in a complaint filed by Rep. Chris Bell (R-TX) (and is withholding a ruling on a third allegation pending the outcome of prosecutions in Texas), the Ethics Committee in November 2004 warned Bell against using “excessive or

inflammatory language or exaggerated charges” and threatened disciplinary action against Members who filed complaints the committee considered excessive or inflammatory. This action serves to discourage the already rare Member-filed complaint to the ethics committee. [Link](#)

*Source: “Foe of DeLay Rebuked By House Ethics Panel,” The New York Times, November 20, 2004*

- Retaliation against Ronnie Earle, the Texas district attorney who is investigating possible violations by DeLay. Specifically, legislation introduced in the GOP-dominated Texas legislature to halt Earle’s high-profile grand jury probe. The legislation would have taken authority over campaign finance violations from the district attorney and given it to a special office in the Texas Ethics Commission that would have the power to stop district attorneys from prosecuting election code violations. [Link](#)

*Source: “Texas Ethics Bill Could Allow Appointees to Bar Prosecutions,” The Washington Post, February 20, 2005*

## Fixing the Problem?

- **Mollohan Resolution:** Rep. Alan B. Mollohan (D-WV), the ranking member of the House Ethics Committee, introduced a resolution (H Res. 131) March 1, 2005 that would undo the controversial changes made to the House ethics rules at the beginning of the 109th Congress. The resolution would repeal the new rule allowing either party to block an investigation by voting along party lines; repeal the new rule allowing a case to die if the committee takes no action within 45 days; repeal the new “collusion” rule, allowing one lawyer to represent more than one individual involved in an ethics case. The resolution has 206 co-sponsors, including Rep. Christopher Shays (R-CT) and former Ethics Committee Chairman Rep. Joel Hefley (R-CO). It has been referred to the House Rules Committee and a subcommittee, ironically, also chaired by the new ethics committee chairman, Rep. Doc Hastings (R-WA), who can block the resolution from moving. Mollohan has threatened a discharge petition if the resolution is not brought to the House floor. [Link](#)

*Source: “Mollohan Offers Resolution To Reverse Ethics Changes,” National Journal’s CongressDaily, March 02, 2005*

- **Committee Organization Stalls:** Rep. Alan Mollohan (D-WV), ranking member of the Ethics Committee and his Democratic colleagues on the panel refused to allow the committee to operate under the new rules adopted at the beginning of the session. They blocked the committee from organizing or operating in the new Congress until the new rules changes are repealed. [Link](#)

*Source: “Ethics Panel Faces Organizational Fight,” Roll Call, March 10, 2005*

- **Pelosi “Privileged” Resolution:** Rep. Nancy Pelosi (D-CA), the House minority leader, introduced a “privileged” resolution (H. Res. 153) March 15, 2005, that would have established a bipartisan task force to recommend changes to House ethics rules. The House voted to table (kill) the motion, 223-194, along party lines, except that Rep. Joel Hefley (R-CO) voted against tabling. (To read the resolution and House debate on it, [click here](#). For a breakdown of how House

members voted, [click here.](#))

*Source: "Hefley joins Dems on ethics," The Hill, March 16, 2005*

- **Slaughter Request of the House Rules Committee:** In a March 17, 2005 letter, Rep. Louise Slaughter (D-NY), ranking member of the House Rules Committee, asked Rules Committee Chairman David Dreier (R-CA) to hold hearings on the House ethics process and move the Mollohan resolution. (link to [Slaughter news release](#))
- **Hastings Requests More Funding for Ethics Committee Despite Staff Cuts:** Ethics Committee chairman Doc Hastings (R-WA) asked the House Administration Committee for an additional \$1.7 million in its fiscal 2006 budget, 55 percent more than the \$3.1 million it received this year. Hastings claims the additional money would be used to add staff to increase the committee's "investigative capability" and improve ethics education for Members and staff. Ironically, this request comes a month after Hastings dismissed John Vargo, a member of the ethics committee staff since 1996, and Paul Lewis, a former Justice Department lawyer who joined the committee staff in 1997. Currently, the Ethics Committee can not conduct any business until the face-off over accepting the controversial new ethics rules forced through the House is resolved.

