

Tom Fitton to Testify Before Congress

UPDATE: *Due to the winter weather about to strike the northeast United States, the hearing at which Judicial Watch President Tom Fitton was scheduled to testify has been postponed. No new date has been scheduled.*

Judicial Watch announced Monday evening that its president, Tom Fitton, has been invited to provide testimony Wednesday before the House Committee on Oversight and Government Reform. The hearing, chaired by U.S. Rep. Jason Chaffetz (R-Utah), titled "Legislative Proposals for Fostering Transparency," will examine current barriers to accessing public documents under the Freedom of Information Act, including delays, administrative backlogs, and excessive redactions.

Judicial Watch is a conservative, non-partisan educational foundation that promotes transparency, accountability and integrity in government, politics and the law. It uses the open records or freedom of information laws and other tools to investigate and uncover misconduct by government officials and litigation to hold to account politicians and public officials who engage in corrupt activities.

The government watchdog group has filed more than 3,000 FOIA requests with and nearly 225 FOIA lawsuits against the Obama administration. These have led to major revelations in the Benghazi, IRS, and Clinton financial scandals.

And, on Monday, it began taking its fight to the Trump administration in a battle that began months ago during the Obama administration. Judicial Watch was in court for a hearing with attorneys from the Justice and State departments seeking an order for Secretary of State Rex Tillerson to comply with an order given to his predecessor, John Kerry, to

“recover emails of former Secretary of State Hillary Clinton” and other department employees.

The organization issued the following statement about the hearing:

The hearing will focus on the next steps in light of the recent decision by the U.S. Court of Appeals for the District of Columbia Circuit that required Secretary of State John Kerry (now Secretary Rex Tillerson) to seek the help of the attorney general in recovering additional Hillary Clinton emails.

The Federal Records Act states that an agency head “shall” initiate an action through the Attorney General when he becomes aware of any unlawful removal of agency records. The Obama State Department refused to do this. The Trump State Department apparently intends to do the same. This despite the recent D.C. Circuit ruling that the State Department had not proved it had done enough to recover missing emails and that an enforcement action must be sought unless “no imaginable enforcement action by the Attorney General could lead to recovery of the missing emails.” Neither the State Department nor anyone else has ever contended that all the emails have been returned.

This will be the first hearing since Judge James E. Boasberg granted Kerry’s lawyers motion to dismiss. Judicial Watch then won on appeal and Judge Boasberg reversed the decision on December 27, 2016.

Despite the president’s campaign criticism of Hillary Clinton’s email practices and the protection of her illegal behavior by the Obama administration, the Trump State Department told Judicial Watch this week that it would continue to object to asking the attorney general to take steps to recover Clinton’s emails.

Following the hearing, Judicial Watch did not provide an

update on the case. {eoa}