111TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REVIEW NO.
09–9812

OFFICE OF CONGRESSIONAL ETHICS UNITED STATES HOUSE OF REPRESENTATIVES

Report and Findings

Transmitted to the
Committee on Standards of Official Conduct
on August 6, 2009
and released publicly pursuant to H. Res. 895 of the
110th Congress as amended

August 2009

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CONGRESSIONAL ETHICS

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REPORT

Review No. 09–9812

The Board of the Office of Congressional Ethics (hereafter "Board"), by a vote of no less than four members, on July 24, 2009, adopted the following report and findings and ordered them to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Jesse Jackson, Jr.

NATURE OF THE ALLEGED VIOLATION: Transcripts of recordings of former Illinois Governor Rod Blagojevich contain statements that an "emissary" from Representative Jackson had offered to raise money for Blagojevich and provide "money up-front," if Blagojevich nominated Representative Jackson to the Illinois Senate seat vacated by President Obama. If this "emissary" acted either at the direction of Representative Jackson or with his knowledge or acquiescence, Representative Jackson may have violated federal law and House rules.

In the course of conducting this review, the OCE learned that staff resources of the Representative's Washington, DC and Chicago, Illinois, offices were used to mount a "public campaign" to secure the Representative's appointment to the U.S. Senate. In doing so, Representative Jackson may have violated federal law and House rules concerning the proper use of the Member's Representational Allowance.

RECOMMENDATION: The Board of the Office of Congressional Ethics recommends that the Committee on Standards of Official Conduct review further the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

TABLE OF CONTENTS

I. INTRODUCTION 5
A. Summary of Allegations 5
C. Jurisdictional Statement 6
D. Procedural History 6
E. Summary of Investigative Activity 6
II. SEEKING APPOINTMENT TO THE U.S. SENATE 7
A. Applicable Laws, Rules and Standards of Conduct 7
B. A Sworn Statement Filed in United States District Court Contains Statements of Former Governor Blagojevich that an "Emissary" Acting on Behalf of Representative Jackson Offered to Raise Money for Blagojevich in Exchange for Appointing Representative Jackson to the Senate Seat 8
C. Representative Jackson Authorized Raghuveer Nayak to Advocate on His Behalf to Governor Blagojevich for Appointment to the Senate 10
D. Representative Jackson Described Nayak as a "Prolific" and "Obsessive" Fundraiser for Blagojevich 13
E. On a Previous Occasion, Blagojevich Himself Told Representative Jackson that he Considered Political Contributions in Making Appointments 14
F. Representative Jackson was Told that Blagojevich Sought Something of Value in Exchange for the Senate Appointment 14
III. THE MEMBER'S REPRESENTATIONAL ALLOWANCE 17
A. Applicable Laws, Rules and Standards of Conduct 17
B. Use of House Resources in Pursuit of Appointment to the United States Senate 17
IV. CONCLUSION 23
V. INFORMATION THE OCE WAS UNABLE TO OBTAIN AND RECCOMMENDATIONS FOR THE ISSUANCE OF SUBPOENAS 24

FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 09–9812

On July 24, 2009, the Board of the Office of Congressional Ethics (hereafter "Board") adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination that a violation actually occurred.

I. INTRODUCTION

1. On December 9, 2008, Rod Blagojevich, the then Governor of the State of Illinois, was arrested on federal corruption charges, for, among other conduct, allegedly attempting to "sell" the United States Senate seat held by then President-elect Barack Obama. A complaint unsealed on the day of the arrest contains statements from Governor Blagojevich that an "emissary" from Representative Jackson had offered to raise money for Blagojevich and provide "money up-front," if Blagojevich nominated Representative Jackson to the Illinois Senate seat being vacated by President Obama.

2. In the course of conducting this review, the OCE learned that staff resources of the Representative's Washington, DC and Chicago, Illinois, offices were used to mount a "public campaign" to secure the Representative's appointment to the U.S. Senate.

A. SUMMARY OF ALLEGATIONS

3. There is probable cause to believe that Representative Jackson either (1) directed a third-party, most likely Mr. Raghuveer Nayak, to offer to raise money for Governor Blagojevich in exchange for appointing Representative Jackson to the Senate seat, or (2) had knowledge that Nayak would likely make such an offer once Representative Jackson authorized him to advocate on his behalf with Governor Blagojevich. Because former Governor Blagojevich, Nayak and Mr. Rajinder Bedi have declined to cooperate with the OCE investigation, and because the OCE cannot compel their cooperation, the OCE is unable to determine whether there is a substantial reason to believe these allegations.[1]

4. There is substantial reason to believe that Representative Jackson violated federal law and rules promulgated by the Committee on House Administration concerning the proper use of the Member's Representational Allowance. Specifically, the OCE learned from Representative Jackson and his staff that staff re-

[1] As per Rule 9 of the OFFICE OF CONGRESSIONAL ETHICS, RULES FOR THE CONDUCT OF INVESTIGATIONS 11 (2009), "in the event the Office is unable to obtain information necessary to reach that determination [that there is substantial reason to believe the allegations], but the Board does determine there is probable cause to believe the allegations, the Board may refer the matter to the Standards Committee for further review." See also H. Res 895, 110th Cong. §1(c)(2)(B) (2008) (as amended).

sources both in the Representative's Washington, DC and Chicago, Illinois, offices were used to mount a "public campaign" to secure the Representative's appointment to the Senate.

B. JURISDICTIONAL STATEMENT

5. The allegations that were the subject of this review concern Representative Jesse Jackson, Jr., a Member of the United States House of Representatives from the 2nd District of Illinois. The Resolution the United States House of Representatives adopted creating the Office of Congressional Ethics directs that, "[n]o review shall be undertaken" . . . by the board of any alleged violation that occurred before the date of adoption of this resolution.[2] The House adopted this Resolution on March 11, 2008. Because the conduct under review occurred after March 11, 2008, review by the Board is in accordance with the Resolution.

C. PROCEDURAL HISTORY

6. A preliminary review in this matter commenced on April 2, 2009, following a written request by at least two members of the OCE Board made on March 26, 2009.

7. At least three members of the Board voted to initiate a second-phase review in this matter on April 24, 2009. The second phase review commenced on May 1, 2009.

8. The Board voted to extend the 45-day second-phase review by an additional 14 days on June 12, 2009, as provided for under the Resolution.

9. The second-phase review ended on June 30, 2009.[3]

10. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further review and adopted these findings on July 24, 2009.

11. This report and findings were transmitted to the Committee on Standards of Official Conduct on August 6, 2009.

D. SUMMARY OF INVESTIGATIVE ACTIVITY

12. Over the course of its Review, the OCE interviewed:

(1) Representative Jesse Jackson, Jr.;

(2) Representative Jackson's Chief of Staff;

(3) Representative Jackson's District Director;

(4) Representative Jackson's Scheduler;

(5) Witness A, a Chicago businessman and former President of Federal of Indian Associations; and

(6) Representative Jackson's brother.

13. In addition, the office requested and received documents from:

(1) Representative Jesse Jackson, Jr.;

(2) Representative Jackson's Chief of Staff; and

(3) Representative Jackson's Scheduler.

14. The Office requested documents from and interviews with the following individuals who declined to cooperate in the OCE's review:

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[2] H. Res 895, 110th Cong. § 1(e) (2008) (as amended).

[3] Some documents and interviews were requested by the OCE staff prior to June 30, 2009, but were not provided to the OCE until after this date.

(1) Mr. Rod Blagojevich;
(2) Mr. Raghuveer Nayak; and
(3) Mr. Rajinder Bedi.

II. SEEKING APPOINTMENT TO THE U.S. SENATE

A. APPLICABLE LAWS, RULES AND STANDARDS OF CONDUCT

15. *18 U.S.C. § 201(b)(1). Bribery of public officials and witnesses*

(b) Whoever-

(1) directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

(A) to influence any official act; or

(B) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;

shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

16. *18 U.S.C. § 201(c). Illegal Gratuities*

(c) Whoever-

(1) otherwise than as provided by law for the proper discharge of official duty—

(A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of

any official act performed or to be performed by such public official, former public official, or person selected to be a public official;

shall be fined under this title or imprisoned for not more than two years, or both.

17. U.S. House of Representatives Code of Official Conduct

Under House Rule 23, clause 1 (Code of Conduct), "[a] Member, Delegate, Resident Commissioner, officer, or employee of the House shall behave at all times in a manner that shall reflect creditably on the House." This ethics standard is considered to be "the most comprehensive provision" of the code.[4] *When this section was first adopted, the Select Committee on Standards of Official Conduct of the 90th Congress noted that it was included within the Code to deal with "flagrant" violations of the law that reflect on "Congress as a whole," and that might otherwise go unpunished.*[5] *This rule has been relied on by the Ethics Committee in numerous prior cases in which the Committee found unethical conduct including: the fail-*

[4] COMM. ON STANDARDS OF OFFICIAL CONDUCT, 110TH CONG., HOUSE ETHICS MANUAL 12 (2008).

[5] COMM. ON STANDARDS OF OFFICIAL CONDUCT, REPORT UNDER THE AUTHORITY OF H. RES. 418, H. REP. NO. 1176, 90TH CONG., 2D SESS. 17 (1968).

ure to report campaign contributions,[6] *making false statements to the Committee,*[7] *criminal convictions for bribery,*[8] *accepting illegal gratuities,*[9] *and accepting gifts from persons with interest in legislation in violation of the gift rule.*[10]

B. A SWORN STATEMENT FILED IN UNITED STATES DISTRICT COURT CONTAINS STATEMENTS OF FORMER GOVERNOR BLAGOJEVICH THAT AN "EMISSARY" ACTING ON BEHALF OF REPRESENTATIVE JACKSON OFFERED TO RAISE MONEY FOR BLAGOJEVICH IN EXCHANGE FOR APPOINTING REPRESENTATIVE JACKSON TO THE SENATE SEAT

18. On December 7, 2008, the United States Attorney for the Northern District of Illinois submitted a sworn affidavit of Daniel W. Cain, a Special Agent with the Federal Bureau of Investigation, in support of a criminal complaint against Rod R. Blagojevich and John Harris.[11] Within that sworn statement is a transcript of recordings of Blagojevich and various other individuals that references "Senate Candidate 5." An attorney for Representative Jackson has publicly stated that Representative Jackson is likely the person referred to as "Senate Candidate 5."[12] The affidavit of Mr. Cain states the following:

> 115. Throughout the past month, ROD BLAGOJEVICH has continued to engage in numerous conversations relating to filling the open Senate seat. In these conversations, he has repeatedly discussed the attributes of potential candidates, including, among other things, the candidates' ability to benefit the State of Illinois, and the personal and political benefits for himself and his family of appointing particular candidates. These calls have included the following:
>
> a. On December 4, 2008, ROD BLAGOJEVICH spoke to Advisor B and informed Advisor B that he was giving Senate Candidate 5 greater consideration for the Senate seat because, among other reasons, if ROD BLAGOJEVICH ran for re-election Senate Candidate 5 would "raise [ ] money" for ROD BLAGOJEVICH, although ROD BLAGOJEVICH said he might

[6] COMM. ON STANDARDS OF OFFICIAL CONDUCT, IN THE MATTER OF REPRESENTATIVE JOHN J. McFALL, H. REP. NO. 95–1742, 95TH CONG., 2D SESS. 2–3 (1978) (Count 1); IN THE MATTER OF REPRESENTATIVE EDWARD R. ROYBAL, H. REP. NO. 95–1743, 95TH CONG., 2D SESS. 2–3 (1978).

[7] COMM. ON STANDARDS OF OFFICIAL CONDUCT, IN THE MATTER OF REPRESENTATIVE CHARLES H. WILSON (OF CALIFORNIA), H. REP. NO. 95–1741, 95TH CONG., 2D SESS. 4–5 (1978); H. REP. NO. 95–091743 (COUNTS 3–4).

[8] COMM. ON STANDARDS OF OFFICIAL CONDUCT, IN THE MATTER OF REPRESENTATIVE MICHAEL J. MYERS, H. REP. NO. 96–1387, 96TH CONG., 2D SESS. 2, 5 (1980); SEE 126 CONG. REC. 28953–78 (OCT. 2, 1980) (debate and vote of expulsion); IN THE MATTER OF REPRESENTATIVE JOHN W. JENRETTE, JR., H. REP. NO. 96–1537, 96TH CONG., 2D SESS. 4 (1980) (Member resigned); IN THE MATTER OF REPRESENTATIVE RAYMOND F. LEDERER, H. REP. NO. 97–110, 97TH CONG., 1ST SESS. 4, 16–17 (1981) (Member resigned after Committee recommended expulsion). In another case, the Committee issued a Statement of Alleged Violation concerning bribery and perjury, but took no further action when the Member resigned (IN THE MATTER OF REPRESENTATIVE DANIEL J. FLOOD, H. REP. NO. 96–856, 96TH CONG., 2D SESS. 4–16, 125–126 (1980)).

[9] COMM. ON STANDARDS OF OFFICIAL CONDUCT, IN THE MATTER OF REPRESENTATIVE MARIO BIAGGI, H. REP. NO. 100–506, 100TH CONG., 2D SESS. 7, 9 (1988) (Member resigned while expulsion resolution was pending).

[10] COMM. ON STANDARDS OF OFFICIAL CONDUCT, IN THE MATTER OF REPRESENTATIVE CHARLES H. WILSON (OF CALIFORNIA), H. REP. NO. 96–930, 96TH CONG. 2D SESS. 4–5 (1980); see 126 Cong. Rec. 13801–20 (June 10, 1980) (debate and vote of censure).

[11] Complaint, United States v. Blagojevich, Dec. 7, 2008 (N.D.Ill.)(Exhibit 1 at 09–9812–000074–000076).

[12] Jonathan Weisman, Clare Ansberry and Douglas Belkin, *Graft Case Touches Jackson, Jr.,* WALL ST. J., Dec. 11, 2008 (Exhibit 2 at 09–9812–000081).

"get some (money) up front, maybe" from Senate Candidate 5 to insure Senate Candidate 5 kept his promise about raising money for ROD BLAGOJEVICH. (In a recorded conversation on October 31, 2008, ROD BLAGOJEVICH described an earlier approach by an associate of Senate Candidate Five as follows: "We were approached "pay to play." That, you know, he'd raise me 500 grand. An emissary came. Then the other guy would raise a million, if I made him (Senate Candidate 5) a Senator.")

b. Later on December 4, 2008, ROD BLAGOJEVICH spoke to Fundraiser A. ROD BLAGOJEVICH stated he was "elevating" Senate Candidate 5 on the list of candidates for the open Senate seat. ROD BLAGOJEVICH stated he might be able to cut a deal with Senate Candidate 5 that provided ROD BLAGOJEVICH with something "tangible up front." ROD BLAGOJEVICH noted he was going to meet with Senate Candidate 5 in the next few days. ROD BLAGOJEVICH told Fundraiser A to reach out to Individual D, an individual who ROD BLAGOJEVICH is attempting to obtain campaign contributions from and who, based on intercepted phone calls, ROD BLAGOJEVICH believes to be close to Senate Candidate 5. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that Senate Candidate 5 was very much a realistic candidate for the open Senate seat, but that ROD BLAGOJEVICH was getting "a lot of pressure" not to appoint Senate Candidate 5. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that ROD BLAGOJEVICH had a problem with Senate Candidate 5 just promising to help ROD BLAGOJEVICH because ROD BLAGOJEVICH had a prior bad experience with Senate Candidate 5 not keeping his word. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that if Senate Candidate 5 is going to be chosen to fill the Senate seat "some of this stuffs gotta start happening now . . . right now . . . and we gotta see it. You understand?" ROD BLAGOJEVICH told Fundraiser A that "you gotta be careful how you express that and assume everybody's listening, the whole world is listening. You hear me?" ROD BLAGOJEVICH told Fundraiser A to tell Individual D if there is "tangible political support (campaign contributions) like you've said, start showing us now." Fundraiser A stated he will call Individual D on the phone to communicate ROD BLAGOJEVICH's message. ROD BLAGOJEVICH responded that "I would do it in person. I would not do it on the phone." ROD BLAGOJEVICH told Fundraiser A to communicate the "urgency" of the situation to Individual D.

19. According to Representative Jackson, he met with Blagojevich to discuss the Senate seat on December 8, 2008, the day before Blagojevich's arrest on December 9, 2008.[13]

20. On July 8, 2009, John Harris, the other named defendant in the above cited criminal complaint pled guilty to one count of honest services fraud in violation of 18 U.S.C. §§ 1343 and 1346. The plea agreement filed in the United States District Court for the Northern District of Illinois contains facts similar to the ones in the Cain affidavit.[14]

> On or about December 4, 2008, Blagojevich told Defendant that Senate Candidate A, through a third-party, had offered to raise $1.5 million in campaign funds for Blagojevich in exchange for the U.S. Senate appointment. Defendant told Blagojevich that the offer to raise funds should not be a factor in his decision, although it was clear to Defendant that a large part of Blagojevich's consideration for appointing Senate Candidate A to the Senate was the offer of campaign funds. Defendant had previously advanced an argument in favor of Senate Candidate A, listing all of the favorable points of a Senate Candidate A appointment, in response to which Blagojevich had dismissed all of the points Defendant made and had refused to even entertain the idea of appointing Senate Candidate A. Although Blagojevich was previously not willing to consider Senate Candidate A, Defendant believed that Blagojevich was now seriously considering Senate Candidate A because of the offer of campaign funds.

21. The similarity between these facts and the facts in the Cain Affidavit suggest that Senate Candidate A is Representative Jackson.

C. REPRESENTATIVE JACKSON AUTHORIZED RAGHUVEER NAYAK TO ADVOCATE ON HIS BEHALF TO GOVERNOR BLAGOJEVICH FOR APPOINTMENT TO THE SENATE

22. Press accounts claim "investigators" subsequently identified Raghuveer Nayak as an individual who offered to raise money for Blagojevich on behalf of Representative Jackson.[15] Press reports did not expressly state that investigators confirmed that Nayak was the "emissary" referred to by Blagojevich. Nayak and Blagoveich have refused to cooperate with the OCE's investigation. Because the OCE cannot compel their testimony, the OCE is unable to confirm whether Nayak is the "emissary" to whom Blagojevich referred.

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[13] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000125).

[14] Plea Agreement, United States v. Harris (N.D. Ill) (Exhibit 4 at 09–9812—000099).

