



Written by [Steve Byas](#) on August 19, 2016

Republicans Accuse Clinton of Lying to Congress

Clinton Press Secretary Brian Fallon dismissed the accusation from congressional Republicans that Hillary Clinton (shown) lied to Congress when she testified about the e-mails she sent and received while she was secretary of state. Responding to the charge, Fallon said the perjury accusation “reeks of desperation on the part of Republicans who continue to use taxpayer money to affect an election that isn’t going their way.”



Clinton’s husband, former President Bill Clinton, used more colorful language to express the same sentiments, declaring, “This is the biggest load of bull I’ve ever heard.”

Two Republican committee chairmen argue otherwise. “The four pages of sworn testimony by Secretary Clinton described herein are incompatible with the FBI’s findings,” wrote Judiciary Committee Chairman Bob Goodlatte (R-Va.) and House Oversight Committee Chairman Jason Chaffetz (R-Utah) in a letter to U.S. Attorney Channing Phillips.

Chaffetz and Goodlatte told the U.S. attorney that Clinton had testified under oath before the Benghazi Select Committee. During her October 22, 2015 testimony, Clinton also fielded questions from Representative Jim Jordan (R-Ohio) about her e-mail practices.

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Lying to Congress, while under oath, is considered perjury — a felony. A violation of 18 USC 1621 is punishable by a fine, up to five years in prison, or both. But if the case were actually prosecuted by the Obama Justice Department, the burden of proof would have to include evidence of “intent.” One might recall that while the FBI Director James Comey said that Clinton was “extremely careless” in her handling of classified e-mails, he did not believe a prosecutor would be able to make the case that this carelessness was intentional. Comey allowed that though anyone at the level of government that Clinton was as secretary of state should have known what the classified markings were, he concluded that she was not “sophisticated” enough to understand what she was handling.

When Clinton became secretary of state, she had a private e-mail server constructed in her basement, on which she sent and received classified e-mails. Yet, under the reasoning of the FBI director, this does not show intent. One would think that having a private e-mail server built which allowed her to circumvent the law was extremely intentional.

Considering this, is there a strong enough perjury case against Clinton to prove that her false statements to Congress were intentional? She made several statements in her congressional testimony that Republicans now contend were false. For example, she testified under oath that not one of the e-mails she sent or received was marked classified. However, the FBI reviewed more than 100 e-mails that Clinton exchanged that they found to be classified.

She also told congressional investigators, under oath, that her lawyers had read every page of her e-mails in an effort to decide which were work-related and which were personal. Clinton has said that all the e-mails she deleted were personal, concerning private matters such as the planning of daughter



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Chelsea's wedding and e-mails with her husband. However, on other occasions, Bill Clinton has said that he does not do e-mail.

And the FBI also discovered that thousands of pages of her e-mails had not been turned over, despite her testimony that she had given the FBI all 55,000 pages of her work-related e-mails.

What many Republicans consider the most obvious false statement is Clinton's sworn testimony, under oath, that she used only one server, when the FBI found that she had actually used several different servers over a period of time.

Despite all this evidence, it is inconceivable that the Obama Justice Department would prosecute the nominee of the Democratic Party. For example, there are reports that the Justice Department rejected an FBI recommendation to investigate the Clinton Foundation.

Assistant Attorney General for Legislative Affairs Peter Kadzik responded to the two congressional committees, acknowledging receipt of the request for an investigation into the charge that Clinton had committed perjury by lying to Congress while under oath, and promising that the Justice Department would "take appropriate action as necessary."

When this action would ever be taken was not stated. And depending upon Kadzik to take action might seem improbable, as it was he who led the successful effort to get Attorney General Loretta Lynch and Deputy Attorney General Sally Yates confirmed. These two women played important roles in how the department responded to the Clinton e-mails.

Even the turning over to Congress of the FBI's notes of its interview with Clinton has resulted in criticism and resistance from some congressional Democrats. Despite the fact that these notes might well establish once and for all whether Clinton told the truth in her testimony to Congress last year, Representative Adam Schiff (D-Calif.) argued against disclosing them, insisting, "Witnesses will be less likely to cooperate if they feel private statements to investigators may become political fodder for Congress. These interview statements also come very close to pre-decisional work-product, and their release will have an impact on the nature of internal deliberations for years to come."

Schiff, the ranking Democrat on the House Permanent Select Committee on Intelligence, said he feared that someone would leak the notes to the media. (Perhaps Schiff was thinking of the precedent of *Democrats* leaking material embarrassing to Republicans to the media.)

Of course, some have dismissed the e-mail scandal and Clinton's possible perjury as unimportant. That was certainly the reaction of many Democrats when Bill Clinton lied under oath in his deposition in the Paula Jones sexual harassment suit filed in 1994. Democrats circled the wagons and said it was "just about sex." But Bill Clinton's denial of a sexual relationship with 21-year-old intern Monica Lewinsky was an effort to obstruct Jones' civil suit against Clinton. Dismissing it as "just about sex" was an obvious attempt to obscure what the case was actually about.

Is Bill Clinton correct that the charges against his wife that she lied to government officials are really all that unimportant?

Perhaps we could quote Bill Clinton himself on this subject. In 1974, Clinton insisted that there was "no question that an admission of making false statements to government officials ... is an impeachable offense." Of course, Clinton was calling for the resignation of a *Republican* president, Richard Nixon, in that case. One would suspect that Clinton would be consistent with his 1974 position if it were another Republican president today that lied to government officials. Bill Clinton's sincerity in such matters is



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below questionable. After all, Clinton's aide, George Stephanopolous, explained in 1996 that Clinton had "kept all the promises he intended to keep."

"At this point, the American people and Congress are owed answers," stated Chuck Grassley this past Monday, an Iowa Republican who chairs the Senate Judiciary Committee currently investigating why the Justice Department shut down efforts by federal law enforcement agents to investigate the Clinton Foundation.

While they may be owed some answers, it is doubtful that they will get them, with a Democrat Justice Department running interference for the Democratic Party nominee, and a Democrat-compliant media acting in much the same way.



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