*Source: "Hastings Seeks \$1.7M Increase For Revamped Ethics Panel," National Journal's CongressDaily, March 17, 2005*

## EXHIBIT A

# BEYOND REDEMPTION: The Crimes of Tom Delay Prepared by Indy Media

**Nov 2000:**

## **Delay Tries to Intimidate Supreme Court Judges to Fix Election Outcome**

"Those who cherish the idea of judicial independence can only be chilled by Mr. DeLay's utter contempt for it. Listen to him, as quoted in The Washington Post in September 1997: "The judges need to be intimidated. They need to uphold the Constitution." If they don't behave, he said, "we're going to go after them in a big way." --Bob Herbert, NYT <http://www.nytimes.com/2000/12/04/opinion/04RUSS.html?ex=1069390800&en=6b806e48e32ae34d&ei=5070>

**Nov 28 2000:**

## **Tom Delay Finances Trip of 'Rioters' to Florida to Disrupt the Presidential Election Recount**

The Miami-Dade thugs included 200 Capitol Hill aides rounded up by Tom DeLay's staff and sent on an all-expenses paid trip, paid for by the Bush campaign. Right up front on television images were Thomas Pyle, an aide DeLay, and Michael Murphy, who works for a DeLay fund-raising committee. That evening, the vigilantes received a congratulatory call from George W. Bush and Dick Cheney, who joked about the riot. Then Wayne Newton sang to them - unbelievably - in German.

**Dec. 2000:**

## **Washington Post Scrubs Photo of Florida Rioters that Shows Delays Staff**

Remember the thugs who rioted in the Miami-Dade elections office and stopped the manual recount of 10,000 undervotes? This one criminal event probably stole the election for Bush. But please try to forget it, because the Washington Post doesn't want you to remember this ominous event. On December 6, the link below showed a photo of the leaders, current and former Republican Congressional staffers. Now it's gone - straight out of Orwell. If you don't want this event to disappear down the memory hole, here's the full list, courtesy of bushwatch.com: 1. Tom Pyle, policy analyst, office of House Majority Whip Tom DeLay (R-Tex.). 2. Garry Malphrus, majority chief counsel and staff director, House Judiciary subcommittee on criminal justice. 3. Rory Cooper, political division staff member at the National Republican Congressional Committee. 4. Kevin Smith, former House Republican conference analyst and more recently of Voter.com. 5. Steven Brophy, former aide to Sen. Fred D. Thompson (R-Tenn.), now working at the consulting firm KPMG. 6. Matt Schlapp, former chief of staff for Rep. Todd Tiahrt (R-Kan.), now on the Bush campaign staff in Austin. 7. Roger Morse, aide to Rep. Van Hilleary (R-Tenn.). 8. Duane Gibson, aide to Chairman Don Young (R-Alaska) of the House Resources Committee. 9. Chuck Royal, legislative assistant to Rep. Jim DeMint (R-S.C.). 10. Layna McConkey, former legislative assistant to former Rep. Jim Ross Lightfoot (R-Iowa), now at Steelman Health Strategies. These individuals should be punished to the fullest extent of the law, and ethics complaints should be filed against the Members of Congress who employ them.

Here's the mirrored version:

<http://www.washingtonpost.com/ac2/wp->

dyn?pagename=article&node=politics/fedpage/columns/intheloop&contentId=A30170-2000Dec5-Found=true

**Feb 2001 (report on campaign 2000):**

**Delay's Daughter Lauanders \$60,000 in Donations in 2000 for Daddy**

"The Washington Post revealed that the daughter of House Majority Whip Tom DeLay, R-Texas, was paid nearly \$60,000 in consulting fees during the second half of 2000, according to financial disclosure reports made public under the new law. The money came from political committees tied to DeLay"

[http://www.amarillonet.com/stories/020701/opi\\_lawhnabs.shtml](http://www.amarillonet.com/stories/020701/opi_lawhnabs.shtml)

**January 2001:**

**Delay uses Corporate Slush Fund to Finance Ads Attacking Democrats Who Oppose Ashcroft's Nomination**

House Republican Whip Tom DeLay (TX) is using one of his corporate slush funds - the Republican Majority Issues Committee, chaired by Karl Gallant - to run attack ads against Democratic Senators, starting with Tom Daschle and Tim Johnson in South Dakota. This action by a House member attacking a Senator raises political warfare to new and dangerous levels.