[15] Christopher Drew, *Businessman Tied to Fund-Raising Offer to Blagojevich,* N.Y. TIMES, Dec. 15, 2008 (Exhibit 5 at 09–9812—000116).

23. The OCE asked Representative Jackson whether he authorized Nayak to advocate on his behalf for appointment to the Senate with Blagojevich. Representative Jackson told the OCE he sought assistance from "anyone and everyone" including Nayak.[16]

24. According to Representative Jackson, the first time he spoke with Mr. Nayak regarding the Senate seat was at the Democratic National Convention in 2008. According to Representative Jackson, the conversations were not substantive and consisted mainly of Mr. Nayak calling Representative Jackson "Senator."[17]

25. On October 22, 2008, Representative Jackson sent an email to members of his staff about preparing a letter for Nayak to circulate among the Indian-American community in support of Representative Jackson for the Obama Senate seat.[18]

26. On October 24, 2008, Representative Jackson's Chief of Staff sent the letter to Mr. Nayak via email.[19]

27. Representative Jackson told the OCE that after the Democratic National Convention, the next time he and Mr. Nayak spoke in person about the Senate appointment was on October 28, 2008, during a meeting at a local Chicago restaurant. Representative Jackson provided OCE with the following facts about that meeting:[20]

a. Mr. Nayak, Mr. Rajinder Bedi (an economic development official in Illinois state government assigned to the Second Congressional District), District Director and Representative Jackson were in attendance. Mr. Nayak had arranged the meeting. Governor Blagojevich spontaneously assigned Mr. Bedi to be the Second District's liaison for economic development two years prior at an Indian Day parade. The October 28th meeting represented Mr. Bedi's first follow up since that day. Representative Jackson did not know Mr. Bedi well, but, in addition to his role as liaison, he knew him to be a friend of Mr. Nayak and someone who would attend various fundraising events in the company of Mr. Nayak. According to Representative Jackson, the meeting was held to discuss the possibility of constructing an airport in the Second Congressional District. However, Mr. Nayak had no role in the district's economic development and no role in the airport's development.

b. Representative Jackson recalled that the meeting lasted for approximately 45 minutes to one hour. Mr. Nayak arrived late. Upon Mr. Nayak's arrival, he stated to Representative Jackson words to the effect of, "you are going to be the Senator," and, "we want you to be the Senator." Representative Jackson distinctly recalled his response as, "that would be a two-fer," referring to both the airport and becoming Senator. Representative Jackson then continued to speak about the airport.

c. After the meeting, Mr. Bedi and Mr. Nayak went to the front door and had another conversation that Representative Jack-

[16] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000122).

[17] *Id.* at 09–9812—000120.

[18] E-mail from Jesse Jackson to Kenneth Edmonds and Rick Bryant, Oct. 22, 2008 (Exhibit 12 at 09–9812—000235).

[19] Letter from Kenneth Edmonds to Raghu Nayak, Oct. 24, 2008 (Exhibit 13 at 09–9812—000237).

[20] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000121–000122).

son could not hear. Representative Jackson and District Director stayed at the table to discuss an upcoming meeting.

28. Although he initially recalled the conversation about the Senate seat lasting for about 10 minutes, Representative Jackson later revised his recollection and stated that this exchange was the only reference made to the Senate seat during the October 28th meeting.[21]

29. The District Director for Representative Jackson also attended the October 28, 2008 meeting and described it in an interview with the OCE as follows:[22]

a. On October 28, 2008 the Representative met with Mr. Nayak and Mr. Rajinder Bedi at a restaurant called "312" across the street from a state office building. District Director attended the meeting. Mr. Bedi came to the meeting with Mr. Nayak. Mr. Nayak did not have anything to do with the airport project. When asked why he was there, the District Director said he thought Mr. Nayak was there to introduce Mr. Bedi to the Representative since Mr. Nayak and Mr. Bedi were friends. District Director does not remember any of the conversation about the Senate seat. District Director also said that at some point, Mr. Nayak and Mr. Bedi began talking to one another (they were seated side-by-side across the table from District Director and the Representative). District Director said he could not hear their entire conversation but did hear them talk about "fundraising."

30. Representative Jackson's Chief of Staff had no knowledge of this meeting when the OCE interviewed him.[23]

31. According to Representative Jackson, after Governor Blagojevich was arrested, he and his father, Reverend Jesse Jackson, Sr. talked on the phone about the possible identities of individuals listed in the criminal complaint who were identified by alphabetical letters.[24] Reverend Jesse Jackson, Sr. suggested that one of them might be Mr. Rajhuveer Nayak. Reverend Jackson placed his son on hold, called Mr. Nayak, and conferenced him into the conversation with his son. Representative Jackson asked Mr. Nayak if one of the individuals in the complaint and Mr. Nayak said he was not.[25]

32. According to Representative Jackson, Mr. Nayak never told him that he was arranging to raise money for the Senate seat, nor did it ever come to the Member's attention—directly or indirectly—that Mr. Nayak might be doing so. The last time Representative Jackson spoke with Mr. Nayak was either the day of or the day after the arrest of Governor Blagojevich.[26]

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[21] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000122).

[22] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000130).

[23] Memorandum of Interview of the Chief of Staff of Representative Jackson, Apr. 17, 2009 (Exhibit 8 at 09–9812—000142).

[24] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000125).

[25] *Id.*

[26] *Id.*

D. REPRESENTATIVE JACKSON DESCRIBED NAYAK AS A "PROLIFIC" AND "OBSESSIVE" FUNDRAISER FOR BLAGOJEVICH

33. Representative Jackson described Mr. Nayak as both a "prolific" and "obsessive" supporter and fundraiser for Rod Blagojevich, and as Rod Blagojevich's "guy."[27]

34. Representative Jackson's Chief of Staff told the OCE that he did not know the exact nature of Mr. Nayak's relationship with Rod Blagojevich, but he had the impression Mr. Nayak was a "prolific" fundraiser for the Democratic Party—raising money for Barack Obama, Hillary Clinton, Joseph Biden, and Rod Blagojevich.[28]

35. Representative Jackson told the OCE he did not see Mr. Nayak as an "operative" for assisting his campaign for the Senate seat. Nevertheless, Representative Jackson told the OCE he sought assistance from anyone and everyone, including Mr. Nayak. He did not give Mr. Nayak any explicit directions on how to assist his campaign for the seat, nor did he place any explicit restrictions on Mr. Nayak's assistance.[29]

36. Overall, the only restrictions or caveats Representative Jackson placed on those who promoted his campaign for the Senate seat were contained in notes attached to an informational package he gave some of his supporters.[30] Those notes explained the context of the Illinois political landscape and included the fact that the Governor was under investigation for "pay to play" politics.[31]

37. Witness A, a Chicago-area businessman and past president of Federation of Indian Associations told the OCE that he attended an event on October 31, 2008, at the India House Restaurant in Shaumburg, Illinois, three days after Representative Jackson's meeting with Bedi and Nayak. Witness A told the OCE he overheard a conversation between Nayak, Bedi and a third individual, and that he specifically heard these three persons discussing "tell[ing] Babu Patel to tell Governor [Blagojevich] to appoint Jesse Jackson, Jr. as a senator."[32] When Witness A overheard the conversation, Witness A was speaking with Mr. Patel. Witness A also told the OCE that Mr. Patel had previously held several fundraisers for Governor Blagojevich and had invited him to the October 31, 2008 luncheon.[33]

38. Witness A also told the OCE that Governor Blagojevich gave a speech at the October 31, 2008 luncheon.[34] According to Witness A, after the Governor spoke, Bedi told the group that there was going to be a fundraiser for Governor Blagojevich to celebrate In-

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[27] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000122).

[28] Memorandum of Interview of the Chief of Staff of Representative Jackson, Apr. 17, 2009 (Exhibit 7 at 09–9812—000141).

[29] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000125).

[30] *Id.*

[31] Memorandum RE: Rep. Jesse L. Jackson, Jr.'s Potential Appointment to the U.S. Senate, Dec. 8, 2008 (Exhibit 16 at 09–9812—000246). *See also* Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000125).

[32] Transcript of Proceedings had at the interview of Witness A, Jun. 17, 2009 (Exhibit 10 at 09–9812—000211).

[33] *Id.* at 09–9812—000214.

[34] *Id.* at 09–9812—000204.

dian New Year, Diwali, and the group was asked to buy tables at this event.[35]

39. According to Witness A, the Indian New Year fundraiser occurred on December 6, 2008. He attended and wrote a $1,000 check for Governor Blagojevich's re-election campaign.[36]

40. Representative Jackson's brother also attended that event. Representative Jackson's brother and Representative Jackson both told the OCE that it was not a fundraiser for Blagojevich.[37]

E. ON A PREVIOUS OCCASION, BLAGOJEVICH HIMSELF TOLD REPRESENTATIVE JACKSON THAT HE CONSIDERED POLITICAL CONTRIBUTIONS IN MAKING APPOINTMENTS

41. Representative Jackson told the OCE that on a previous occasion Governor Blagojevich had told him he considered political contributions when making appointments.[38]

42. Representative Jackson told the OCE that in 2002 he was asked by former Representative Bill Lipinski to donate $25,000 to the campaign of then-Representative Rod Blagojevich for Governor of Illinois. Representative Jackson declined to do so. After his election, the new Governor asked Representative Jackson if there was anything he could do for the Representative. Representative Jackson asked the Governor to consider his wife for a job. Representative Jackson was told to submit information on his wife to Tony Rezko and that she would be considered for the position of Lottery Commissioner. Ultimately, Ms. Jackson was not chosen for a cabinet position.[39]

43. Subsequently, on the floor of the U.S. House, Representative Jackson talked with former Representative, then Governor, Blagojevich. Representative Jackson told him "no hard feelings" and Governor Blagojevich agreed but added, "you should have given me that $25,000."[40]

F. REPRESENTATIVE JACKSON WAS TOLD THAT BLAGOJEVICH SOUGHT SOMETHING OF VALUE IN EXCHANGE FOR THE SENATE APPOINTMENT

44. According to Representative Jackson and the District Director, on two occasions Representative Jackson was told that Governor Blagojevich was looking for something of value in exchange for the Senate appointment.[41]

45. According to Representative Jackson, he received a text message from Mr. Mark O'Malley on November 11, 2008, offering his support. Representative Jackson responded by saying that Mr. O'Malley could help by putting the Representative in touch with anyone who knows the Governor. Mr. O'Malley promptly invited Representative Jackson to his restaurant that same day for a meet-

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[35] *Id.* at 09–9812—000205.

[36] *Id.* at 09–9812—000209.

[37] Memorandum of Interview of Family Member A, Jun. 4, 2009 (Exhibit 11 at 09–9812—000233); Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000124).

[38] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000124).

[39] *Id.*

[40] *Id.*

[41] *Id.* at 09–9812—000123. See also, Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000129).

ing with Mr. Mark Rumman, a former high-ranking official in the Blagojevich administration.[42]

46. Representative Jackson's District Director confirmed that Mr. O'Malley contacted Representative Jackson and offered to help with the Senate selection process. The District Director told the OCE that Mr. O'Malley helped arrange a meeting between the Representative and Mr. Rumman. The District Director provided the following facts about that meeting:[43]

a. At that meeting, Mr. Rumman told Representative Jackson he had heard that the Governor was "completely undecided" about the Senate seat.

b. The Governor's inner circle described him as "delusional" and said he was "not in touch with reality" in terms of his own political future. Blagojevich's "inner circle" told him his political life was over and that he should "keep his nose clean" and finish out his term.

c. Nonetheless, Governor Blagojevich talked about running for reelection.

d. When the Governor was "in his saner moments" he thinks about his daughters and his family and is interested in a "high-paying job" after politics.

e. Mr. Rumman told Representative Jackson that Blagojevich was looking for a "lifeline." The Representative asked Mr. Rumman what that term meant. Mr. Rumman explained that Blagojevich will be looking for a high-paying job and explained that was why J.B. Pritzker was under consideration for the Senate seat—because Pritzker was in a good position to offer him one. The Representative said that is precisely the kind of thing that got him in trouble in the first place"—some kind of tradeoff.

f. Mr. Rumman volunteered to attempt to collect more information on the Governor's deliberations and report back to the Representative.

47. According to District Director, Mr. Rumman, Mr. O'Malley, District Director and the Representative met the next morning at a restaurant called "Yolk" for approximately 30 minutes. Mr. Rumman reported he had made some calls the previous evening but had no new information.[44]

48. According to Representative Jackson, he met with Mr. John Wyma, an advisor and confidant of Rod Blagojevich, in the early part of December 2008. Representative Jackson provided the following facts to the OCE about that meeting:[45]

a. During the meeting Representative Jackson relayed to Mr. Wyma that he wanted the seat and wanted a meeting with the Governor. Mr. Wyma asked about Representative Jackson's relationship with the Governor and Representative Jackson replied that it was "frosty." Mr. Wyma's response was that if Representative Jackson wanted a meeting with Governor

[42] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000123).

[43] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000129).

[44] *Id.*

[45] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000123).

Blagojevich then "trust needed to be built." Mr. Wyma stated that Representative Jackson's best argument for being appointed was that as Senator he could support the Governor in his 2010 campaign for reelection. Mr. Wyma then asked Representative Jackson if he would support the Governor in 2010. As the meeting ended, Representative Jackson asked Mr. Wyma for anything he could do to help him get a meeting with the Governor.

b. While Representative Jackson was taking a phone call, Mr. Wyma wrote a note and handed it to Representative Jackson. On the note were several bullet points: Building trust and personal relationship; Historical significance/Importance of the seat; and the case for your candidacy/lifeline.

c. This note was not turned over to any federal or state investigator. Representative Jackson's attorney stated during the interview that he has the note, but it was misplaced.

d. According to Representative Jackson, the subject of fundraising did not come up during the meeting with Mr. Wyma.

49. Representative Jackson's District Director accompanied Representative Jackson to the Representative's meeting with Blagojevich on December 8, 2008, but did not go in the room with the Governor and Representative. The District Director said the meeting began at 5:00 pm and lasted 90 to 120 minutes. The District Director said the Representative told him when he came out that he was "as confused coming out as he was when he went in" about his prospects. The District Director asked the Representative if "anything like a quid pro quo" came up because, the District Director said he told the Representative, "this guy is notorious for that" The Representative told him "no" and said they went through the notebook that Jackson had brought with him on why he should be selected.[46]

50. A December 12, 2008 Chicago Tribune article quoted the District Director, as saying, "He [the Representative] has talked to [Nayak] about the Senate seat and he has mentioned his interest . . . But he never asked him to do anything."[47]

51. In his interview with OCE, the District Director at first said he did not remember making that statement and that he did not know the basis for his statement. Later in the interview he said he remembered getting a call from a reporter at his home around 9:00 pm on December 11, 2008 and being asked whether the Representative had talked to Nayak about the Senate seat. The District Director said he had called the Representative and that he had given him this statement and that the District Director only "changed the "I" to "he."[48]

52. Representative Jackson told the OCE that he did not give the District Director any statement for this December 12, 2008 article.[49]

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[46] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000132).

[47] David Kidwell, *Blagojevich fundraiser held by Jackson allies Saturday,* CHI TRIB, Dec. 12, 2008 (Exhibit 3 at 09–9812—000087).

[48] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000131).

[49] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000125).

III. THE MEMBER'S REPRESENTATIONAL ALLOWANCE

A. APPLICABLE LAWS, RULES AND STANDARDS OF CONDUCT

53. *31 U.S.C. § 1301(a). Appropriations*

"Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

54. U.S. House of Representatives Committee on House Administration, Members Handbook

"[O]nly expenses the primary purpose of which are official and representational and which are incurred in accordance with the Handbook are reimbursable."[50]

"The MRA may not pay for personal expenses' The MRA may not pay for campaign expenses . . . The MRA may not pay for political expenses."[51]

55. *U.S. House of Representatives Ethics Manual*

"[O]fficial resources of the House must, as a general rule, be used for the performance of official business of the House, and hence those resources may not be used for campaign or political purposes."[52] *"Members and staff should be aware that the general prohibition against campaign or political use of official resources applies not only to any Member campaign for re-election, but rather to any campaign or political undertaking. Thus, the prohibition applies to, for example, campaigns for the Presidency, the U.S. Senate, or a state or local office. . . ."*[53]

"Members must regularly certify that all official funds have been properly spent. A false certification may bring criminal penalties, and the government may recover any amount improperly paid."[54]

The House Ethics Manual states that "limited campaign-related activities" may take place in a Congressional office, but limits these activities to (1) "coordination of the Member's schedule,"[55] *a press secretary's occasional response to questions on political matters,*[56] *"campaign/congressional office referrals,*[57] *"providing published materials to the campaign,"*[58] *"responding to questionnaires on legislative issues,"*[59] *and "nonpartisan voter registration materials."*[60]

"A member is responsible for assuring that resources provided for support of official duties are applied to the proper purposes."[61]

B. USE OF HOUSE RESOURCES IN PURSUIT OF APPOINTMENT TO THE UNITED STATES SENATE

56. Representative Jackson described mounting a "public campaign" for appointment to the Senate. Specifically, his "campaign" for the Senate seat was handled by his two senior-most staff mem-

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[50] COMM. ON HOUSE ADMIN., MEMBERS' CONGRESSIONAL HANDBOOK at 6.
[51] *Id.* at 6–7.
[52] COMM. ON STANDARDS OF OFFICIAL CONDUCT, 110TH CONG., HOUSE ETHICS MANUAL 123 (2008).
[53] *Id.* at 124.
[54] *Id.* at 126 (referring to 18 U.S.C. § 1001 and 31 U.S.C. §§ 3729–3731, commonly referred to as the False Claims Act).
[55] *Id.*1 at 132.
[56] *Id.* at 133.
[57] *Id.*
[58] *Id.*
[59] *Id.* at 135.
[60] *Id.*
[61] *Id.* at 324.

bers, his Chief of Staff and Press Secretary and his District Director using House resources.[62]

57. The Chief of Staff told the OCE that he did not remember the first time Representative Jackson and he had a substantive discussion regarding the Senate seat. However, he said there was an awareness of the possibility of gaining an appointment to the Senate as early as the Democratic National Convention in August 2008. Chief of Staff recalled thinking the convention was important and, as the date of the convention approached, began advising Representative Jackson to "conform his persona to one evocative of a Senator."[63]

58. The District Director told the OCE that the idea of Representative Jackson filling President Obama's Senate seat first came up a year before the election.[64]

59. The District Director told the OCE that the Representative concluded that the only way to be selected was to run a "public campaign." This strategy was chosen because the Representative had "no relationship" with the Governor and therefore the Representative believed he needed a great deal of public support in order to be a viable candidate.[65]

60. That campaign seems to have begun in fall 2008 when it looked like Senator Obama would win the presidency. The District Director attended the press conference where Governor Blagojevich spoke about how he would select a replacement to fill the seat.[66] District Director also stated that a "plan was put into action." Representative Jackson wrote out a "case" for why he was qualified for the Senate. The Representative, the District Director, and the Chief of Staff then contacted editorial boards in hopes of getting endorsements. When individual citizens would ask how they could help, they would be told to contact the Governor and advocate for Representative Jackson's selection.[67]

61. The Chief of Staff described Representative Jackson alternatively as both the coach and quarterback of their campaign for the seat or as the coach and himself as the quarterback. Throughout the public campaign, the Chief of Staff was involved in meetings about the Senate seat and Representative Jackson typically told the Chief of Staff when the Representative spoke to individuals about the seat. However, according to the Chief of Staff Representative Jackson was furiously pitching to numerous individuals for support and the Chief of Staff was not aware of every conversation, but he thought he was aware of the significant ones.[68]

62. District Director stated that he would occasionally volunteer for Representative Jackson's campaign committee, but never described his action with regard to the Senate appointment as volunteer work associated with Representative Jackson's campaign.

