

# Bush Solicitor General Lied to Congress

by Edward Spannaus

Even as Senate Republicans were ramming through the nomination of Ted Olson for U.S. Solicitor General during their last days as the majority in the upper house, more evidence was coming to light which proves that Olson lied under oath during his April 5 confirmation hearing.

Records provided to the Senate Judiciary Committee, from a witness-tampering investigation involving Kenneth Starr's key witness against Bill Clinton, show that Starr's crony Olson lied when he denied any involvement in the "Arkansas Project." This was a dirty-tricks operation run by the *American Spectator* magazine, which was designed to dig up dirt on then-President Clinton which could be published in the *American Spectator* and other right-wing media outlets. The project was bankrolled by Richard Mellon Scaife's foundations to the tune of \$2.4 million.

Additionally, a close friend and adviser of Ronald Burr, the longtime publisher of the *American Spectator*, has written a letter (published in *Salon* magazine on May 24) which shows that Olson knew of the Arkansas Project from the start, and that Olson led the successful drive to fire Burr, after Burr demanded a fraud audit of the use of the Arkansas Project funds by the magazine's tax-exempt foundation.

## Independent Counsel Documents

A series of articles in *Salon* magazine, and later the book *Hunting of the President* by Gene Lyons and Joe Conason, had cited sources who stated that the "Arkansas Project" was organized at a meeting in Olson's law office in late 1993. *Salon* was told by one source: "Olson is somebody who Scaife would trust to see that nothing went wrong and that his money would not be wasted."

During 1997-98, *EIR* also reported extensively on Olson's ties to Starr, and on Olson's role in orchestrating the scandal-mongering against Clinton. *EIR* was among the first to report that Olson had been retained already in 1993 by David Hale, the corrupt former municipal judge in Little Rock, Arkansas, who tried to escape from Federal fraud charges by becoming Kenneth Starr's key witness against President Clinton.

At his April 5 confirmation hearing, in response to these allegations about his key role in organizing the "Arkansas Project" in late 1993 and afterwards, Olson denied having any knowledge of the "Arkansas Project" until 1997, stating flatly that: "I was not involved in the project, in its origin or

management." He also claimed that there were no meetings of the "Arkansas Project" in his office.

However, redacted records of the David Hale witness-tampering investigation, which was conducted in 1998 by former Justice Department official Michael Shaheen, cite a meeting in December 1993 at Olson's office, attended by as many as seven people, including Hale and a number of others who are known to have been the key operatives in the "Arkansas Project." This corresponds precisely to published reports about the December 1993 meeting at Olson's office, at which the Arkansas Project was first organized.

Furthermore, one attendee at that meeting in Olson's office told Shaheen's investigators: "The subject of this meeting was Bill and Hillary Clinton and the need for the *Spectator* to investigate and report on numerous alleged Clinton scandals."

That is about as close as one can get to a smoking gun. Unfortunately, Senate Democrats allowed the Olson nomination to be rushed through on May 24, before the inquiry into the Shaheen documents had been completed. The documents were, however, released to the public, but little reporting on them has taken place.

The Shaheen investigation records are highly redacted, allegedly on grounds of grand jury secrecy, and protecting the privacy of third parties. But they show that Olson's law firm provided about \$140,000 in legal services to Hale, for which the firm was never paid. Further, that various schemes were discussed, in which other foundations or non-profit organizations also funded by Richard Mellon Scaife, such as the Center for Individual Rights, the Washington Legal Foundation, or the Manhattan Institute, would launder Scaife monies through to Olson's law firm as reimbursement for Hale's legal expenses. According to the records, Olson rejected that scheme as looking too much like money laundering.

## What 'Arkansas Project'?

Some light may be shed on Ted Olson's denials of involvement in the "Arkansas Project" by the following circumstances.

According to many published accounts, the Scaife-funded "Arkansas Project" was so secret—even within the *American Spectator* itself—that many in the magazine's editorial offices didn't even know much about it. One witness also told Shaheen's investigators that the term "Arkansas Project" was not used by people at the *American Spectator*. And according to the Conason-Lyons book, it was referred to as the "Editorial Improvement Project," in correspondence between the American Spectator Education Foundation and the Scaife foundations.

Is this why, or how, Olson managed to deny involvement in the "Arkansas Project"?

Olson and his cronies in the "Get Clinton" gang could never get over Clinton's famous remark, "It depends on what the meaning of 'is,' is." For Olson, it now seems to depend on what the meaning of the "Arkansas Project," is.