<http://www.washingtonpost.com/ac2/wp->

dyn?pagename=article&node=&contentId=A9875-2001Jan17-Found=true

**April 12, 2001:**

**Delay Sells Meetings with Bush to Top GOP Donors**

"The group, Judicial Watch, announced a three-fold legal action against [House Majority Whip] Tom DeLay and the NRCC Tuesday for allegedly 'selling meetings with Bush officials' to top Republican donors. The group filed complaints with the Federal Election Commission, the Criminal Division of the Justice Department and the House Ethics Committee...However, the NRCC contends that [Judicial Watch] owes them a mailing list of 45,000 names that conservative activists say is worth up to \$20,000...business documents ?show the company brokered the transactions between the NRCC and Judicial Watch since the fall of 1999. DeLay is a de facto member of the NRCC." Larry Klayman is the head of Judicial Watch, which has acted on Richard Mellon Scaife's behalf as what he calls "almost a shadow Justice Dept" -- especially in filing dozens of lawsuits against the Clintons. This internecine battle between New Right soldiers Klayman and DeLay is certainly an interesting turn of events.

**April 27 2001:**

**Delay Scam Targets Small Business Owners**

In a recorded phone message, "the House Republican whip, Tom DeLay, is promising meetings with top Bush officials to small business owners whose donations would underwrite a GOP ad campaign promoting the president's [sic]tax plan... People familiar with the fund drive say it is part of an effort to raise up to the maximum \$20,000 in donations to the party from each donor." DeLay has been behind several shady fundraising schemes, including the Triad shell corporation, and a Nixonian townhouse operation. Said Larry Noble, executive director of the Center for Responsive Politics, "They're selling access." Will any of these donors get to drive a nuclear submarine, like the Republicans on the USS Greenville?

**May, 2001:**

**Tom Delay Brags That His Strategy Is To Kick People When they Are Down**

"He's lied under oath, admitted to a pathological hatred of Clinton, tries to destroy any who oppose him, has cheated business associates of thousands at least twice, has callously cut off all contact with his mother (who watches C-SPAN every day just to catch a glimpse of her son), wants to force a fundamentalist Christian model on American society, and has an approach to politics that one of his top staffers summed up in a memo: "This whole thing about not kicking someone when they are down is BS - Not only do you kick him - you kick him until he passes out - then beat him over the head with a baseball bat - then roll him up in an old rug - and throw him off a cliff into the pounding surf below!" But Tom Delay goes to church regularly, so that makes it all OK."

**June 2001:**

### **Tom Delay Bilks Doctors in Boiler Room Scam**

"Common Cause has condemned Tom DeLay's egregious fundraising tactics as resembling the worst sort of boiler-room telemarketing scams. DeLay's people call doctors and announce that the MD has been selected to be an 'honorary co-chairman' of a prestigious 'Physician's Advisory Board' addressing public health policy. Only later in the pitch are victims told that Tom DeLay isn't really interested in their advice: he just wants their money. It's like being told you 'may already have won' a million dollars and then -- after buying some magazines you don't really want -- you find out you didn't even get the cubic zirconia or the set of steak knives. Gee, whatever happened to Judicial Watch's big show about going after Delay? Guess they're too busy doing their own boiler-room form of 'justice.'

Comment from same week:

### **Phony 'Watchdog' Group Judicial Watch Looks Other Way as Delay Defrauds Public**

Judicial Watch went after Bill Clinton and everyone he had ever so much as sent a Xmas card to, hammering away in the name of 'justice' for months and months. Now, just since January, Karl Rove and Bush operatives have blatantly committed white collar crimes deserving jail time. The refusal of Cheney to reveal the task force names is a FEDERAL offense, while his and Shrub's past business dealings (Halliburton, et al.) make Whitewater look like a small town crap game. Tom Delay was caught red-handed several times in highly unethical fund-raising scams, including a scheme to fleece doctors. The White House has called for a settlement of a major tobacco suit while accepting money THE SAME week from the industry. Do we hear of Judicial Watch anywhere on the scene of these crimes? Of course not! They are now too busy trying to drum up yet another case against the Clintons. We say, why doesn't someone investigate Judicial Watch... we bet that's where the richest dirt vein can be found.