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[62] Memorandum of Interview of Representative Jesse Jackson, Jr., Apr. 9, 2009 (Exhibit 6 at 09–9812—000121).

[63] Memorandum of Interview of the Chief of Staff of Representative Jackson, Apr. 17, 2009 (Exhibit 7 at 09–9812—000142).

[64] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000128).

[65] *Id.* at 09–9812—000128.

[66] *Id.* at 09–9812—000128.

[67] Memorandum of Interview of the District Director for Representative Jackson, Apr. 9, 2009 (Exhibit 7 at 09–9812—000128).

[68] Memorandum of Interview of the Chief of Staff of Representative Jackson, Apr. 17, 2009 (Exhibit 7 at 09–9812—000142).

63. When asked about his position in the Jackson office, Chief of Staff only stated that he was Chief of Staff and did not describe any role with the campaign.

64. The Board notes that when detailing how they went about securing the appointment to the Senate seat, both District Director and Chief of Staff described their roles in terms of their jobs as District Director and Chief of Staff, respectively.

65. In emails provided to the OCE by Chief of Staff, it appears that the resources of Representative Jackson's Congressional office were used in the campaign for the seat. Specifically, Representative Jackson sent the Chief of Staff and District Director an email from his Blackberry on October 22, 2008, at 8:59 a.m. about preparing a letter for Mr. Nayak to circulate among the Indian-American community of Illinois for signatures in support of the Representative's bid for the Senate seat.[69]

Edmonds, Kenneth

From: Jackson, Jesse
Sent: Wednesday, October 22, 2008 8:58 AM
To: Edmonds, Kenneth; Bryant, Rick

17739090309 rhagu wants to get all Indian organizations heads to sign a ltr to Blago on our behalf. He wants our office to draft it

Sent from my BlackBerry Wireless Handheld

66. Based on the format of the email, it appears it was sent to Mr. Edmond's Microsoft Outlook office account. On October 24, 2008 at 11:34 a.m., the Chief of Staff sent the letter to Mr. Nayak via email.[70] The email appears to have been sent from Mr. Edmond's Congressional office account. Furthermore, his Congressional office signature block, describing him as the "Chief of Staff/ Office of Representative Jesse L. Jackson, Jr." appears at the end of the email.[71]

Edmonds, Kenneth

From: Edmonds, Kenneth
Sent: Friday, October 24, 2008 11:34 AM
To: [redacted]@aol.com'
Subject: Draft letter
Attachments: SENATE.doc

Raghu,

I've attached a draft letter (in plain text as well as a word document) in support of Congressman Jackson being appointed to succeed Barack Obama in the U.S. Senate. Please feel free to make any revisions to the letter.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you in advance for your support, efforts and generosity.

- Ken

Kenneth Edmonds
Chief of Staff
Office of Congressman Jesse L. Jackson, Jr.
2419 Rayburn House Office Building
202-225-0773
kenneth.edmonds@mail.house.gov

[69] Email from Representative Jackson to Kenneth Edmonds, Oct. 22, 2008 (Exhibit 12 at 09–9812—000235).
[70] Email from Kenneth Edmonds to Raghu Nayak, Oct. 22, 2008 (Exhibit 13 at 09–9812—000237).
[71] Id. at 09–9812—000238.

67. On November 9, 2008, after Barack Obama was elected President, Representative Jackson sent an email to staff members seeking a meeting with former Illinois Governor Rod Blagojevich.[72]

68. On November 12, 2008 at 12:09 p.m., the District Director sent an article referencing Representative Jackson's polling data to himself on what appears to be his District office email account.[73]

Bryant, Rick

From: Bryant, Rick
Sent: Wednesday, November 12, 2008 12:09 PM
To: Bryant, Rick
Subject: Southtown: Survey shows Jackson best choice for Obama seat 11-12-2008

Survey: Jackson best choice to replace Obama
(http://www.southtownstar.com/news/1274266,111208jacksonsidebar.article)

November 12, 2008

69. The Chief of Staff told the OCE that around November 24, 2008, he grew increasingly concerned about Representative Jackson's prospects for the appointment. In an attempt to gain intelligence regarding the process, Representative Jackson reached out to an aide, Mr. Victor Roberson, and an unofficial advisor of the Governor, Mr. Michael Rumman. Mr. Rumman called the Chief of Staff back a few days later to apologize and say that he attempted to find information but was unable to do so. Mr. Roberson did not provide any helpful information either.[74]

[72] Timeline of Events (Exhibit 16 at 09–9812—000242).
[73] Email from Rick Bryant to Rick Bryant, Nov. 12, 2008 (Exhibit 14 at 09–9812—000240).
[74] Memorandum of Interview of the Chief of Staff of Representative Jackson, Apr. 17, 2009 (Exhibit 7 at 09–9812—000139).

70. The Chief of Staff provided the OCE with a timeline of the events and activities that he, District Director and the Representative engaged in their "campaign" to secure the Representative's appointment to the Senate.[75]

TIMELINE OF EVENTS

Oct. 22 -- Cong. Jackson sends e-mail to staff about support letter.

Oct. 24 -- I send support letter to Raghu Nayak.

Oct. 24 -- *Chicago Defender* publishes editorial endorsement of Cong. Jackson for Senate.

Nov. 4 -- Barack Obama is elected the 44th President of the United States of America.

Nov. 9 -- Cong. Jackson sends e-mail to staff about seeking a meeting with Gov. Blagojevich.

Nov. 10 -- *SouthtownStar* publishes editorial endorsement of Cong. Jackson for Senate.

Nov. 19 -- Capitol Hill reporters -- from *Roll Call* and *The Hill* -- call about whether Cong. Jackson has met with or been contacted by Gov. Blagojevich.

Nov. 20 -- I continue to receive calls from reporters -- from *AP* and *Daily Southtown* -- about whether Cong. Jackson has met with or received a call from Gov. Blagojevich.

Nov. 24 (approx.) -- Cong. Jackson reaches out to Gov.'s aides and unofficial advisors -- Victor Roberson and Michael Rumman -- about whether he will be given fair and serious consideration during the selection process. So far, Cong. Jackson has been unable to get a meeting or call.

Nov. 25 -- Gov.'s office contacts our office about meeting. [according to April 7th *Sun-Times* article]

Nov. 28 -- *Sun-Times* reports joint visit of Gov. Blagojevich and Cong. Davis to the Chicago Christian Industrial League's Thanksgiving event, where he praises Davis and refers to him as "Senator Davis."

Dec. 1 -- *Sun-Times* publishes editorial endorsement of Cong. Jackson for Senate.

Dec. 2 -- Cong. Jackson meets with John Wyma about the selection process. Will Cong. Jackson be given the opportunity to meet with Gov. Blagojevich? Is Cong. Jackson being seriously considered? What is the Gov.'s criteria and timeline?

[75] Timeline of Events (Exhibit 16).

Dec. 3 -- *Politico* publishes this update: "...despite Jackson's energetic self-advocacy, the governor has not yet invited him in for a meeting about the vacancy, as he has with every other member of the delegation who has expressed interest."

Dec. 3 (approx.) -- Gov. Blagojevich invites Congressman Jackson to make brief remarks at a Poverty Summit at Northwestern University between 12:00 Noon on Dec. 9th. I respond to e-mail invitation from Louanner Peters and Matthew Summy, confirming Cong. Jackson's participation.

Dec. 3 -- Sun-Times columnist Lynn Sweet writes: "The governor, I learned, is trying to set up an interview with Jackson to discuss the vacancy. He's already talked to Dem Representatives Jan Schakowsky; Danny Davis, who is becoming more vocal about wanting the seat, and Luis Gutierrez. Former state Senate President Emil Jones, Veterans Affairs chief Tammy Duckworth, and Attorney General Lisa Madigan are near the top of what the governor said was a long list."

Dec. 4 -- Mary Stewart calls to schedule meeting between Gov. Blagojevich and Cong. Jackson on December 8th. I'm reached at home.

Dec. 8 -- Cong. Jackson meets for about 90 minutes with Gov. Blagojevich, providing him with a notebook of his public record and credentials for the Senate.

Dec. 9 -- F.B.I. arrests Gov. Blagojevich. The U.S. Attorney's office publicizes the criminal complaint against the Gov.

Dec. 10 -- Cong. Jackson holds press conference. Victor Roberson calls the office, says "please tell the Congressman that I'm sorry things turned out the way they did."

NOTE: The dates in bold above denote the occasions on which I had direct contact with the parties of interest.

71. According to Representative Jackson and materials Representative Jackson provided to the OCE, when the Representative met with Governor Blagojevich on December 8, 2008 he provided the Governor with a copy of materials supporting his appointment. These materials contain the copies of the editorial endorsements he sought and received, endorsements from local elected officials, a "political memo," and other materials that reflect the work Representative Jackson and his staff undertook on his behalf to build a case for his appointment to the Senate.[76]

72. In each of these instances, there is no evidence to suggest District Director, Chief of Staff or any other staff member used resources other than those of Representative Jackson's Congressional or District offices.

IV. CONCLUSION

73. For the above reasons, the Board recommends that the Committee on Standards of Official Conduct review further the above allegations concerning Representative Jackson's efforts in seeking

[76] Memorandum RE: Rep. Jesse L. Jackson, Jr.'s Potential Appointment to the U.S. Senate, Dec. 8, 2008 (Exhibit 9).

appointment to the U.S. Senate and use of the Member's Representational Allowance.

V. INFORMATION THE OCE WAS UNABLE TO OBTAIN AND RECCOMMENDATIONS FOR THE ISSUANCE OF SUBPOENAS

74. The Office requested documents from and interviews with the following individuals who declined to cooperate in the OCE's review:

(1) Mr. Rod Blagojevich;
(2) Mr. Raghuveer Nayak; and
(3) Mr. Rajinder Bedi.

75. The OCE recommends the issuance of subpoenas to these individuals.

EXHIBIT 1

AO 91 (REV.5/85) Criminal Complaint AUSAs: REID SCHAR (353-8897), CARRIE HAMILTON (353-4558), and CHRIS NIEWOEHNER (353-6117)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

V.

ROD R. BLAGOJEVICH, and
JOHN HARRIS

UNDER SEAL

CRIMINAL COMPLAINT

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

Count One

From in or about 2002 to the present, in Cook County, in the Northern District of Illinois, defendants did, conspire with each other and with others to devise and participate in a scheme to defraud the State of Illinois and the people of the State of Illinois of the honest services of ROD R. BLAGOJEVICH and JOHN HARRIS, in furtherance of which the mails and interstate wire communications would be used, in violation of Title 18, United States Code, Sections 1341,1343, and 1346; all in violation of Title 18 United States Code, Section 1349.

Count Two

Beginning no later than November 2008 to the present, in Cook County, in the Northern District of Illinois, defendants ROD R. BLAGOJEVICH and JOHN HARRIS, being agents of the State of Illinois, a State government which during a one-year period, beginning January 1, 2008 and continuing to the present, received federal benefits in excess of $10,000, corruptly solicited and demanded a thing of value, namely, the firing of certain Chicago Tribune editorial members responsible for widely-circulated editorials critical of ROD R. BLAGOJEVICH, intending to be influenced and rewarded in connection with business and transactions of the State of Illinois involving a thing of value of $5,000 or more, namely, the provision of millions of dollars in financial assistance by the State of Illinois, including through the Illinois Finance Authority, an agency of the State of Illinois, to the Tribune Company involving the Wrigley Field baseball stadium; in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

I further state that I am a Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: X Yes _ No

Daniel W. Cain, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

December 7, 2008 — at — Chicago, Illinois
Date — City and State

MICHAEL T. MASON, United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

Northern District of Illinois	)	
	)	**UNDER SEAL**
County of Cook, City of Chicago	)	

AFFIDAVIT IN SUPPORT OF APPLICATION

I, Daniel W. Cain, hereinafter referred to as "Affiant," being duly sworn, state as follows:

I. INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Chicago, Illinois Field Division. I have been a Special Agent with the FBI for over twenty-two years. I am presently assigned to the West Resident Agency of the FBI's Chicago Field office. My duties include investigating corruption of public officials, mail fraud, wire fraud, and other white collar crimes. I have been involved in white collar crime investigations for a majority of my career as a Special Agent with the FBI.

2. I have participated in and am familiar with this investigation through interviews and analysis of reports submitted by other Special Agents of the FBI, the Internal Revenue Service (IRS), the U.S. Postal Inspection Service (USPIS), and the U.S. Department of Labor's Office of Inspector General (DOLIG); personal interviews conducted with witnesses; my review of consensually-recorded conversations; a review of pen register information, trap and trace information, and telephone toll record information; and a review of information derived from the interception of wire communications occurring to and from certain telephones. I also am familiar with information derived from the interception of oral communications occurring in the offices of Friends of Blagojevich, 4147 North Ravenswood

Avenue, Suite 300, Chicago, Illinois. In addition, I am familiar with testimony given during the trial of Antoin Rezko from March to May 2008.

3. This affidavit is submitted in support of an application for a criminal complaint and corresponding arrest warrants charging ROD R. BLAGOJEVICH ("ROD BLAGOJEVICH") and JOHN HARRIS with:

a. conspiring with each other and with others to devise and participate in a scheme to defraud the State of Illinois and the people of the State of Illinois of the honest services of ROD BLAGOJEVICH and JOHN HARRIS, in furtherance of which the mails and interstate wire communications would be used, in violation of Title 18, United States Code, Sections 1341, 1343 and 1346; all in violation of Title 18, United States Code, Section 1349; and

b. being agents of the State of Illinois, a State government which during a one-year period, beginning January 1, 2008 and continuing to the present, received federal benefits in excess of $10,000, corruptly soliciting and demanding a thing of value, namely, the firing of certain Chicago Tribune editorial members responsible for widely-circulated editorials critical of ROD BLAGOJEVICH, intending to be influenced and rewarded in connection with business and transactions of the State of Illinois involving a thing of value of $5,000 or more, namely, the provision of millions of dollars in financial assistance by the State of Illinois, including through the Illinois Finance Authority, an agency of the State of

Illinois, to the Tribune Company involving the Wrigley Field baseball stadium; in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

4. Defendant ROD BLAGOJEVICH is the Governor of the State of Illinois. He was elected Governor in 2002 and was reelected Governor in 2006.

5. Defendant JOHN HARRIS is employed by the State of Illinois as the chief of staff to the Governor, ROD BLAGOJEVICH.

6. As officials of the State of Illinois, ROD BLAGOJEVICH and JOHN HARRIS each owe a duty of honest services to the State of Illinois and the people of the State of Illinois in the performance of their public duties.

7. Pursuant to Article VIII, Section 1(a) of the Constitution of the State of Illinois, public funds, property and credit shall be used only for public purposes.

8. Pursuant to the criminal laws of the State of Illinois (720 ILCS 5/33-3(c) and (d)), ROD BLAGOJEVICH and JOHN HARRIS each are prohibited from committing the following acts in his official capacity: (1) performing an act in excess of his lawful authority, with intent to obtain a personal advantage for himself or others; and (2) soliciting or knowingly accepting, for the performance of any act, a fee or reward which he knows is not authorized by law.

9. Pursuant to the criminal laws of the State of Illinois (720 ILCS 5/33-1(d)), ROD BLAGOJEVICH is prohibited from receiving, retaining, or agreeing to accept any property or personal advantage which he is not authorized by law to accept, knowing that

such property or personal advantage was promised or tendered with intent to cause him to influence the performance of any act related to the employment or function of his public office.

10. Friends of Blagojevich is a private entity organized and existing under the laws of the State of Illinois as a state-wide political campaign committee established on behalf of ROD BLAGOJEVICH to support his campaign efforts.

11. The Illinois Finance Authority ("IFA") is a body politic and corporate created by Illinois law (20 ILCS 3501 *et seq.*), one of the statutory purposes of which is to "to accomplish and to carry out these policies of the State which are in the public interest of the State and of its taxpayers and residents." Pursuant to Illinois law, the members of the IFA are appointed by the Governor of the State of Illinois and may be removed by the Governor for cause. The IFA is authorized by statute to accept state and federal funds for use in connection with the IFA's purposes, and its operations are subject to audit by the Illinois Auditor General. Pursuant to Title 74 of the Illinois Administrative Code, Part 1100.250, "[t]he Governor of the State serves as the applicable elected representative [of the IFA] for purposes of the public approval requirement of the Tax Code." According to a web site maintained by the Illinois State Comptroller, the IFA received at least $493,750 in 2008 in earmarked loan funds from the State of Illinois. In 2008, the State of Illinois received over $10,000 in federal benefits.

12. Because this affidavit is submitted for the limited purpose of securing a criminal complaint and corresponding arrest warrants, I have not included each and every fact known to me concerning this investigation.