**July 2001:**

### **Tom Delay, Former Exterminator, Wants to Allow Extensive and Undisclosed Use of Pesticides in Elementary Schools**

According to the Washington Post, "House Republicans vowed yesterday to eliminate a proposal, which the Senate added to President Bush's education bill, that would require school districts to regularly disclose to parents the use of pesticides on school grounds. Senate Democratic and Republican leaders crafted the measure last month in consultation with representatives of the pest control and chemical industries, school officials and environmentalists. Supporters said it was designed to protect students, teachers and staff from excessive exposure to potentially dangerous pesticides. But Republicans attacked

the provision during a hearing of the House Agriculture Committee." First they put arsenic in our water, now they want to put RAID in our kids' school lunches. Who's evil idea is this? Obviously Tom DeLay, whose pre-Congressional career was - you got it! - an EXTERMINATOR

<http://www.washingtonpost.com/ac2/wp->

[dyn?pagename=article&node=&contentId=A16197-2001Jul18-Found=true](http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A16197-2001Jul18-Found=true)

### **July 2001:**

#### **Tom Delay Helps Hastert in Push to Block Patient's Bill of Rights**

The Patients' Bill of Rights has the 218 votes needed for passage, including 11 Republicans. The Senate passed the bill and, even more importantly, the American people overwhelmingly support the measure. But the House "leadership" (is that supposed to be satire?)- a tiny posse that includes Tom Delay, Dennis Hastert, Ernie Fletcher (author of an alternative- as in fake - bill) and J.C. Watts (who apparently doesn't do the right thing even when the whole nation is looking, to paraphrase his own hypocritical line), have refused to let the bill come to the floor for a vote. In doing so, they have loudly proclaimed their real allegiance: to the insurance and pharmaceutical industries and to making Bush look good.

### **May, 2002:**

#### **: Media, Judicial Watch, and Congress Continue to Look other Way as Doctors are Preyed on By Delay Boiler Room Scam**

Despite scores of complaints, the National Republican Congressional Committee - in a boiler room scam spearheaded by flimflam artist Tom Delay - continues to prey on doctors. Doctors are treated to a flattering spiel that they've been chosen to join a "select panel" of physicians, who will advise congressional GOPers on healthcare issues. Most are even told they've been named "chairman." Said one disgusted NY doctor: "Had you listened to the sales pitch, you would have thought the next thing, you were going to do was get a ride on Air Force One." When the victims, who are eager to have a voice on issues close to their heart, accept the position, they are promptly hit up for a \$500 donation. The fact is - there is no "select panel." Over 1,000 doctors have been reeled in this way - to the tune of over one million dollars. Some doctors were savvier than others. Retired family physician James Langley, himself a Republican, said "C'mon, give me a break. How many chairmen can you have?"

[http://abcnews.go.com/sections/politics/DailyNews/nrcc\\_020502.html](http://abcnews.go.com/sections/politics/DailyNews/nrcc_020502.html)

### **January 2002:**

#### **Tom Delay Used Enron Money to Fund Political Racketeering**

Tom DeLay, the vicious Republican who organized the criminal Miami-Dade election riot, was on Enron's payroll big-time. Besides taking \$28,900 in over-the-table bribes (i.e. campaign contributions), DeLay also took vast untold sums in secret bribes through his racketeering enterprise, the Republican Majority Issues Commission. (In April, RMIC settled a racketeering suit filed by the DCCC, after running up \$450,000 in legal fees.) RMIC, a notorious "527" organization, was finally forced to report its donors in 2000, revealing \$75,000 from Enron execs that year alone; the Devil and his spawn Tom DeLay only know how much was laundered through those accounts previously. DeLay's PAC, Americans for a Republican Majority, got another \$57,250.

### **Feb. 2002:**

#### **Tom Delay Fights to Block Campaign Finance Reform**

The NY Times writes, "Campaign finance reform, which sprang back to life last month, is under a new assault by its enemies and a few misguided 'friends.' The House Speaker, Dennis Hastert, and the chief Republican fund-raiser, Tom DeLay, are trying hard to kill the Shays-Meehan soft-money ban now that reformers in the House have signed a petition to force it to the floor... Those who persist in fiddling with Shays-Meehan must be told by their constituents that voters will not tolerate changes that threaten the bill." Call your Representative today (202-224-3121) and demand a clean vote on Shays-Meehan campaign finance reform.

**Feb. 2002:**

**Tom Delay Refuses to Return Money to Enron Employees**

According to the NY Times, "The bulk of the money feeding charitable funds for former Enron employees has come from politicians anxious to purge themselves of what Mary Matalin, the counselor to Vice President Dick Cheney, termed 'guilt by contribution,' or who simply feel that it is appropriate to return donations from people who have fallen on hard times. The two largest funds here swelled to more than \$700,000 last week... The largest individual donor was Senator Kay Bailey Hutchison, Republican of Texas, who gave \$100,000 to one fund and \$500 to another. Some politicians, notably Representative Billy Tauzin, Republican of Louisiana, and Representative Tom DeLay, Republican of Texas, have said they will not give back campaign contributions because the money did not influence their decisions." That's great - we can't WAIT to see the TV ads their Democratic opponents will run this fall!

**April 2002:**

**Delay Claims Only Christians Know what's best for Nation**

Speaking to about 300 people at the First Baptist Church of Pearland, Tex., on April 12, DeLay said that God is using him to promote "a biblical worldview" in American politics, and that he pursued Bill Clinton's impeachment in part because the Democratic president held "the wrong worldview." "Ladies and gentlemen, Christianity offers the only viable, reasonable, definitive answer to the questions of 'Where did I come from?' 'Why am I here?' 'Where am I going?' 'Does life have any meaningful purpose?' " DeLay said. "Only Christianity offers a way to understand that physical and moral border. Only Christianity offers a comprehensive worldview that covers all areas of life and thought, every aspect of creation. Only Christianity offers a way to live in response to the realities that we find in this world -- only Christianity."

[http://www.washingtonpost.com/ac2/wp-](http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A18077-2002Apr19-Found=true)

[dyn?pagename=article&node=&contentId=A18077-2002Apr19-Found=true](http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A18077-2002Apr19-Found=true)

<http://www.tompaine.com/feature.cfm/ID/5518>

**May 16, 02:**

**Tom Delay Financial 'Godfather' Implicated in Mob Murder**

In part three of his Tom DeLay expose, Stephen Pizzo writes in AlterNet that "supporting any form of legalized gambling was not without its risks for DeLay. After all, his public persona was that of a devoted evangelical Christian who supports all that is wholesome and opposes all that is evil. His church-going constituents back in Texas believed that gambling was destructive to families and communities. But thanks largely to Abramoff, the amount of money flowing to DeLay and his PAC from tribes with gambling operations swamped any potential contributions from the Christian right. The risks involved in backing gambling interests came home to roost for DeLay's friend [and

financial god father, Jack Abramoff], when he and Tom DeLay's former aide, Mike Scanlon, suddenly found themselves smack in the middle of an alleged mob assassination in Miami, Florida."

<http://www.alternet.org/story.html?StoryID=13134>

**Feb 2003:**

**Tom DeLay Smears Firefighters as "Threat to National Security"!!**

Tom DeLay (R-Tex.) has rankled even some GOP colleagues with a fiery diatribe seeking money for the National Right to Work Foundation's legal defense fund. His letter accuses 'Big Labor Bosses' of using the nation's security worries 'to grab more power,' a move that 'presents a clear and present danger to the security of the US at home and the safety of our Armed Forces overseas.' Examples are 'as numerous as they are sickening,' he wrote, criticizing the president of the International Association of Fire Fighters union by name... Harold Schaitberger, who heads the firefighters' union, called the letter 'probably the most despicable display of demagoguery I've seen in years.'

**May 2003:**

**Tom DeLay Uses Homeland Security and State Police Resources to Terrorize Political Opponents**

When Tom DeLay tried to ram through a redistricting plan in Texas that would have fraudulently created a new batch of Republican legislative seats, a group of courageous Democrats walked out of the State House and left the state to prevent a railroaded vote on the move. An enraged Tom DeLay, obviously drunk with his own power (enabled and encouraged by the nonaction of the media, watchdogs like Judicial Watch and a failed legal system) used both state law enforcement and Homeland Security to try to terrorize the missing Dems.