II. SUMMARY OF PROBABLE CAUSE

13. Since approximately 2003, the government has been investigating allegations of illegal activity occurring in State of Illinois government as part of the administration of Governor ROD BLAGOJEVICH. As further detailed below, the investigation has developed evidence that: (a) beginning not later than in or about 2002, ROD BLAGOJEVICH has conspired with multiple individuals, including, beginning not later than in or about October 2008, JOHN HARRIS, to devise and participate in a scheme, which used and contemplated the use of the mails and interstate wire communications, to defraud the State of Illinois and its residents of the honest services of ROD BLAGOJEVICH and JOHN HARRIS by corruptly using the office of Governor of the State of Illinois to obtain and attempt to obtain personal gain, including financial gain, for ROD BLAGOJEVICH and third parties with whom he is associated; and (b) beginning no later than November 2008, ROD BLAGOJEVICH and JOHN HARRIS have corruptly solicited and demanded the firing of Chicago Tribune editorial board members responsible for editorials critical of ROD BLAGOJEVICH, intending to be influenced and rewarded in connection with State of Illinois financial assistance in connection with the sale of Wrigley Field. The evidence

demonstrates that the corrupt conduct undertaken included but was not limited to the following:

a. Defendant ROD BLAGOJEVICH and at times defendant JOHN HARRIS, together with others, obtained and attempted to obtain financial benefits for ROD BLAGOJEVICH, members of the Blagojevich family, and third parties including Friends of Blagojevich, in exchange for appointments to state boards and commissions, state employment, state contracts, and access to state funds;

b. Defendants ROD BLAGOJEVICH and JOHN HARRIS, together with others, offered to, and threatened to withhold from, the Tribune Company substantial state financial assistance in connection with Wrigley Field, which assistance ROD BLAGOJEVICH believed to be worth at least $100 million to the Tribune Company, for the private purpose of inducing the controlling shareholder of the Tribune Company to fire members of the editorial board of the Chicago Tribune, a newspaper owned by the Tribune Company, who were responsible for editorials critical of ROD BLAGOJEVICH;

c. Defendants ROD BLAGOJEVICH and JOHN HARRIS, together with others, attempted to use ROD BLAGOJEVICH's authority to appoint a United States Senator for the purpose of obtaining personal benefits for ROD BLAGOJEVICH, including, among other things, appointment as Secretary of Health & Human Services in the President-elect's administration, and alternatively, a lucrative job which they schemed to induce a union to provide to ROD BLAGOJEVICH in exchange for appointing as senator an individual whom

ROD BLAGOJEVICH and JOHN HARRIS believed to be favored by union officials and their associates.

14. As detailed below, in early October 2008, the government obtained information that ROD BLAGOJEVICH was accelerating his corrupt fund raising activities to accumulate as much money as possible before the implementation of ethics legislation on January 1, 2009, that would severely curtail ROD BLAGOJEVICH's ability to raise money from individuals and entities conducting business with the State of Illinois. Based in part on the recently obtained information, and as part of the investigation into ROD BLAGOJEVICH's corrupt fund raising efforts, in October 2008 the government obtained court approval to intercept oral communications in certain locations in the offices of Friends of Blagojevich. In addition, as part of its investigation, the government obtained court approval to intercept wire communications on the home phone of ROD BLAGOJEVICH.[1] Specifically:

a. On October 21, 2008, Chief Judge James F. Holderman signed an order authorizing the interception of oral communications for a 30-day period in two rooms at the Friends of Blagojevich office: the personal office of ROD BLAGOJEVICH and the conference room. On the morning of October 22, 2008, the FBI began intercepting oral communications in those rooms. On November 19, 2008, Chief Judge James F. Holderman

[1] Minimization procedures were implemented during the interception of conversations at the Friends of Blagojevich offices and over phones. At times, these minimization procedures were stricter than required under law so as to avoid intercepting certain potentially privileged conversations.

signed an order authorizing the continued interception of oral communications in the two rooms at the Friends of Blagojevich office for a second 30-day period.

b. On October 29, 2008, Chief Judge James Holderman entered an Order authorizing the interception of wire communications to and from a landline telephone subscribed to ROD BLAGOJEVICH's home address and used by ROD BLAGOJEVICH and others. The interception of wire communications to and from ROD BLAGOJEVICH's home phone began on the evening of October 29, 2008. On November 26, 2008, Acting Chief Judge Matthew F. Kennelly signed an order authorizing the continued interception of wire communications on ROD BLAGOJEVICH's home phone for a second 30-day period.

15. The remainder of this affidavit first sets out certain information obtained prior to the initiation of the court-authorized interceptions, relating to allegations that ROD BLAGOJEVICH solicited and obtained campaign contributions in exchange for official actions as Governor. Next, this affidavit details certain information obtained during the course of the court-authorized interceptions and relating to the crimes alleged in the attached criminal complaint. This information, in turn, is divided into sections relating to three topics: (a) efforts to obtain campaign contributions in exchange for official actions by ROD BLAGOJEVICH; (b) efforts to use state funds for the private purpose of inducing the Tribune Company to fire Chicago Tribune editorial board members critical of ROD BLAGOJEVICH by making their firing a condition of state assistance to the Tribune

Company in connection with Wrigley Field; and (c) efforts to obtain personal financial benefits for ROD BLAGOJEVICH in return for his appointment of a United States Senator.

III. FACTS ESTABLISHING PROBABLE CAUSE

A. Evidence Concerning the Solicitation and Receipt of Campaign Contributions in Return for Official Acts by ROD BLAGOJEVICH Prior to October 2008

1. Information Provided by Ali Ata

16. As described in more detail in the following paragraphs, Ali Ata testified under oath in the spring of 2008 that Ata discussed with ROD BLAGOJEVICH a potential appointment to a high-level position with the State of Illinois while a $25,000 donation check to Friends of Blagojevich from Ata was sitting on a table in front of ROD BLAGOJEVICH. Ata further testified that later, after Ata made another substantial contribution to Friends of Blagojevich, ROD BLAGOJEVICH told Ata that he was aware of the donation, that he understood that Ata would be joining his administration, and that Ata better get a job "where [Ata] can make some money."

17. Ata is a businessman who, in May 2008, as part of a cooperation agreement with the government, pled guilty to making false statements to the FBI and to tax fraud.[2] Pursuant to his cooperation agreement, the government has interviewed Ata extensively

[2] Under the terms of the plea agreement, if Ata continues to completely and truthfully cooperate, the government will make a motion pursuant to 5K1.1 for a reduction from his 12-18 month applicable guideline range. The plea agreement allows his counsel to ask for any sentence, including probation. Other than his felony convictions in May 2008, Ata has no criminal history.

regarding a number of topics, including his knowledge of and involvement in fundraising for ROD BLAGOJEVICH. In addition, Ata testified under oath at the criminal trial of Antoin Rezko (the "Rezko Trial") in May 2008.[3] Portions of Ata's testimony are directly relevant to the current investigation. In summary, and in relevant part, Ata testified as follows during the Rezko Trial:

18. In or about 2000 or 2001, at a meeting with Ata, ROD BLAGOJEVICH who at the time was a member of the United States House of Representatives, told Ata that he was contemplating a run for higher office and asked for Ata's support. Ata agreed to support him. Thereafter, Ata observed that Rezko was close to ROD BLAGOJEVICH and was very involved in fund raising for ROD BLAGOJEVICH's campaign, including overseeing Ata's own fund raising efforts on behalf of ROD BLAGOJEVICH.

19. In or about 2002, Ata had several conversations with Rezko regarding the possibility of a high level appointment for Ata in state government should ROD BLAGOJEVICH be elected. At Rezko's direction, Ata put together a list of three state agencies to which he would be interested in being appointed, including the Capital Development Board.

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[3] Rezko was a principal fundraiser for ROD BLAGOJEVICH. His criminal trial focused on allegations that Rezko and Stuart Levine, a member of the board of trustees of the Teachers Retirement System and the Illinois Health Facilities Planning Board, engaged in a scheme to defraud the State of Illinois of Levine's honest services by demanding kickbacks, as well as political contributions to the campaign of ROD BLAGOJEVICH, in return for the exercise of Levine's official influence. Relevant evidence presented at the Rezko trial is summarized below.

20. In or about August 2002, Ata held a small fund raising event for ROD BLAGOJEVICH that ROD BLAGOJEVICH attended. In advance of that fund raising event, Ata committed to Rezko that Ata would raise $25,000 at that event, which he eventually did, personally contributing at least approximately $5,000.

21. Later that year, Rezko approached Ata for additional monetary support for ROD BLAGOJEVICH. Ata agreed to contribute $25,000 in additional monies to the campaign of ROD BLAGOJEVICH. Ata, subsequently and by prior arrangement with Rezko, brought a check in this amount to Rezko's offices on Elston Avenue in Chicago. After he arrived at Rezko's offices, Ata was greeted by Rezko to whom he handed the check in an envelope. Rezko, carrying the check, ushered Ata into a conference room where he met with Rezko and ROD BLAGOJEVICH. Rezko placed the envelope containing Ata's $25,000 check to ROD BLAGOJEVICH's campaign on the conference room table between himself and ROD BLAGOJEVICH and stated to ROD BLAGOJEVICH that Ata had been a good supporter and a team player and that Ata would be willing to join ROD BLAGOJEVICH's administration. ROD BLAGOJEVICH expressed his pleasure and acknowledged that Ata had been a good supporter and good friend. ROD BLAGOJEVICH, in Ata's presence, asked Rezko if he (Rezko) had talked to Ata about positions in the administration, and Rezko responded that he had.[4]

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[4] Rezko, whose reliability has yet to be fully determined, has confirmed to the government in proffer sessions the essence of Ata's testimony regarding Ata's meeting with ROD BLAGOJEVICH, but has a different recollection regarding the timing and chronology (continued...)

22. After this meeting, Ata completed an application for a state appointment. In or about early 2003, Rezko informed Ata that he was going to be appointed to head the state Capital Development Board. Rezko subsequently informed Ata that this position was going to someone else and that another position would have to be found for Ata. Later, Rezko discussed an opportunity for Ata with the newly formed Illinois Finance Authority ("IFA").

23. In or about July 2003, Rezko asked Ata to make an additional $50,000 contribution to the campaign of ROD BLAGOJEVICH. Ata agreed to contribute the same amount as he had previously, namely $25,000. Ata made this contribution on or about July 25, 2003, by check payable to ROD BLAGOJEVICH's campaign. Ata gave this check to Rezko. Thereafter, Ata had a conversation with ROD BLAGOJEVICH at a large fund raising event at Navy Pier. During this conversation, ROD BLAGOJEVICH told Ata that Ata had been a good supporter, indicated that ROD BLAGOJEVICH was aware that Ata had

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[4](...continued)
of certain events and only recalls asking Ata for one $25,000 check for ROD BLAGOJEVICH. Rezko's proffers have been substantial but are not complete and the government's efforts to fact check and corroborate Rezko's proffered information are not yet complete. Rezko has proffered with the government in hopes of receiving a recommendation from the government for a reduced sentence. During the proffer sessions, Rezko at times has provided accounts that differ from those of other witnesses, including Ata, but in broad terms Rezko's account incriminates ROD BLAGOJEVICH in a "pay to play" criminal scheme. Because the government is not yet satisfied that Rezko's accounts are full and complete, the government is not relying on Rezko's account for probable cause. The government simply notes that while Rezko's account varies at times from those of other witnesses, Rezko's account of ROD BLAGOJEVICH's activity, on balance, would add to the probable cause set forth herein, not subtract. Where Rezko's proffered recollection differs significantly from those of witnesses upon whose testimony the government is relying, this affidavit notes those differences.

made another substantial donation to ROD BLAGOJEVICH's campaign, and told Ata that he understood that Ata would be joining his administration. Ata responded that he was considering taking a position, and ROD BLAGOJEVICH stated that it had better be a job where Ata could make some money.

24. Ata was surprised by this comment by ROD BLAGOJEVICH and said something to Rezko about it the next time Ata saw Rezko. When Ata told Rezko that ROD BLAGOJEVICH had said words to the effect of, "it had better be a job where you can make some money," Rezko responded that he was not surprised and had heard ROD BLAGOJEVICH say things like that before.

2. Information Provided by Joseph Cari

25. As described in further detail in the following paragraphs, Joseph Cari testified under oath at the Rezko Trial on April 15 and 16, 2008.[5] Among other things, Cari testified that he had a conversation with ROD BLAGOJEVICH in which ROD BLAGOJEVICH informed Cari that ROD BLAGOJEVICH could use his power to award State of Illinois contracts in order to generate campaign contributions. Cari further testified that he had

[5] Cari testified pursuant to his obligations under a written plea agreement entered into with the government. In the plea agreement, Cari pled guilty to the attempted extortion of JER, an investment company attempting to obtain a State of Illinois investment. In exchange for his truthful cooperation, the government agreed to recommend at the time of Cari's sentencing that Cari receive a sentence of two and a half years in prison. The plea agreement allows his counsel to ask for any sentence, including probation. Prior to pleading guilty to attempted extortion, Cari had no criminal history.

similar conversations with Rezko and Chris Kelly[6], who specifically offered him State of Illinois work in exchange for Cari's assistance with various fundraising matters. In summary, and in relevant part, Cari testified as follows during the Rezko Trial:

26. Cari was a significant fundraiser for Democratic causes and was previously the national finance chair for Vice President Al Gore's 2000 presidential campaign. During his testimony, Cari described meetings that he had with ROD BLAGOJEVICH, Chris Kelly, Rezko, and Stuart Levine[7]. In particular, on approximately October 29, 2003, Cari, ROD BLAGOJEVICH, Kelly, Levine and others rode on an airplane arranged by Levine to a fundraiser in New York being hosted by Cari on behalf of ROD BLAGOJEVICH. During the plane ride, Cari had a conversation with ROD BLAGOJEVICH. During the conversation, Cari and ROD BLAGOJEVICH discussed Cari's fundraising background and work as a national fundraiser. ROD BLAGOJEVICH discussed his interest in running for President of the United States. During the conversation, ROD BLAGOJEVICH informed Cari that it was easier for governors to solicit campaign contributions because governors had the ability to "award contracts" and give legal work, consulting work, and investment banking work to campaign contributors. ROD BLAGOJEVICH informed Cari that Rezko and Kelly were his point people in raising campaign contributions. Later in the conversation,

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[6] Like Rezko, Kelly was a principal campaign fundraiser for ROD BLAGOJEVICH.

[7] Stuart Levine was a Chicago-area businessman and an associate of Rezko and Kelly who served on the Illinois Health Facilities Planning Board and the board of trustees of the Teachers Retirement System of Illinois. Further information about Levine is provided below at paragraph 31 *et seq.*

ROD BLAGOJEVICH told Cari that there were State of Illinois contracts and other State of Illinois work that could be given to contributors who helped ROD BLAGOJEVICH, Rezko, and Kelly. Cari testified that ROD BLAGOJEVICH ended the conversation with Cari by informing Cari that Rezko and Kelly would follow up with Cari in relation to the discussion that had just occurred.

27. At one point during the October 29, 2003 New York fundraiser, Cari and Levine had a conversation. Cari testified that during the conversation, Levine informed Cari that there was a plan in place in the Blagojevich administration pursuant to which Rezko and Kelly would pick consultants to do business with State of Illinois boards, and thereafter, the consultants would be asked to make campaign contributions.

28. Cari also testified about a conversation he had with Rezko at Rezko's office. Levine was also present for the conversation. According to Cari, Rezko informed Cari that Rezko had a close relationship with the Blagojevich administration and Rezko had a role in picking consultants and law firms and other entities to get State of Illinois business. Rezko informed Cari that Rezko called ROD BLAGOJEVICH's chief of staff, Lon Monk, and Monk would help implement Rezko's choices for certain State of Illinois work. Rezko informed Cari that, in exchange for raising money for ROD BLAGOJEVICH, the Blagojevich administration would be financially helpful to Cari's business interests.

29. On approximately March 5, 2004, Cari met with Kelly at a restaurant. Cari testified that Kelly stated that Kelly was following up on Cari's conversations with ROD

BLAGOJEVICH, Rezko, and Levine. Kelly then requested Cari's help in raising money on a national level for ROD BLAGOJEVICH. Cari, as he had in the past, indicated he was not inclined to assist ROD BLAGOJEVICH. In response, Kelly pushed Cari to assist ROD BLAGOJEVICH and informed Cari that helping ROD BLAGOJEVICH would be good for Cari's business interests and that Cari "could have whatever [Cari] wanted," which Cari understood to be a reference to getting Cari's business interests whatever State of Illinois work Cari wanted if Cari helped raise money on a national level for ROD BLAGOJEVICH. The conversation ended shortly thereafter.

30. Cari testified that he eventually became involved in the attempted extortion of JER, a real estate investment firm that was seeking an investment from the Teachers Retirement System ("TRS"). Details regarding corruption at TRS involving one of its board members, Stuart Levine, are set forth below. Based on his conversations with ROD BLAGOJEVICH, Rezko, Kelly, and Levine, in which he was informed that consultants would be inserted into State of Illinois transactions and then solicited for campaign contributions, Cari believed that JER needed to hire a consultant. Cari testified that he informed employees of JER that they needed to hire a consultant and that in Illinois the "Governor and the people around the Governor" pick the consultants to be used on particular deals. Cari informed JER employees that if they did not hire the consultant then JER would not receive the money it was seeking from the State of Illinois. Ultimately, JER exposed the attempted extortion and received money from the State of Illinois.

3. Information Provided by Stuart Levine

31. In approximately December 2003, the FBI began an investigation of allegations that at least one member of the Illinois Health Facilities Planning Board (the "Planning Board"), Stuart Levine, was soliciting bribes in exchange for board action. At the time, Levine was a businessman who served on two state boards: the board of trustees of TRS, and the Planning Board. As part of the investigation, the government sought and obtained court authorization to record phone calls on multiple phones used by Levine.

32. On May 4, 2005, Levine was indicted in *United States v. Levine, et al.* 05 CR 408 (Grady, J.) on 28 counts of mail and wire fraud, extortion, bribery, and money laundering. On August 3, 2005, Levine was indicted in *United States v. Levine, et al.*, 05 CR 691 (St. Eve., J.) on 13 counts of mail and wire fraud, bribery, and attempted extortion. On October 27, 2006, Levine pleaded guilty to Counts One and Twenty-Three of a superseding indictment in Case No. 05 CR 691. As part of Levine's plea agreement, the government moved, on November 15, 2006, to dismiss the pending superseding indictment and indictment against Levine in Case No. 05 CR 408.

33. Pursuant to his cooperation agreement, the government has interviewed Levine extensively regarding a number of topics, including his knowledge of and involvement in the corruption of Illinois state government and fundraising for ROD BLAGOJEVICH. In addition, Levine testified under oath at the Rezko Trial.[8] Portions of Levine's testimony at

[8] As noted above, Levine was charged in two separate indictments before pleading (continued...)

the Rezko trial are directly relevant to the current investigation. The remainder of this section sets forth, in summary, and in relevant part, Levine's testimony at the Rezko Trial, except as noted where information is specifically identified as having been obtained from other sources:

a. Levine's Plane Ride with Blagojevich

34. According to Levine, in approximately late October 2003, after Levine was reappointed to the Planning Board, he shared a private plane ride from New York to Chicago with ROD BLAGOJEVICH and Kelly. Levine, ROD BLAGOJEVICH, and Kelly were the only passengers on the flight. According to Levine, at the beginning of the flight, Levine thanked ROD BLAGOJEVICH for reappointing him to the Planning Board. ROD

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[8](...continued)
guilty in Case No. 05 CR 691. In Levine's plea agreement, Levine acknowledged that under the Sentencing Guidelines he was facing a guidelines range of life imprisonment. As a result of Levine's plea, the government will recommend, assuming Levine's continued complete and truthful cooperation, that Levine be sentenced to a term of 67 months' imprisonment. In Levine's plea agreement, Levine admitted to violating his duty of honest services to two separate Illinois state boards by seeking and agreeing to accept kickbacks and payments worth millions of dollars in exchange for using Levine's influence and position on the state boards to benefit numerous third parties. Levine further admitted in his plea agreement to defrauding a medical school and a charitable organization which he controlled out of additional millions of dollars. In addition to the crimes detailed in his plea agreement, Levine committed additional crimes over the past approximately 20 years, including instances of paying bribes, tax fraud, election fraud, structuring, and defrauding the estate of a business associate. Levine has further admitted to using illegal narcotic drugs for approximately 30 years up to and including 2004, including the repeated and regular use of cocaine, crystal methamphetamine, ecstasy, and ketamine. Levine's credibility was vigorously challenged by defense counsel during the trial that ultimately led to Rezko's conviction.

BLAGOJEVICH responded that Levine should only talk with "Tony" [Rezko] or [Kelly] about the Planning Board, "but you stick with us and you will do very well for yourself." ROD BLAGOJEVICH said this in front of Kelly. According to Levine, Levine understood from ROD BLAGOJEVICH's manner of speaking and words that ROD BLAGOJEVICH did not want Levine to talk to ROD BLAGOJEVICH directly about anything to do with the boards, but that Levine should talk to Rezko or Kelly. Levine also understood that ROD BLAGOJEVICH meant that Levine could make a lot of money working with ROD BLAGOJEVICH's administration. According to Levine, ROD BLAGOJEVICH did not seem to expect a response from Levine, and Kelly then shifted the conversation to something else.

b. Corruption of the Planning Board

35. As described more fully in the following paragraphs, Mercy Hospital, which sought permission from the Planning Board to build a hospital in Illinois, received that permission through Rezko's exercise of his influence at the Planning Board after Rezko was promised that Mercy Hospital would make a substantial campaign contribution to ROD BLAGOJEVICH. Rezko later told a member of the Planning Board that Mercy Hospital received the permit because ROD BLAGOJEVICH wanted the organization to receive the permit.

36. Levine's criminal activities included his abuse of his position on the Planning Board to enrich both himself and Friends of Blagojevich. The Planning Board was a

commission of the State of Illinois, established by statute, whose members were appointed by the Governor of the State of Illinois. At the relevant time period, the Planning Board consisted of nine individuals. State law required an entity seeking to build a hospital, medical office building, or other medical facility in Illinois to obtain a permit, known as a "Certificate of Need" ("CON"), from the Planning Board prior to beginning construction.

37. Levine, as well as Planning Board members Thomas Beck and Imad Almanaseer, testified under oath at the Rezko Trial.[9] Beck testified that he asked Rezko to reappoint him to the Planning Board and that Beck thereafter followed Rezko's directions regarding which CON applications Rezko wanted approved. Beck testified that it was his job to communicate Rezko's interest in particular CONs to other members of the Planning Board, including Almanaseer, who were loyal to Rezko. Beck testified that he understood that Rezko spoke for the Blagojevich administration when Rezko spoke to Beck about particular CONs. Almanaseer testified that Beck instructed him that Rezko wanted Almanaseer to vote a particular way and that Almanaseer should follow Levine's lead in voting on CONs. Almanaseer testified that before certain Planning Board meetings, he received notecards from Beck indicating how to vote on certain CON applications. Beck testified he provided these notecards to Almanaseer and certain other members of the Planning Board to communicate Rezko's directions about certain CON applications.

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[9] Beck and Almanaseer testified pursuant to immunity orders.

38. During his testimony, Levine described a plan to manipulate the Planning Board to enrich himself and Friends of Blagojevich. The plan centered on an entity commonly known as Mercy Hospital ("Mercy") that was attempting to obtain a CON to build a new hospital in Illinois. Levine knew the contractor hired to help build the hospital. In approximately November 2003, on behalf of the contractor, Levine checked with Rezko to determine whether Rezko wanted Mercy to obtain its CON. Rezko informed Levine that Mercy was not going to receive its CON. According to Levine, he asked Rezko whether it would matter to Rezko if Mercy's construction contractor paid a bribe to Rezko and Levine and, in addition, made a contribution to ROD BLAGOJEVICH. Levine testified that Rezko indicated that such an arrangement would change his view on the Mercy CON.[10]

39. Levine's testimony regarding Rezko's actions to change the Planning Board decision concerning Mercy's application for a CON based on contributions for ROD BLAGOJEVICH is confirmed by attorney Steven Loren. Loren testified at Rezko's criminal trial and, before that, in the grand jury.[11] According to Loren, in approximately December 2003, Levine informed Loren that Rezko was against the Mercy CON. According to Loren,

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[10] Rezko has admitted that he manipulated the Mercy vote based on Mercy's agreement to make a contribution to ROD BLAGOJEVICH, which agreement he states was communicated to ROD BLAGOJEVICH, but denies that Levine offered a personal bribe to Rezko as well.

[11] In connection with this investigation, Steven Loren pled guilty to interfering with the due administration of the Internal Revenue Service. In exchange for his continued and truthful cooperation, the government has agreed to move the Court for a 5K1.1 departure and his counsel is free to seek any sentence, including probation. Loren has no other criminal history. Pursuant to his cooperation agreement, Loren testified at the Rezko Trial.

Levine relayed to Loren a conversation between Rezko and Levine during which Levine asked Rezko whether a political contribution to ROD BLAGOJEVICH would make a difference for Mercy's CON, and Rezko responded to Levine that such a contribution might make a difference.

40. Thereafter, and confirmed by the testimony of Levine, Beck, and Almanaseer, as well as recorded conversations, Rezko switched his directions to Beck and informed Beck that Mercy was to receive its CON. According to Almanaseer, although he previously had been told by Beck that Rezko did not want Mercy to receive its CON, he was later told that there had been a change and that Rezko now wanted Mercy to receive its CON.

41. Mercy received its CON as a result of a controversial and irregular vote at a public Planning Board meeting.[12] The vote brought significant publicity to the Planning Board and ultimately led to the disbanding of the Planning Board. Almanaseer testified under oath in the grand jury that not long after the Planning Board vote on Mercy's CON he saw Rezko at a fundraiser. According to Almanaseer, he was still embarrassed about what had occurred at the Planning Board vote on Mercy's CON and Rezko's role in the vote. Almanaseer testified that he asked Rezko why Rezko had switched the vote on the Mercy CON. According to Almanaseer, Rezko stated: "The Governor wanted it to pass."

[12] There was extensive testimony regarding the irregularity of the vote at the Planning Board meeting. In summary, during the vote, Levine got up from his seat and went to speak to Beck and to Almanaseer. After these discussions, Almanaseer then changed his vote to be in favor of Mercy receiving its CON. Beck then voted in favor as well and by a vote of 5 to 4, Mercy's application for a CON passed.

Almanaseer understood the reference to "Governor" to be a reference to ROD BLAGOJEVICH.

c. History of Control at TRS

42. In addition to serving on the Planning Board, Levine was a member of the TRS board of trustees. TRS is a public pension plan created by Illinois law for the purpose of providing pension, survivor, and disability benefits for teachers and administrators employed in Illinois public schools except in the City of Chicago. TRS manages over $30 billion in assets on behalf of those individuals and the State of Illinois. The TRS Board of Trustees, with assistance from TRS staff, votes on how to invest these assets.

43. Levine originally was appointed to the TRS Board in 2000. By the summer of 2001, Levine, working in concert with William Cellini, who had a significant interest in a real estate asset management firm that had a long-standing business relationship with TRS, had established effective control over the TRS board by forming and maintaining a group of TRS trustees who consistently voted together on matters important to Cellini and Levine. Levine testified at the Rezko Trial that he and Cellini were both powerful, long-standing Republican operatives in the state of Illinois. ROD BLAGOJEVICH was the first Democratic governor in the State of Illinois in over 20 years. Because of this, according to Levine, Cellini and Levine had to take certain steps to ingratiate themselves with the new Democratic administration.

44. Levine testified that among the steps Cellini took to ingratiate himself with

ROD BLAGOJEVICH was raising considerable money for ROD BLAGOJEVICH. Kelly Glynn worked for Friends of Blagojevich from approximately May 2002 to August 2004 as the organization's Finance Director. Glynn testified under oath at the Rezko Trial and has been interviewed by the government. Among other things, Glynn testified that she was familiar with how Friends of Blagojevich tracked fnndraising events and credited money brought into Friends of Blagojevich. Glynn testified that a computer datahase was set up to track donations to Friends of Blagojevich and the individuals responsible for obtaining those donations. In particular, Glynn testified about a fundraising event that occurred in approximately October 2002. Glynn testified that the event was organized and held by Cellini with the attendees being primarily members of the Illinois Road and Transportation Builders Association. Based on instructions from Chris Kelly, however, the Cellini event was not tracked as a Cellini event in the Friends of Blagojevich database but, rather, was listed as a Roadbuilders event in combination with, among others, Rezko.

d. The Accommodation with Rezko and Kelly

45. As set forth more fully in the following paragraphs, Levine and Cellini, in order to keep their control over TRS, agreed to an accommodation with Rezko and Kelly that Rezko and Kelly would use their influence with ROD BLAGOJEVICH to stop the consolidation of TRS with other pension boards and, in exchange, Levine and Cellini would assist investment firms named by Rezko and Kelly to receive TRS money because those investment firms had made or would make political contributions to ROD BLAGOJEVICH.

46. In approximately the spring of 2003, a threat arose towards Levine's and Cellini's control over the TRS Board. At that time, there were indications that the Blagojevich administration would seek legislation consolidating TRS with two other Illinois state pension boards.

47. Levine and Cellini were opposed to the proposal to consolidate the pension boards because it might cause them to lose their control at TRS. According to Levine, in the spring of 2003, Cellini told Levine that Cellini would talk to Rezko and Kelly about trying to stop the pension consolidation plan. Cellini later told Levine that he had spoken with Rezko and Kelly, and offered an accommodation to them. According to Levine, in exchange for Rezko's and Kelly's help in stopping the consolidation proposal, Cellini said that Cellini and Levine would use their influence on the TRS Board to help investment firms that Rezko or Kelly recommended receive investments from TRS. Cellini said that Rezko and Kelly agreed to the arrangement. Levine understood from Cellini's description that Rezko and Kelly would ask Levine and Cellini to help investment firms receive TRS money because those investment firms had made or would make political contributions to ROD BLAGOJEVICH.[13]

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[13] Rezko has informed the government that Cellini raised the issue of pension board consolidation with Rezko and Chris Kelly and that Cellini was against the pension board consolidation. Rezko has stated he is unaware if Kelly took any action regarding the pension consolidation and that he did not personally take any action in relation to the pension board consolidation. Rezko has stated he did not consider using TRS to solicit campaign contributions.

48. Levine's testimony regarding the accommodation was corroborated by a recorded call on April 12, 2004, in which Levine informed another individual: "You know I sat down talked [to Cellini] a long time ago I said if you can convince those guys [Rezko and Kelly] to let us stay in place. . . We got a great machinery and if there's an accommodation you know we'll certainly try to accommodate but if they just wanna stick things in you know I'm gonna leave that's no way to do that."

49. According to Levine, Cellini told Levine that Rezko had informed Cellini that Rezko and Kelly had met with ROD BLAGOJEVICH and other senior Illinois state officials regarding the proposal to consolidate TRS and two other pension boards. According to Levine, Cellini said that Rezko related that ROD BLAGOJEVICH was skeptical as to why he should take the advice of Kelly over a senior state official on this topic. According to Levine, Rezko asked Cellini, who asked Levine, to get some talking points as to why the consolidation idea was a bad one. Levine ultimately obtained talking points from Steve Loren, TRS's outside counsel.

50. Ultimately, the proposal to consolidate the state pension boards was not advanced in the Spring 2003 legislative session. According to Levine, Levine told Loren that Kelly and Rezko had assured him that the administration was going to leave TRS alone. According to Levine, around that time, Levine and Rezko agreed that there would be times that Rezko or ROD BLAGOJEVICH needed to repay political contributors by helping those people get investments from TRS. According to Loren, Levine told Loren that in exchange

for Rezko and Kelly's support on the pension issue, Levine had agreed with Rezko and Kelly that from time to time Rezko and Kelly would be allowed to direct the payment of placement fees in TRS transactions. Loren understood this to mean that Rezko and Kelly would use these placement fees as an incentive or reward to those who contributed to ROD BLAGOJEVICH. Loren further understood that Rezko and Kelly would be able to steer free money to the people whom they selected, and those people would get money without providing any services in relation to TRS transactions.

51. According to Levine, there were occasions when Rezko or Kelly provided names of funds or individuals to Levine. According to Levine, Levine brought those funds or individuals to the attention of TRS staff and otherwise tried to help those funds or individuals obtain TRS business. There were times, however, where Levine was unable to arrange for TRS to invest in an entity suggested by Rezko or Kelly because the recommendations did not meet the basic TRS investment criteria (e.g., TRS did not invest in hedge funds at that time, so if Rezko or Kelly recommended a hedge fund, Levine could not help that entity).

4. BLAGOJEVICH's knowledge of the Attempted Extortion of Capri Capital

52. As described in more detail in the following paragraphs, when an attempt by Rezko, Levine, and others to extort a company doing business with the State of Illinois by withholding $220 million in State of Illinois funds until the company made a substantial campaign contribution to ROD BLAGOJEVICH failed, Rezko checked with ROD

BLAGOJEVICH before Rezko and others agreed that the company would not again receive State of Illinois funds after it received the $220 million.

53. Capri Capital ("Capri") was a real estate investment management firm that had a long-standing relationship with TRS. In February 2004, Capri was expected to receive $220 million from TRS to manage. Levine originally acted to stall the allocation in February 2004. Eventually, however, the $220 million allocation was going to proceed until Levine, Rezko, Kelly, and Cellini conspired to extort Capri and Thomas Rosenberg, one of Capri's owners. In short, according to Levine, Levine and Rezko agreed that if Rosenberg wanted to get the $220 million for Capri, Rosenberg was either going to have to make a $1.5 million donation to ROD BLAGOJEVICH or pay Levine and Rezko a 1% fee.[14] According to Levine, and as confirmed on recorded conversations, both Kelly and Cellini joined the attempted extortion and played roles in the attempted extortion. As part of the extortion, Cellini informed Rosenberg that, in essence, Capri had not gotten its $220 million allocation because Rosenberg and Capri had not donated to ROD BLAGOJEVICH. Rosenberg, realizing he was being extorted, threatened to expose the extortion to law enforcement. Thereafter, Levine, Rezko, Kelly, and Cellini backed off the extortionate threats, but agreed that after the $220 million allocation, neither Capri nor Rosenberg would get any further State of Illinois business.

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[14] According to Rezko, he recalls agreeing that Rosenberg would have to make a campaign contribution to ROD BLAGOJEVICH, but is not sure whether a finder's fee was discussed.

54. Numerous conversations related to the extortion were captured on the court-authorized wiretaps on Levine's phones. In particular, on a recorded May 1, 2004 conversation, Levine spoke with Dr. Robert Weinstein, a co-schemer in Levine's criminal activities. During the call, Levine told Weinstein about his more recent meeting with Rezko and Kelly. Levine described how Rezko said that Rosenberg would "have a choice. . . . you can raise a million and a half dollars for the fund raiser in June [for ROD BLAGOJEVICH] . . . or you can work out somethin' with [a consultant to pay a finder's fee]." During other conversations, Levine and Cellini discussed Rosenberg's reaction to learning that Rezko and Kelly were stalling Capri's $220 million allocation and that if Rosenberg did not want to deal with Rezko in terms of paying money, then Rosenberg could walk away from the $220 million allocation.

55. On May 8, 2004, Cellini and Levine had a recorded phone conversation after Rosenberg threatened to inform law enforcement about the attempted extortion of Capri for a campaign contribution for ROD BLAGOJEVICH. During the conversation, Cellini told Levine about how Rezko and Kelly had been "essentially hammerin' people for contracts uh, with with contracts for fundraising [Rezko and Kelly had been forcing individuals to make political contributions in order to win State of Illinois contracts]," how Cellini was a "nervous wreck" about it, and how Cellini and Levine needed to talk with Rezko and Kelly about Rosenberg's threats.

56. According to Levine, and as confirmed on the recorded conversations, several

days later, Levine, Kelly, Rezko, and Cellini met (Cellini participated by phone). After discussing Rosenberg's threats, Rezko suggested that Rosenberg be given his $220 million allocation but never get further business from the State of Illinois. Kelly, however, still wanted to withhold the $220 million allocation.

57. On May 12, 2004, in a recorded conversation, Levine and Cellini discussed their meeting with Rezko and Kelly. In addition, Levine told Cellini about another conversation he had with Rezko. During Levine's conversation with Rezko, Rezko again advised Levine to solve the Rosenberg problem "with your head, not your heart." Levine noted to Cellini that "[t]he other guy says smack'em over the head," which Levine testified was a reference to Kelly's view that Rosenberg should be given a hard time in relation to the $220 million allocation. Cellini responded by saying, "I think what their position is, or at least Tony's is, okay so he may have to get something here, but he ain't gonna get anything more [Rosenberg would not get any more business from the State of Illinois or TRS]."