Reports Common Dreams: "State troopers have followed the Democrats wives, parents and children. Troopers even staked out a hospital where one lawmaker's premature twins are being cared for. Staffers have been harassed. All this has happened after the location of the Democrats was known. Now, in a chilling revelation, we discover the Homeland Security Department was apparently used to try and track the Democrats' whereabouts. "

"><http://www.commondreams.org/views03/0514-07.htm>

**June 2003:**

**DeLay and 15 other GOP Congresscreeps Accused of Taking Bribes from Energy Corporation seeking favors**

"The head of the Democratic Party asked the attorney general on Friday to seize records of leading Republican lawmakers regarding more than \$55,000 in political donations by an energy conglomerate that was seeking favorable treatment from Congress. The request followed news reports Thursday on internal documents of Topeka, Kan.-based Westar Energy about campaign donations and the company's desire to get "a seat at the table" of a House-Senate conference committee on the Bush administration's energy plan. The Westar documents said House Majority Leader Tom DeLay, Senate Banking Committee chairman Richard Shelby and Reps. Joe Barton of Texas and Billy Tauzin of Louisiana had requested the contributions from Westar. A DeLay fund-raising organization collected \$25,000 of Westar's contributions. "

[http://www.sfgate.com/cgi-](http://www.sfgate.com/cgi-bin/article.cgi?f=/news/archive/2003/06/06/national1747EDT0714.DTL)

[bin/article.cgi?f=/news/archive/2003/06/06/national1747EDT0714.DTL](http://www.sfgate.com/cgi-bin/article.cgi?f=/news/archive/2003/06/06/national1747EDT0714.DTL)

So has Ashcroft done a goddamned thing about this? Of course not! Ashcroft, like Bush, dance like marionettes to the Cockroach's sick tunes

**June, 2003:**

**Delay Blocks Efforts to Restore Tax Cuts to Poor Families left Out of Bush Plan**

"The House majority leader, Representative Tom DeLay, said today that the House would not consider a Democratic measure to provide an increased tax credit to 6.5 million low-income families who did not receive it in the new tax law. Mr. DeLay, a Texas Republican, said the increased tax credits would be approved only if they were part of a broader tax-cut package, possibly including permanent repeal of the estate tax.." In other words - throw the poor folks a bone, but only if the rich get a whole side of beef!

**August 15, 2003:**

**Record Shows that Democratic Efforts to Upgrade Electrical Grid to Prevent Blackouts was Ridiculed and Blocked by DELAY**

Daily Enron reports, "When Bush weighed in on the issue he quickly politicized the situation. He argued in favor of modernizing the grid, adding that he's 'said so all along.' This statement should immediately be filed under the long list of Bush administration falsehoods concerning energy policy. In June 2001, Democrats in the House advanced a proposal that would offer \$350 million in federal loans for the express purpose of updating the outdated power grid. House Majority Whip Tom DeLay (R-TX) blasted the proposal, calling it 'pure demagoguery' and arguing that Democrats 'have no credibility on this issue whatsoever.' <http://www.thedailyenron.com/documents/20030815132640-93614.asp>

**October, 2003:**

**Memo Is Smoking Gun Proof of Tom Delay's Collusion with Enron**

To: Ken Lay and Steve Kean

From: Enron governmental affairs executives Rick Shapiro and Linda Robertson

Date: June 1, 2001

Subject: The President's Dinner, A Congressional Salute Honoring President Bush and Vice President Cheney, June 7, 2001 With the assistance of... **TOM DELAY**, we were able to apply our previously contributed soft money toward this dinner. Consequently, we will be credited as giving \$250,000 to this event, even though we are being asked to give only \$50,000 in new soft money... Senator Kay Bailey Hutchison has requested that Enron give her some credit for raising the money....In addition, ...**TOM DELAY** has asked Enron to contribute \$100,000 to his leadership committee, ARMPAC, through a combination of corporate and personal money from Enron's executives. ARMPAC funds will be used to assist other House Members as well as the redistricting effort in Texas. We will be meeting this request over the course of this calendar year.

[http://www.salon.com/news/feature/2003/10/14/enron/index\\_np.html](http://www.salon.com/news/feature/2003/10/14/enron/index_np.html)

**Oct. 13 2003:**

**Tom Delay Thumbs His Nose at the Will of 80% of Americans And Blocks Efforts to Overturn Hated FCC Corporate Giveaway**

Bill Moyers writes: "Such indignation from the grass roots caused even the United States Senate to say 'Whoa, something's going on -- people really care about this.' And the Senate stopped the FCC in its tracks. There are enough votes to do the same in the House. But then... General Electric, owner of NBC; News Corp, owner of Fox; Viacom, owner of CBS; and Walt Disney, owner of ABC, brought on the hired guns -- the lobbyists -- to

wage a Trojan War on Congress. A passel of former insiders moved through the revolving door, Rolodexs in hand, trading their influence for cash -- top aides of the Senate Majority Leader, the House Majority Whip and of John Ashcroft himself. Now the most powerful Republican in Congress -- Tom Delay, the House Majority Leader -- won't allow a vote to happen. The effort to reverse the FCC is dead in the water -- taking democracy with it."

**Oct. 2003:**

### **Bush Cowers as Delay Guts the Americorps Program**

More broadly, AmeriCorps itself faces a reduction from approximately 55,000 to 35,000 members. Just before the summer recess, the Senate passed a \$100 million appropriation to restore these cuts, but House majority leader Tom DeLay—who has made no secret of his desire to kill AmeriCorps—blocked the money. The President says he wants these funds restored, but he doesn't seem to have much control over the powerful DeLay.

<http://www.time.com/time/columnist/klein/article/0,9565,476274,00.html>

**Nov. 22 03:**

### **Thug Delay Steals Medicare From the Elderly by Threatening fellow Congressfolk**

Medicare Tom DeLay engineered the most outrageous vote in the history of the House of Representatives. Votes always take 20 minutes, but DeLay was LOSING 218-216 so he kept the vote open for 3 HOURS until he could kneecap enough members to win.

The final hall of shame vote:<http://clerk.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=669>

"Texas Democrats have subpoenaed House Majority Leader Tom DeLay as a witness in a lawsuit to overturn a congressional district map DeLay helped push through the Texas Legislature. Democrats want to depose DeLay and Rep. Joe Barton, R-Texas, but are expecting the Texas Republican to fight the subpoena, said Tom Eisenhauer, an aide to Rep. Martin Frost, D-Texas. Eisenhauer said DeLay should respond to the subpoena because he openly pushed for the new map. 'Tom DeLay is happy to brag about his new map until he has to take an oath to tell the truth. What does he have to hide now?' Eisenhauer said. 'He was the instigator, facilitator and author of the new map, that's why they want to depose him about it.' DeLay spokesman Stuart Roy said attorneys 'would take appropriate action' in response to the subpoenas. He said a response would be filed Monday

**Nov. 2 03:**

### **ow Tom Delay Engineered a Junta-style Takeover of the Texas Government**

How Tom DeLay Engineered a Right-Wing Coup in Texas02-Nov-03Tom Delay"Two years [ago, Rep. Tom] DeLay and his political aide Jim Ellis devised the scheme that delivered the House to the Republican Party. It involved the novel use of federal PAC money to influence statehouse races. The money DeLay brought home to Texas - \$1.5 million - delivered the House to the Republicans. DeLay's fund-raising... was coordinated by Jim Colyrando, a former colleague of Karl Rove. Colyrando did more than write checks on the account of DeLay's Texans for a Republican Majority PAC. Colyrando and his staff carefully selected Republican candidates, provided each one of them a cut of the \$1.5 million... In a word, a campaign was provided for each Republican candidate funded by DeLay's Texas PAC. The results were stunning. Not only did DeLay's PAC elect 17 Republicans to the Texas House; by systematically marking for elimination moderate Republicans, as the Texas Observer reported, it provided the right-wing majority needed to make Tom Craddick speaker. "

**Nov. 2003:**

**Tom Delay Aggressively Promotes and Defends War Profiteering in Iraq**

Tom Delay Nixes Anti-Profiteering Penalties in Iraq Spending Bill 02-Nov-03 Iraq Occupation" The final version of the \$87 billion spending bill for Iraq and Afghanistan is missing provisions the Senate had passed to penalize war profiteers who defraud American taxpayers. House negotiators on the package refused to accept the Senate provisions... 'When the Senate Appropriations Committee considered this supplemental request, Senators Leahy, Feinstein, and I joined together to criminalize war profiteering -- price gouging and fraud -- with the same law that was passed during World War II. Yet this amendment, was stripped out of the final bill,'..... By TOM DELAY

**EXHIBIT B**