58. Later in the May 12, 2004 recorded call, Cellini asked Levine "did he tell you, too, that the big guy said Rosenberg means nothing to him." Levine testified that he understood Cellini to be stating that Cellini had been told by Rezko that ROD BLAGOJEVICH (the "big guy") was aware of the extortion, that Rosenberg meant nothing to ROD BLAGOJEVICH, and that Cellini was asking if Levine was told something similar about ROD BLAGOJEVICH. Levine responded to Cellini in the affirmative. Levine further testified that he, too, had a conversation with Rezko and Kelly regarding ROD

BLAGOJEVICH's knowledge of the extortion. Levine testified that Rezko stated that Rezko had informed ROD BLAGOJEVICH of the extortion situation and that ROD BLAGOJEVICH agreed that the $220 million allocation was the last business Rosenberg would get from the State of Illinois.[15]

B. Evidence Concerning Corrupt Conduct by ROD BLAGOJEVICH and JOHN HARRIS in and After October 2008

1. Evidence Concerning Efforts to Obtain Campaign Contributions In Exchange for Official Acts

a. Information Obtained From Individual A

59. Since October 2008, the FBI has conducted multiple interviews with Individual A, who is an associate of ROD BLAGOJEVICH and has assisted in campaign fundraising for ROD BLAGOJEVICH.[16] Individual A has advised agents that he/she has been present for and participated in multiple conversations with ROD BLAGOJEVICH in recent months regarding campaign fundraising. According to Individual A, ROD BLAGOJEVICH and

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[15] Rezko has proffered that it was Kelly who informed ROD BLAGOJEVICH about the circumstances of Rosenberg's Capri allocation. As described below, numerous phone conversations have been intercepted in which ROD BLAGOJEVICH engages in ongoing criminal conduct. During certain of these conversations, including those of a clear criminal nature, ROD BLAGOJEVICH denies his involvement in illegal activity, including involvement in illegal activity with Rezko or in relation to the Capri transaction.

[16] Individual A is a subject, but not a target, of the criminal investigation concerning activities at the Illinois Health Facilities Planning Board. Individual A has no criminal history and is not currently providing information to the government as part of any type of cooperation agreement. Individual A's attorney has indicated that Individual A hopes that the government will provide Individual A with immunity in exchange for Individual A's truthful information. Individual A has declined the government's requests to record in-person meetings or telephone conversations with the subjects of the investigation.

Fundrasier A, who is the chairman of Friends of Blagojevich, are making a strong push to raise campaign funds before a new state ethics law goes into effect on January 1, 2009, that will prohibit any individual or entity with existing state contracts of more than $50,000 from contributing to entities like Friends of Blagojevich.

60. In response to questions posed by agents, Individual A has described efforts by ROD BLAGOJEVICH and Fundrasier A to obtain campaign contributions from state contractors by the end of the year. Specifically, Individual A advised that ROD BLAGOJEVICH is seeking a total of approximately $2.5 million in campaign contributions by the end of the year, principally from or through individuals identified on a list maintained by Friends of Blagojevich. The FBI has obtained a copy of that list, which identifies individuals and entities targeted for campaign contributions, as well as amounts sought from those individuals and entities. A comparison of the names and entities on that list with information available from public sources and FBI investigative files reflects that numerous of the individuals and entities on that list have state contracts or have received public benefits conferred by ROD BLAGOJEVICH, such as appointments to positions in state government.

61. In response to questions, Individual A has advised agents of incidents involving efforts by ROD BLAGOJEVICH to obtain campaign contributions in connection with his official actions as Governor. Three such incidents are related below.

62. On October 6, 2008, Individual A and Individual B attended a meeting with ROD BLAGOJEVICH and JOHN HARRIS. Individual B sought the meeting with ROD

BLAGOJEVICH to discuss help ROD BLAGOJEVICH could provide to Individual B's business venture. After Individual B left the meeting, ROD BLAGOJEVICH informed Individual A that ROD BLAGOJEVICH liked Individual B and/or Individual B's project and wanted Individual A to approach Individual B about raising $100,000 for Friends of Blagojevich by the end of the year. According to Individual A, he later learned that ROD BLAGOJEVICH reached out directly to Individual B to ask Individual B to hold a fund raiser for ROD BLAGOJEVICH before the end of the year.

63. According to Individual A, after Individual B left the meeting on October 6, 2008, ROD BLAGOJEVICH told Individual A that he was going to make an upcoming announcement concerning a $1.8 billion project involving the Tollway Authority. ROD BLAGOJEVICH told Individual A that Lobbyist 1 was going to approach Highway Contractor 1 to ask for $500,000 for Friends of Blagojevich. ROD BLAGOJEVICH told Individual A that, "I could have made a larger announcement but wanted to see how they perform by the end of the year. If they don't perform, fuck 'em." According to Individual A, he/she believed that ROD BLAGOJEVICH was telling Individual A that ROD BLAGOJEVICH expected Highway Contractor 1 to raise $500,000 in contributions to Friends of Blagojevich and that ROD BLAGOJEVICH is willing to commit additional state money to the Tollway project but is waiting to see how much money Highway Contractor 1 raises for Friends of Blagojevich.

64. A search of public information available on the internet reflects that Highway Contractor 1 is an officer of a company that is a large supplier of concrete in the state of Illinois. The search also reflected that Highway Contractor 1 is active in one of the largest trade associations, ACPA (American Concrete Pavement Association), in the road building industry in the state of Illinois. In addition, I am aware from public sources that on October 15, 2008, ROD BLAGOJEVICH announced a plan to have new express lanes built on the Illinois Tollway in the next few years at a cost of $1.8 billion.

65. According to Individual A, on October 8, 2008, during a discussion of fundraising from various individuals and entities, the discussion turned to Children's Memorial Hospital, and ROD BLAGOJEVICH told Individual A words to the effect of "I'm going to do $8 million for them. I want to get [Hospital Executive 1] for 50." Individual A understood this to be a reference to a desire to obtain a $50,000 campaign contribution from Hospital Executive 1, the Chief Executive Officer of Children's Memorial Hospital. Individual A said that he/she understood ROD BLAGOJEVICH's reference to $8 million to relate to his recent commitment to obtain for Children's Memorial Hospital $8 million in state funds through some type of pediatric care reimbursement. As described in further detail below, intercepted phone conversations between ROD BLAGOJEVICH and others indicate that ROD BLAGOJEVICH is contemplating rescinding his commitment of state funds to benefit Children's Memorial Hospital because Hospital Executive 1 has not made a recent campaign contribution to ROD BLAGOJEVICH.

66. According to Individual A, during this same meeting, ROD BLAGOJEVICH began discussing recent media reports about the possibility that Antoin "Tony" Rezko was cooperating with the government. According to Individual A, at one point in the conversation, ROD BLAGOJEVICH said words to the effect that he was not concerned about Rezko's cooperation because he was not involved in illegal activity with Rezko. According to the Individual A, Fundraiser A then said words to the effect of, "unless prospectively somebody gets you on a wire."

67. On October 22, 2008, the FBI intercepted pursuant to a court order portions of a meeting held in a conference room at the Friends of Blagojevich office. The meeting was attended by ROD BLAGOJEVICH, Fundraiser A, and two lobbyists actively involved in fundraising for Friends of Blagojevich. FBI Special Agents have listened to a recording of the meeting. The voices on the recording are very low and at times are difficult to hear. However, based on a review of the recording, FBI Special Agents were able to determine the following:[17]

(a) At approximately 10:15 a.m., and consistent with phone records, ROD

[17] Voice identifications of the individuals on the oral intercepts or, as described in detail below, on the phones, are preliminary. In most cases, voice identifications are based on names used during the intercepted conversations, as well as voice recognition that has been accomplished to date by FBI monitoring personnel and/or telephone subscriber information. In addition, quoted sections of intercepts or phone calls are based on preliminary analysis of the intercepts or calls and are not final transcripts. For purposes of clarification, I have added interpretations of certain sections of the phone calls within the quoted language by inserting the clarification in parentheses.

BLAGOJEVICH called Highway Contractor 1. Only ROD BLAGOJEVICH's portion of the phone call can be heard. The call started with ROD BLAGOJEVICH saying hello to "Mr. [Highway Contractor 1]" and noting that ROD BLAGOJEVICH was "excited" about the "Tollway" (believed to be a reference to ROD BLAGOJEVICH's recent announcement of $1.8 billion in Illinois Tollway funding that will benefit Highway Contractor 1 and the trade association with which he is affiliated). ROD BLAGOJEVICH talked about speaking with "[Individual C]," (Individual C is a former member of the U.S. House of Representatives who is believed to be attempting to assist ROD BLAGOJEVICH in passing a capital bill worth billions of dollars that would benefit Highway Contractor 1 and the trade association with which he is affiliated) and began, in the context of asking Highway Contractor 1 to do fund raising, to discuss fund raising rule changes that will take effect on January 1, 2009. The conversation ended with ROD BLAGOJEVICH stating to Highway Contractor 1: "Call me if you need anything."

2. Information Obtained from Intercepted Phone Conversations Concerning Efforts to Obtain Campaign Contributions In Exchange for Official Acts

68. Certain of the intercepted telephone communications relate to ROD BLAGOJEVICH's efforts to illegally obtain campaign contributions in exchange for official action, in violation of his duty of honest services to the State and people of Illinois. The interceptions to date have corroborated the testimony of witnesses in the Rezko Trial who testified that ROD BLAGOJEVICH was involved in obtaining campaign contributions in

exchange for official action and directly corroborate the information provided by Individual A that ROD BLAGOJEVICH is engaged in an effort to obtain as many contributions as possible from persons doing business with the State of Illinois before the end of the year. Among these communications are the following:

a. On the morning of November 12, 2008, ROD BLAGOJEVICH talked to Fundraiser A. During the course of the conversation, which principally concerned the status of campaign fundraising efforts, Fundraiser A told ROD BLAGOJEVICH that Fundraiser A had never heard from Hospital Executive 1. Fundraiser A said, "I've left three messages there so I'm gonna quit calling. I feel stupid now." ROD BLAGOJEVICH asked when the most recent call was, and Fundraiser A replied that it was two days ago. ROD BLAGOJEVICH said that if "they don't get back to you, then, then, last resort is, I'll call."

b. Later on November 12, 2008, at approximately 2:14 p.m., ROD BLAGOJEVICH spoke with Deputy Governor A, a Deputy Governor of the State of Illinois. The following exchange began the conversation:

ROD BLAGOJEVICH:	The pediatric doctors – the reimbursement. Has that gone out yet, or is that still on hold?"
DEPUTY GOVERNOR A:	The rate increase?
ROD BLAGOJEVICH:	Yeah.
DEPUTY GOVERNOR A:	It's January 1.
ROD BLAGOJEVICH:	And we have total discretion over it?
DEPUTY GOVERNOR A:	Yep.

ROD BLAGOJEVICH:	We could pull it back if we needed to – budgetary concerns – right?
DEPUTY GOVERNOR A:	We sure could. Yep.
ROD BLAGOJEVICH:	Ok. That's good to know.

c. On November 12, 2008, at approximately 8:26 p.m., Fundraiser A called ROD BLAGOJEVICH and reported the status of fundraising efforts. During the conversation ROD BLAGOJEVICH instructed Fundraiser A to call Lobbyist 1 the following day and ask Lobbyist 1 what to do about the fact that Hospital Executive 1 is not calling Fundraiser A back and inquire whether it was possible that Individual A had instructed Hospital Executive 1 not to call back (*see* Paragraph 65). ROD BLAGOJEVICH asked, "what do we do with this guy, [Hospital Executive 1]?"

d. On November 13, 2008, at approximately 10:05 a.m., ROD BLAGOJEVICH talked with Fundraiser A. The discussion concerned the status of fundraising efforts. During this call, ROD BLAGOJEVICH asked about Highway Contractor 1. Fundraiser A stated that Lobbyist 1 is still working with Highway Contractor 1. Fundraiser A also advised ROD BLAGOJEVICH that he will be meeting Lobbyist 2 to meet with an individual at Weiss Memorial Hospital. ROD BLAGOJEVICH states: "Yeah, now be real careful there. I mean, the FBI went to see [Lobbyist 2]. You understand?" Fundraiser A also said that he had a call into Individual A and that Fundraiser A will talk to Individual A about Hospital Executive 1.

c. Also during this call, ROD BLAGOJEVICH and Fundraiser A spoke about efforts to raise funds from two other individuals before the end of the year. Fundraiser A advised ROD BLAGOJEVICH that with respect to one of these individuals, Contributor 1,[18] Lobbyist 1 had informed Fundraiser A that Contributor 1 was "good for it" but that Lobbyist 1 was "going to talk with you (ROD BLAGOJEVICH) about some sensitivities legislatively, tonight when he sees you, with regard to timing of all of this." ROD BLAGOJEVICH asked, "Right, before the end of the year though, right?" Fundraiser A responded affirmatively. Later in the conversation, ROD BLAGOJEVICH stated that he knows Lobbyist 1 is "down there (Springfield, Illinois)" with Contributor 1 "pushing a bill." In a series of calls since that time, it became clear that the bill Lobbyist 1 is interested in is in the Office of the Governor awaiting ROD BLAGOJEVICH's signature. The bill, which is believed to be a law which involves directing a percentage of casino revenue to the horse racing industry, is expected to be signed as soon as next week. In a call on December 3, Lobbyist 1 advised ROD BLAGOJEVICH that Lobbyist 1 had a private conversation with Contributor 1 about the contribution ("commitment") Contributor 1 had not yet made and advised Contributor 1 "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment" and made clear that the contribution "got to be in now." ROD BLAGOJEVICH commented to Lobbyist 1 "good"

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[18] Contributor 1 is listed on the Friends of Blagojevich spreadsheet as someone from whom Friends of Blagojevich was seeking $100,000 in contributions and Lobbyist 1 is listed as one of the contacts for Contributor 1.

and "good job." In a call the next day, Lobbyist 1 asked ROD BLAGOJEVICH to call Contributor 1 "just to say hello, I'm working on the timing of this thing, but it's gonna get done." Lobbyist 1 suggested that it is better for ROD BLAGOJEVICH to make the call personally "from a pressure point of view." ROD BLAGOJEVICH stated that he would call Contributor 1 and indicate that ROD BLAGOJEVICH wanted to do an event (fundraiser) downstate "so we can get together and start picking some dates to do a bill signing." Lobbyist 1 assured ROD BLAGOJEVICH that Contributor 1 would be good for the donation because Lobbyist 1 "got in his face."

f. With respect to the second individual discussed during the November 13, 2008 call, ROD BLAGOJEVICH and Fundraiser A discussed "60" (believed to be $60,000) that they have "in hand" from a fundraiser held the prior evening by the president of Engineering Firm 1. According to public records maintained by the State of Illinois, Engineering Firm 1 received in excess of $10 million from the State of Illinois during each of fiscal years 2004 through 2008. Shortly after completing this call, at approximately 10:15 a.m. on November 13, 2008, ROD BLAGOJEVICH spoke by telephone with the president of Engineering Firm 1, and told him, "I want to thank you again for your support and friendship and we are going to do everything we can to get that capital bill." Public source information indicates that ROD BLAGOJEVICH is supporting a bill that would provide billions of dollars for infrastructure and would benefit companies like Engineering Firm 1.

g. On November 14, 2008, ROD BLAGOJEVICH talked to Fundraiser A. During the conversation Fundraiser A told ROD BLAGOJEVICH that he had spoken with Individual A, and that ROD BLAGOJEVICH needed to call Hospital Executive 1. ROD BLAGOJEVICH said that he would call him.

3. Evidence Concerning Efforts to Use ROD BLAGOJEVICH's Influence Over the Expenditure of State Funds for the Private Purpose of Inducing the Firing of Chicago Tribune Editorial Board Members Critical of ROD BLAGOJEVICH

69. Intercepted phone calls reflect that ROD BLAGOJEVICH and JOHN HARRIS, together with others, are corruptly using and threatening to use the powers of ROD BLAGOJEVICH's office as Governor of the State of Illinois to exert financial pressure on the owners of the Tribune Company, the parent corporation of the Chicago Tribune newspaper, to fire Chicago Tribune editorial board members who were responsible for editorials sharply critical of ROD BLAGOJEVICH's actions as Governor and, among other things, calling for his impeachment.

70. Media accounts reflect that Tribune Owner, who acquired effective control of the Tribune Company as a result of a financial transaction in 2007, has sought to sell the Chicago Cubs, currently owned by the Tribune Company, and to use the proceeds of that sale to pay debt associated with his acquisition of the Tribune Company. Media accounts also reflect that final bids for the purchase of the Cubs were due by November 26, 2008; that Tribune Owner needs the proceeds from the sale of the Cubs to pay down debt associated with the Tribune Company acquisition; and that a loan agreement relating to his purchase of

the Tribune Company may require Tribune Owner to accelerate payments if he is unable to reduce the debt by specified amounts.

71. Based on a review of intercepted phone calls, it appears that the Tribune Company, in connection with its efforts to sell the Cubs, has explored the possibility of obtaining financial assistance from the Illinois Finance Authority ("IFA") relating to the financing or sale of Wrigley Field.[19] During the course of this investigation, agents have intercepted a series of communications regarding the efforts of ROD BLAGOJEVICH and JOHN HARRIS to corruptly use the power and influence of the Office of the Governor to cause the firing of Chicago Tribune editorial board members as a condition of State of Illinois financial assistance in connection with Wrigley Field. The phone calls reflect that ROD BLAGOJEVICH directed JOHN HARRIS to inform Tribune Owner and an associate of Tribune Owner, Tribune Financial Advisor (Tribune Financial Advisor is believed to be an individual identified in media accounts as a top assistant and financial advisor to Tribune Owner, who played a significant role in Tribune Owner's purchase of the Tribune), that State of Illinois financial assistance for the Tribune Company's sale of Wrigley Field would not be forthcoming unless members of the Chicago Tribune's editorial board were fired. Set out

[19] According to its website, the "IFA's role is to support the Governor of Illinois' economic development agenda. IFA is uniquely positioned to provide such support by providing required financing resources for businesses, municipalities and not-profit entities." Further, according to its website the IFA's mission is "to foster economic development to public and private institutions that create and retain jobs and improve the quality of life in Illinois by providing access to capital." The IFA is a State of Illinois authority and the governor of the State of Illinois appoints the members of the IFA Board of Directors.

below are summaries of certain of those conversations. This affidavit does not include all calls dealing with the corrupt efforts of ROD BLAGOJEVICH and JOHN HARRIS to misuse their influence over the expenditure of state funds to cause the firing of employees of the Chicago Tribune editorial board.

72. On the evening of November 3, 2008, ROD BLAGOJEVICH talked to Deputy Governor A. ROD BLAGOJEVICH stated that he was concerned about possibly being impeached in the Spring and that the Chicago Tribune will be "driving" the impeachment discussion. ROD BLAGOJEVICH asked Deputy Governor A to check to see if the Tribune has recently "advocate[d]" that he be impeached. In fact, the Chicago Tribune recently had published editorials critical of ROD BLAGOJEVICH.[20]

73. In another call between ROD BLAGOJEVICH and Deputy Governor A that occurred a short time later on November 3, 2008, ROD BLAGOJEVICH and Deputy Governor A discussed an editorial from the Chicago Tribune regarding the endorsement of Michael Madigan and calling for a committee to consider impeaching ROD

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[20] On September 29, 2008, an editorial in the Chicago Tribune called for the Illinois House of Representatives to investigate whether articles of impeachment are warranted against ROD BLAGOJEVICH. In addition, on October 25, 2008, the Chicago Tribune editorial board issued certain endorsements in state political races. An editorial endorsing Speaker of the Illinois House of Representatives Michael Madigan stated: "House Speaker Michael Madigan resists Gov. Rod Blagojevich's worst impulses. Actually, he resists all of Blagojevich's impulses. Now's the time for Madigan to create a House committee to study if there are valid grounds to impeach the governor." In its separate endorsement of Illinois Representative David Miller, the Tribune wrote that he, "is a quality legislator, well-versed in education, health care and human services issues. (He's also the only dentist in the legislature. Can he extract a governor?)."

BLAGOJEVICH. During the call, ROD BLAGOJEVICH's wife can be heard in the background telling ROD BLAGOJEVICH to tell Deputy Governor A "to hold up that fucking Cubs shit. . . fuck them." ROD BLAGOJEVICH asked Deputy Governor A what he thinks of his wife's idea. Deputy Governor A stated that there is a part of what ROD BLAGOJEVICH's wife said that he "agree[s] with." Deputy Governor A told ROD BLAGOJEVICH that Tribune Owner will say that he does not have anything to do with the editorials, "but I would tell him, look, if you want to get your Cubs thing done get rid of this Tribune." Later, ROD BLAGOJEVICH's wife got on the phone and, during the continuing discussion of the critical Tribune editorials, stated that Tribune Owner can "just fire" the writers because Tribune Owner owns the Tribune. ROD BLAGOJEVICH's wife stated that if Tribune Owner's papers were hurting his business, Tribune Owner would do something about the editorial board. ROD BLAGOJEVICH then got back on the phone. ROD BLAGOJEVICH told Deputy Governor A to put together the articles in the Tribune that are on the topic of removing ROD BLAGOJEVICH from office and they will then have someone, like JOHN HARRIS, go to Tribune Owner and say, "We've got some decisions to make now." ROD BLAGOJEVICH said that "someone should say, 'get rid of those people.'" ROD BLAGOJEVICH said that he thinks that they should put this all together and then have HARRIS or somebody go talk to the Tribune owners and say, "Look, we've got decisions to make now. . . moving this stuff forward (believed to be a reference to the IFA helping with the Cubs sale) . . . someone's gotta go to [Tribune Owner], we want to see him

. . it's a political fuckin' operation in there." Deputy Governor A agreed and said that HARRIS needs to be "sensitive" about how he does it. ROD BLAGOJEVICH said there is nothing sensitive about how you do it and that it's "straight forward" and you say "we're doing this stuff for you, we believe this is right for Illinois [and] this is a big deal to [Tribune Owner] financially" but what ROD BLAGOJEVICH is doing to help Tribune Owner is the same type of action that the Tribune is saying should be the basis for ROD BLAGOJEVICH's impeachment. ROD BLAGOJEVICH said Tribune Owner should be told "maybe we can't do this now. Fire those fuckers." Deputy Governor A suggested that ROD BLAGOJEVICH say, "I'm not sure that we can do this anymore because we've been getting a ton of these editorials that say, look, we're going around the legislature, we gotta stop and this is something the legislature hasn't approved. We don't want to go around the legislature anymore." ROD BLAGOJEVICH agreed and said that he wants HARRIS to go in and make that case, "not me." Deputy Governor A agreed and said that he likes it. ROD BLAGOJEVICH asked Deputy Governor A to put the list of Tribune articles together.

74. During another intercepted call still later on the evening of November 3, 2008, ROD BLAGOJEVICH spoke with Advisor A, a former Deputy Governor under ROD BLAGOJEVICH who is currently a lobbyist. ROD BLAGOJEVICH stated that he is going to go to Tribune Owner and tell Tribune Owner that ROD BLAGOJEVICH will not help Tribune Owner because Tribune Owner's own paper will argue to impeach ROD BLAGOJEVICH for his actions in helping Tribune Owner. ROD BLAGOJEVICH stated

they are going to go to Tribune Owner "before we pull the trigger on this deal" (believed to be a reference to helping Tribune Owner at the IFA).

75. During an intercepted call on November 4, 2008, ROD BLAGOJEVICH spoke with Deputy Governor A. ROD BLAGOJEVICH told Deputy Governor A to think about the "Tribune stuff" and that he is going to talk to HARRIS as well. Deputy Governor A confirmed that he has people doing the "research right now." ROD BLAGOJEVICH, in discussing taking the issue to Tribune Owner, stated, "then we'll say, look, we got a problem at IFA. Here it is."

76. During a subsequent intercepted call on November 4, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS. ROD BLAGOJEVICH discussed the Tribune editorials suggesting that ROD BLAGOJEVICH be impeached, and told HARRIS that they need to have a conversation with "[Tribune Financial Advisor]"[21] (as noted above, Tribune Financial Advisor is believed to be a top adviser to Tribune Owner who played a significant role in Tribune Owner's purchase of the Tribune), Cubs Chairman, and Tribune Owner and explain that the Tribune is writing editorials criticizing ROD BLAGOJEVICH for taking actions like those Tribune Owner wants ROD BLAGOJEVICH to take "on this Cubs deal at the IFA." ROD BLAGOJEVICH stated that because of the impeachment articles, "we don't know if we can take a chance and do this IFA deal now. I don't want to give them a

[21] Tribune Financial Advisor's first name was used by ROD BLAGOJEVICH and JOHN HARRIS during the conversations.

grounds to impeach me." ROD BLAGOJEVICH stated that "our recommendation is fire all those fucking people, get 'em the fuck out of there and get us some editorial support."

77. During an intercepted call on November 5, 2008, ROD BLAGOJEVICH talked to JOHN HARRIS, Advisor A, and Spokesman, a State of Illinois employee who is the official spokesperson for the Governor's office. During part of the conversation, ROD BLAGOJEVICH instructed HARRIS to call someone at the Tribune and "lay a foundation with them." HARRIS agreed to call Tribune Financial Advisor. ROD BLAGOJEVICH told HARRIS to tell Tribune Financial Advisor "this is a serious thing now" and that the only "way around it" is around the legislature and that the Tribune is "trumping up impeachment discussions because I do this stuff to get things done." ROD BLAGOJEVICH told HARRIS to tell Tribune Financial Advisor that "everything is lined up, but before we go to the next level we need to have a discussion about what you guys are going to do about that newspaper." HARRIS stated that he "won't be so direct." ROD BLAGOJEVICH told HARRIS "yeah, you know what you got to say."

78. During intercepted calls on November 6, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS. ROD BLAGOJEVICH mentioned a Chicago Tribune editorial published that day about "disservices" ROD BLAGOJEVICH had done to the State of Illinois and suggested that HARRIS call Tribune Financial Advisor about it. ROD Blagojevich and HARRIS then discussed a conversation HARRIS had with "[Tribune Financial Advisor]" the prior day. HARRIS said he told Tribune Financial Advisor that

things "look like they could move ahead fine but, you know, there is a risk that all of this is going to get derailed by your own editorial page." HARRIS said that he told Tribune Financial Advisor that they need to have a discussion on how they might tone things down and change the focus of "that page." HARRIS said that Tribune Financial Advisor said that is a delicate issue, that Tribune Financial Advisor wanted to come in and talk to HARRIS about it, and that Tribune Financial Advisor will talk to Tribune Owner preliminarily about it. Later in the conversation, ROD BLAGOJEVICH and HARRIS talked about an upcoming meeting HARRIS will have with an individual at the Tribune (believed to be Tribune Financial Advisor). HARRIS stated that he will tell the individual that in HARRIS's experience you cannot "tread lightly" and you need "to make wholesale changes." HARRIS stated that he will "throw it out there and let them figure out how to do it." ROD BLAGOJEVICH stated that HARRIS's suggestion will be to "get rid of these people" and that "the other point you want to make is in fact, we, we sure would like to get some editorial support from your paper. Okay?" HARRIS stated, "I want to do that in person." HARRIS stated that they will not get editorial support "out of the current crew." ROD BLAGOJEVICH said, "this is a priority. Stay on it right. I mean, he, he gets the message, doesn't he?" HARRIS replied, "Oh yeah. He got it loud and clear." In apparent reference to the prospect of IFA assistance for the Wrigley Field deal, ROD BLAGOJEVICH then asked, "what does this mean to them? Like $500 million? What does it mean to [Tribune Owner] in real terms?" HARRIS replied, "To them? About $100 million . . .maybe 150."

ROD BLAGOJEVICH said that he thought "it was worth like $500 million to 'em." ROD BLAGOJEVICH and HARRIS then discussed the details of the deal the Cubs are trying to get through the IFA. HARRIS said that it is basically a tax mitigation scheme where the IFA will "own title to the building" (believed to be Wrigley Field), and the Tribune will not "have to pay capital gains tax." HARRIS explained that the total gain to the Tribune is in the neighborhood of $100 million. ROD BLAGOJEVICH said, "$100 million is nothing to sneeze at. That's still worth something, isn't it?" HARRIS said he planned on seeing "[Tribune Financial Advisor]" the following Monday (November 10, 2008).

79. During an intercepted call on November 11, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS. ROD BLAGOJEVICH asked HARRIS about the Tribune issue. HARRIS said that he met with Tribune Financial Advisor the prior day (November 10, 2008), and that Tribune Financial Advisor talked to Tribune Owner and Tribune Owner "got the message and is very sensitive to the issue." HARRIS stated that according to Tribune Financial Advisor, there will be "certain corporate reorganizations and budget cuts coming and, reading between the lines, he's going after that section." ROD BLAGOJEVICH responded, "oh, that's fantastic." According to HARRIS, Tribune Financial Advisor did not acknowledge that "he interferes in that operation. . . but I got the clear feeling that, that he was, uh, very sensitive to our concerns." ROD BLAGOJEVICH asked HARRIS whether Tribune Financial Advisor understood the time line in which ROD BLAGOJEVICH wanted changes made in relation to "our ability to do this without the legislature" (believed to be a

reference to using the IFA to help with the Cubs financing). HARRIS stated "correct . . . November, December." ROD BLAGOJEVICH responded, "right." HARRIS said that he expects "before the end of this month [November] there's gonna be some reorganization or cuts" (believed to be a reference to changes in the editorial department). ROD BLAGOJEVICH replied, "Wow. Okay, keep our fingers crossed. You're the man. Good job, John."

80. During an intercepted call on November 20, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS. ROD BLAGOJEVICH began the conversation by asking HARRIS whether HARRIS is "making any progress on that Tribune editorial board with [Tribune Financial Advisor]?" HARRIS said he had not heard back from Tribune Financial Advisor. ROD BLAGOJEVICH directed HARRIS to "be smart and stay on top of that" and advised HARRIS that Spokesman just informed ROD BLAGOJEVICH that the Tribune editorial board was not willing to listen to Deputy Governor A and basically hung up on Deputy Governor A. ROD BLAGOJEVICH told HARRIS to touch base with Spokesman and Deputy Governor A. ROD BLAGOJEVICH told HARRIS to "keep talking to [Tribune Financial Advisor] about this." ROD BLAGOJEVICH then suggested that HARRIS could say the following to Tribune Financial Advisor: "What are we going to do? We've got this IFA thing. We want to do all this. How's that going?" ROD BLAGOJEVICH asked HARRIS if he understood what ROD BLAGOJEVICH wants, and told HARRIS to "use your judgment."

81. During an intercepted call on November 21, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS. ROD BLAGOJEVICH asked HARRIS whether he told Deputy Governor A that "McCormick is going to get bounced at the Tribune." (McCormick is believed to be John P. McCormick, the Chicago Tribune's Deputy Editorial Page Editor). HARRIS said "no, I told him (Deputy Governor A) that McCormick is in a bad mood," and that HARRIS was going "to check with [Tribune Financial Advisor] to see" whether "it was part of that message about the cuts on the Ed board." HARRIS stated, "I had singled out McCormick as somebody who was the most biased and unfair." ROD BLAGOJEVICH responded, "to [Tribune Financial Advisor] you did?" HARRIS confirmed that it was to Tribune Financial Advisor. ROD BLAGOJEVICH stated "that would be great," and McCormick is a "bad guy." ROD BLAGOJEVICH asked, "[Tribune Financial Advisor] is on top of this, right?" HARRIS replied that Tribune Financial Advisor said they would be "downsizing that division or changing personnel" and that Tribune Financial Advisor understands and "[Tribune Owner]" understands. ROD BLAGOJEVICH confirmed that HARRIS made the point with Tribune Financial Advisor that the Tribune is advocating that ROD BLAGOJEVICH be impeached for going around the legislature and that "is precisely what we're doing on Wrigley Field." HARRIS said he explained that information to Tribune Financial Advisor. ROD BLAGOJEVICH asked whether Tribune Financial Advisor understood that "we are not in a position where we can afford to do that if . . . the Tribune is pushing impeachment." ROD BLAGOJEVICH asked, "they got that, right?" HARRIS

replied, "right." HARRIS suggested to ROD BLAGOJEVICH that HARRIS explained to Tribune Financial Advisor that the Tribune's editorials discussing impeachment "could jeopardize our efforts to do good things for people as well as the other thing (helping the Cubs sale at the IFA)." ROD BLAGOJEVICH responded, "there ya go. He got the message?" HARRIS replied, "yeah." ROD BLAGOJEVICH stated "good."

82. On November 21, 2008, approximately five minutes after the previous conversation with JOHN HARRIS, ROD BLAGOJEVICH spoke again with HARRIS. At the end of this call, ROD BLAGOJEVICH stated that "the Tribune thing is important, if we can get that." HARRIS replied, "delicate, very delicate." ROD BLAGOJEVICH said, "I know, I know. Use your judgment, don't push too hard. But you know what you got to do, right." HARRIS responded, "Alright, sir."

83. After hearing that Tribune Financial Advisor had assured HARRIS that the Tribune would be downsizing or making personnel changes affecting the editorial board, ROD BLAGOJEVICH had a series of conversations with representatives of the Chicago Cubs regarding efforts to provide state financing for Wrigley Field. On November 30, 2008, ROD BLAGOJEVICH spoke with Sports Consultant, the president of a Chicago-area sports consulting firm, whose remarks during the conversation indicated that he was working with the Cubs on matters involving Wrigley Field. In that conversation, ROD BLAGOJEVICH and Sports Consultant discussed the importance of getting the IFA transaction approved at the IFA's December 2008 or January 2009 meeting, because ROD BLAGOJEVICH was

contemplating leaving office in early January 2009 and ROD BLAGOJEVICH's IFA appointees would still be in place to approve the IFA deal. On December 3, 2008, ROD BLAGOJEVICH spoke again with Sports Consultant and explained that ROD BLAGOJEVICH had control over state funds designated for use in connection with science and technology, and which could be used to pay for improvements at Wrigley Field. Later that same day, ROD BLAGOJEVICH spoke with Cubs Chairman and said that he could make state science and technology funds available to the Cubs without having to go through the legislature, and suggested that the Cubs come up with proposals that would allow the use of such funds.

84. On December 4, 2008, ROD BLAGOJEVICH spoke with Spokesman. On December 4, 2008, the Chicago Tribune announced it was reducing the size of its workforce by 11 members. During the phone conversation, Spokesman informed ROD BLAGOJEVICH that the Tribune had its "cuts" but that Spokesman did not think the "person we mentioned" was cut. ROD BLAGOJEVICH asked "McCormick?" Spokesman responded "right." ROD BLAGOJEVICH instructed Spokesman to "go tell HARRIS that." Spokesman stated he had already informed HARRIS of the information.

85. On the morning December 5, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS. On the morning of December 5, 2008, the Chicago Tribune ran a front page news story discussing an ongoing criminal investigation involving ROD BLAGOJEVICH. During the phone conversation, ROD BLAGOJEVICH and HARRIS discussed information

contained in the newspaper article. ROD BLAGOJEVICH stated "what's the deal? So, do McCormick stays at the Tribune, huh?" HARRIS stated "we haven't heard that he's gone, so." ROD BLAGOJEVICH stated "I mean, those layoffs were minor (the December 4, 2008 Tribune layoffs)." HARRIS stated "well, I know they got a lot to do." ROD BLAGOJEVICH asked "there's still more coming?" HARRIS responded "yeah, they got a lot of cuts to make." ROD BLAGOJEVICH stated "okay, at some point we should talk to [Tribune Financial Advisor] again, right?" HARRIS confirmed they should talk to Tribune Financial Advisor again.

4. Evidence Concerning Efforts to Obtain Personal Benefits for ROD BLAGOJEVICH in Return for his Appointment of a United States Senator

86. Intercepted phone calls demonstrate that ROD BLAGOJEVICH, JOHN HARRIS, and others have engaged and are engaged in efforts to obtain personal gain, including financial gain, for the benefit of ROD BLAGOJEVICH and his family through the corrupt use of ROD BLAGOJEVICH's authority as Governor of the State of Illinois to fill the vacant United States Senate Seat previously held by the President-elect.

87. By law, after the President-elect's resignation of his position as a U.S. Senator, which was effective on November 16, 2008, ROD BLAGOJEVICH has sole authority to appoint his replacement for the two years remaining of the President-elect's Senate term. *See* 10 ILCS 5/25-8. During the course of this investigation, agents have intercepted a series of communications regarding the efforts of ROD BLAGOJEVICH, JOHN HARRIS, and others

to misuse this power to obtain personal gain, including financial gain, for ROD BLAGOJEVICH and his family. In particular, ROD BLAGOJEVICH has been intercepted conspiring to trade the senate seat for particular positions that the President-elect has the power to appoint (e.g. the Secretary of Health and Human Services). ROD BLAGOJEVICH has also been intercepted conspiring to sell the Senate seat in exchange for his wife's placement on paid corporate boards or ROD BLAGOJEVICH's placement at a private foundation in a significant position with a substantial salary. ROD BLAGOJEVICH has also been intercepted conspiring to sell the Senate seat in exchange for millions of dollars in funding for a non-profit organization that he would start and that would employ him at a substantial salary after he left the governorship.

88. Set out below are summaries of certain of the conversations referenced above. This affidavit does not include all calls dealing with the corrupt efforts of ROD BLAGOJEVICH, JOHN HARRIS, and others to misuse the power of ROD BLAGOJEVICH to appoint a United States Senator for the personal gain of ROD BLAGOJEVICH and his family, nor does this affidavit set forth other calls where ROD BLAGOJEVICH and others discussed a possible appointment to the Senate seat based on considerations other than financial gain for ROD BLAGOJEVICH and his family, discussions which took place with greater frequency after efforts to arrange for a private job for ROD BLAGOJEVICH in exchange for appointing a particular candidate to the open Senate seat did not meet with success. As set forth below, more recent discussions focused

on an effort to obtain campaign contributions up front in consideration of an appointment to the Senate.

89. On November 3, 2008, ROD BLAGOJEVICH talked with Deputy Governor A. This discussion occurred the day before the United States Presidential election. ROD BLAGOJEVICH and Deputy Governor A discussed the potential Senate seat vacancy. During the conversation, ROD BLAGOJEVICH told Deputy Governor A that if he is not going to get anything of value for the open Senate seat, then ROD BLAGOJEVICH will take the Senate seat himself: "if . . . they're not going to offer anything of any value, then I might just take it."

90. Later on November 3, 2008, ROD BLAGOJEVICH spoke with Advisor A. By this time, media reports indicated that Senate Candidate 1, an advisor to the President-elect, was interested in the Senate seat if it became vacant, and was likely to be supported by the President-elect. During the call, ROD BLAGOJEVICH stated, "unless I get something real good for [Senate Candidate 1], shit, I'll just send myself, you know what I'm saying." ROD BLAGOJEVICH later stated, "I'm going to keep this Senate option for me a real possibility, you know, and therefore I can drive a hard bargain. You hear what I'm saying. And if I don't get what I want and I'm not satisfied with it, then I'll just take the Senate seat myself." Later, ROD BLAGOJEVICH stated that the Senate seat "is a fucking valuable thing, you just don't give it away for nothing."

91. On November 4, 2008, ROD BLAGOJEVICH spoke with Deputy Governor A. This was the same day as the United States Presidential election. With respect to the Senate seat, Deputy Governor A suggested putting together a list of things that ROD BLAGOJEVICH would accept in exchange for the Senate seat. ROD BLAGOJEVICH responded that the list "can't be in writing." Thereafter, ROD BLAGOJEVICH discussed whether he could obtain an ambassadorship in exchange for the Senate seat.

92. On November 4, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS regarding the potential vacant Senate seat. ROD BLAGOJEVICH stated that the "trick . . . is how do you conduct indirectly . . . a negotiation" for the Senate seat. Thereafter, ROD BLAGOJEVICH analogized his situation to that of a sports agent shopping a potential free agent to various teams, stating "how much are you offering, [President-elect]? What are you offering, [Senate Candidate 2]? . . . Can always go to. . . [Senate Candidate 3]." Later ROD BLAGOJEVICH stated that he will make a decision on the Senate seat "in good faith . . . but it is not coming for free. . . .It's got to be good stuff for the people of Illinois and good for me." ROD BLAGOJEVICH states "[President-elect], you want it? Fine. But, its got to be good or I could always take [the Senate seat]."

93. On November 5, 2008, ROD BLAGOJEVICH spoke with Deputy Governor A regarding positions that ROD BLAGOJEVICH might be able to obtain in exchange for the soon-to-be vacated Senate seat. Among the potential positions discussed were Secretary of Health and Human Services and various ambassadorships. Deputy Governor A noted that

the cabinet position of Secretary of the Energy is "the one that makes the most money." Deputy Governor A stated that it is hard not to give the Secretary of Energy position to a Texan, but with ROD BLAGOJEVICH's coal background it might be a possibility.

94. On November 5, 2008, ROD BLAGOJEVICH spoke with JOHN HARRIS regarding what ROD BLAGOJEVICH could obtain for the Senate seat. After discussing various federal governmental positions that ROD BLAGOJEVICH would trade the Senate seat for, ROD BLAGOJEVICH asked about "the private sector" and whether the President-elect could "put something together there. . . .Something big." Thereafter, HARRIS suggested that the President-elect could make ROD BLAGOJEVICH the head of a private foundation. ROD BLAGOJEVICH told HARRIS that he should do "homework" on private foundations "right away." ROD BLAGOJEVICH asked whether he could get a high-ranking position at the Red Cross. HARRIS stated that "it's got to be a group that is dependent on [the President-elect]," and that a President probably could not influence the Red Cross. ROD BLAGOJEVICH told HARRIS to "look into all of those."

95. On November 5, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS and Deputy Governor A. They discussed potential private foundations with which ROD BLAGOJEVICH might be able to get a position in exchange for filling the Senate seat and, in particular, those foundations that are "heavily dependent on federal aid" and which, therefore, the White House would have the most "influence" on. ROD BLAGOJEVICH wanted to know how much the positions being discussed pay.

96. On November 5, 2008, ROD BLAGOJEVICH talked with Advisor A about the Senate seat. During the phone call, ROD BLAGOJEVICH stated that the President-elect can remove somebody from a foundation and give the spot to ROD BLAGOJEVICH. In regards to the Senate seat, ROD BLAGOJEVICH stated "I've got this thing and it's fucking golden, and, uh, uh, I'm just not giving it up for fuckin' nothing. I'm not gonna do it. And, and I can always use it. I can parachute me there."

97. On November 6, 2008, ROD BLAGOJEVICH talked with Spokesman. ROD BLAGOJEVICH told Spokesman to leak to a particular columnist for the Chicago Sun-Times, that Senate Candidate 2 is in the running for the vacant Senate seat. According to ROD BLAGOJEVICH, by doing this, he wanted "to send a message to the [President-elect's] people," but did not want it known that the message was from ROD BLAGOJEVICH. Thereafter, ROD BLAGOJEVICH and Spokesman discussed specific language that should be used in the Sun Times column and arguments as to why Senate Candidate 2 made sense for the vacant Senate seat. A review of this particular Sun Times column on November 7, 2008, indicates references to the specific language and arguments regarding Senate Candidate 2 as a potential candidate for the Senate seat, as discussed by ROD BLAGOJEVICH and Spokesman.

98. On November 7, 2008, ROD BLAGOJEVICH talked with Advisor A about the Senate seat. ROD BLAGOJEVICH stated that he is willing to "trade" the Senate seat to

Senate Candidate 1 in exchange for the position of Secretary of Health and Human Services in the President-elect's cabinet.

99. Later on November 7, 2008, ROD BLAGOJEVICH discussed the open Senate seat in a three-way call with JOHN HARRIS and Advisor B, a Washington D.C.-based consultant. ROD BLAGOJEVICH indicated in the call that if he was appointed as Secretary of Health and Human Services by the President-elect, then ROD BLAGOJEVICH would appoint Senate Candidate 1 to the open Senate seat. HARRIS stated "we wanted our ask to be reasonable and rather than. . .make it look like some sort of selfish grab for a quid pro quo." ROD BLAGOJEVICH stated that he needs to consider his family and that he is "financially" hurting. HARRIS said that they are considering what will help the "financial security" of the Blagojevich family and what will keep ROD BLAGOJEVICH "politically viable." ROD BLAGOJEVICH stated, "I want to make money." During the call, ROD BLAGOJEVICH, HARRIS, and Advisor B discussed the prospect of working a three-way deal for the open Senate seat. HARRIS noted that ROD BLAGOJEVICH is interested in taking a high-paying position with an organization called "Change to Win," which is connected to Service Employees International Union ("SEIU").[22] HARRIS suggested that SEIU Official make ROD BLAGOJEVICH the head of Change to Win and, in exchange, the President-elect could help Change to Win with its legislative agenda on a national level.

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[22] Open source information indicates that Change to Win is an organization affiliated with seven unions, including SEIU, and appears to be focused on having the affiliated unions work together on matters of common interest. SEIU Official is affiliated with SEIU.

Advisor B asked why SEIU Official cannot just give the job to ROD BLAGOJEVICH. HARRIS responded that it would be just a big "give away" for SEIU Official and Change to Win since there are already individuals on the Change to Win payroll doing the functions of the position that would be created for ROD BLAGOJEVICH. HARRIS said that Change to Win will want to trade the job for ROD BLAGOJEVICH for something from the President-elect. HARRIS suggested a "three-way deal," and explained that a three-way deal like the one discussed would give the President-elect a "buffer so there is no obvious quid pro quo for [Senate Candidate 1]." ROD BLAGOJEVICH stated that for him to give up the governorship for the Change to Win position, the Change to Win position must pay a lot more than he is getting paid right now. Advisor B said that he liked the idea of the three-way deal. ROD BLAGOJEVICH stated that he is interested in making $250,000 to $300,000 and being on some organization boards. Advisor B said they should leverage the President-elect's desire to have Senate Candidate 1 appointed to the Senate seat in order to get a head position with Change to Win and a salary. Advisor B agreed that the three-way deal would be a better plan than ROD BLAGOJEVICH appointing Senate Candidate 2 to the Senate seat and getting more done as Governor.

100. On November 8, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS about the Senate seat. During the conversation, ROD BLAGOJEVICH and HARRIS discussed whether it would be possible to obtain a financial benefit for ROD BLAGOJEVICH's wife in relation to the Senate seat. Specifically, ROD BLAGOJEVICH

referred to his wife's Series 7 license[23] and asked "is there a play here, with these guys, with her" to work for a firm in Washington or New York at a significantly better salary than she is making now. Also, ROD BLAGOJEVICH wanted to know whether SEIU could do something to get his wife a position at Change to Win until ROD BLAGOJEVICH could take a position at Change to Win.

101. On November 10, 2008, ROD BLAGOJEVICH, his wife, JOHN HARRIS, Governor General Counsel, and various Washington-D.C. based advisors, including Advisor B, discussed the open Senate seat during a conference call. (The Washington D.C.-based advisors to ROD BLAGOJEVICH are believed to have participated on this call from Washington D.C.). Various individuals participated at different times during the call. The call lasted for approximately two hours, and what follows are simply summaries of various portions of the two-hour call.

a. ROD BLAGOJEVICH expressed his interest in figuring out a way to make money and build some financial security, while at the same time potentially participating in the political arena again. ROD BLAGOJEVICH mentioned the Senate seat, the dynamics of a new Presidential administration with the strong contacts that ROD BLAGOJEVICH has in it, and asked what if anything he can do to make that work for him and his wife and his responsibilities as Governor of Illinois. ROD BLAGOJEVICH

[23] A Series 7 license is the most comprehensive of several securities licenses and permits an agent to communicate with retail investors.

suggested during the call that he could name himself to the open Senate seat to avoid impeachment by the State of Illinois legislature. ROD BLAGOJEVICH agreed it was unlikely that the President-elect would name him Secretary of Health and Human Services or give him an ambassadorship because of all of the negative publicity surrounding ROD BLAGOJEVICH.

b. ROD BLAGOJEVICH asked what he can get from the President-elect for the Senate seat. ROD BLAGOJEVICH stated that Governor General Counsel believes the President-elect can get ROD BLAGOJEVICH's wife on paid corporate boards in exchange for naming the President-elect's pick to the Senate. Governor General Counsel asked, "can [the President-elect] help in the private sector. . . where it wouldn't be tied to him? . . .I mean, so it wouldn't necessarily look like one for the other." ROD BLAGOJEVICH's wife suggested during the call that she is qualified to sit on corporate boards and has a background in real estate and appraisals. ROD BLAGOJEVICH asked whether there is something that could be done with his wife's "series 7" license in terms of working out a deal for the Senate seat. ROD BLAGOJEVICH stated that he is "struggling" financially and does "not want to be Governor for the next two years."

c. ROD BLAGOJEVICH said that the consultants (Advisor B and another consultant are believed to be on the call at that time) are telling him that he has to "suck it up" for two years and do nothing and give this "motherfucker [the President-elect] his senator. Fuck him. For nothing? Fuck him." ROD BLAGOJEVICH states that he will put

"[Senate Candidate 4]" in the Senate "before I just give fucking [Senate Candidate 1] a fucking Senate seat and I don't get anything." (Senate Candidate 4 is a Deputy Governor of the State of Illinois). ROD BLAGOJEVICH stated that he needs to find a way to take the "financial stress" off of his family and that his wife is as qualified or more qualified than another specifically named individual to sit on corporate boards. According to ROD BLAGOJEVICH, "the immediate challenge [is] how do we take some of the financial pressure off of our family." Later in the phone call, ROD BLAGOJEVICH stated that absent getting something back, ROD BLAGOJEVICH will not pick Senate Candidate 1. HARRIS re-stated ROD BLAGOJEVICH's thoughts that they should ask the President-elect for something for ROD BLAGOJEVICH's financial security as well as maintain his political viability. HARRIS said they could work out a three-way deal with SEIU and the President-elect where SEIU could help the President-elect with ROD BLAGOJEVICH's appointment of Senate Candidate 1 to the vacant Senate seat, ROD BLAGOJEVICH would obtain a position as the National Director of the Change to Win campaign, and SEIU would get something favorable from the President-elect in the future.

d. One of ROD BLAGOJEVICH's advisors said he likes the idea, it sounds like a good idea, but advised ROD BLAGOJEVICH to be leery of promises for something two years from now. ROD BLAGOJEVICH's wife said they would take the job now. Thereafter, ROD BLAGOJEVICH and others on the phone call discussed various ways

ROD BLAGOJEVICH can "monetize" the relationships he is making as Governor to make money after ROD BLAGOJEVICH is no longer Governor.

102. Later on November 10, 2008, ROD BLAGOJEVICH and Advisor A discussed the open Senate seat. Among other things, ROD BLAGOJEVICH raised the issue of whether the President-elect could help get ROD BLAGOJEVICH's wife on "paid corporate boards right now." Advisor A responded that he "think[s] they could" and that a "President-elect . . . can do almost anything he sets his mind to." ROD BLAGOJEVICH states that he will appoint "[Senate Candidate 1] . . . but if they feel like they can do this and not fucking give me anything . . . then I'll fucking go [Senate Candidate 5]." (Senate Candidate 5 is publicly reported to be interested in the open Senate seat). ROD BLAGOJEVICH stated that if his wife could get on some corporate boards and "picks up another 150 grand a year or whatever" it would help ROD BLAGOJEVICH get through the next several years as Governor.

103. Later on November 10, 2008, ROD BLAGOJEVICH and Advisor A again discussed the open Senate seat. ROD BLAGOJEVICH and Advisor A discussed leaking to the same particular Chicago Sun-Times columnist that ROD BLAGOJEVICH is seriously considering Senate Candidate 5 for the open Senate seat, in order to send a message to the President-elect that there are options for the Senate seat beyond Senate Candidate 1. At the end of the conversation Advisor A agreed to call the Sun Times columnist to leak the story (believed, based on other intercepted conversations, to be untrue), that ROD

BLAGOJEVICH had a "long, productive discussion" with Senate Candidate 5 regarding the open Senate seat.

104. On November 11, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS about the Senate seat. ROD BLAGOJEVICH suggested starting a 501(c)(4) organization (a non-profit organization that may engage in political activity and lobbying) and getting "his (believed to be the President-elect's) friend Warren Buffett or some of those guys to help us on something like that." HARRIS asked, "what, for you?" ROD BLAGOJEVICH replied, "yeah." Later in the conversation, ROD BLAGOJEVICH stated that if he appoints Senate Candidate 4 to the Senate seat and, thereafter, it appears that ROD BLAGOJEVICH might get impeached, he could "count on [Senate Candidate 4], if things got hot, to give [the Senate seat] up and let me parachute over there." HARRIS said, "you can count on [Senate Candidate 4] to do that." Later in the conversation, ROD BLAGOJEVICH said he knows that the President-elect wants Senate Candidate 1 for the Senate seat but "they're not willing to give me anything except appreciation. Fuck them."

105. Later on November 11, 2008, ROD BLAGOJEVICH talked with Advisor A. Advisor A indicated that he will stay "on top" of getting the Senate Candidate 5 information leaked to the particular Sun Times columnist. ROD BLAGOJEVICH again raised the idea of the 501(c)(4) organization and asked whether "they" (believed be the President-elect and his associates) can get Warren Buffett and others to put $10, $12, or $15 million into the organization. Advisor A responded that "they" should be able to find a way to fund the

organization. Later in the conversation, ROD BLAGOJEVICH returned to the issue of the 501(c)(4) organization and noted that he is looking for "$10, $15, $20 million in an organization like that." ROD BLAGOJEVICH said that when he is "no longer Governor" he could go over to the organization. ROD BLAGOJEVICH said that "[Senate Candidate 6]" (Senate Candidate 6, based on other intercepted conversations, is believed to be a wealthy person from Illinois) "could raise me money like that for a Senate seat." ROD BLAGOJEVICH asked, "if I get [Senate Candidate 6] to do something like that, is it worth giving him the Senate seat?" Advisor A responded that it would be hard to put Senate Candidate 6 in the Senate seat. ROD BLAGOJEVICH said that it would be better than putting Senate Candidate 1 in the Senate and not getting anything back. Later in the conversation, ROD BLAGOJEVICH and Advisor A again discussed the possibility of a 501(c)(4) organization, and ROD BLAGOJEVICH again noted that "[Senate Candidate 6]" could "do it." ROD BLAGOJEVICH and Advisor A discussed who might be close to Senate Candidate 6 to talk with him about the issue, because ROD BLAGOJEVICH did not "want to be the one to ask something like that." Advisor A agreed to find out who is close to Senate Candidate 6.

106. On November 12, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS. ROD BLAGOJEVICH noted that CNN is reporting that Senate Candidate 1 does not want the open Senate seat. HARRIS said he thought that is just a tactic. ROD BLAGOJEVICH raised the issue of the 501(c)(4) organization and that contributors and others can put "10 to

15 million in it so I can advocate health care and other issues I care about and help them, while I stay as Governor, she's (believed to be Senate Candidate 1) a Senator." ROD BLAGOJEVICH noted that the President-elect can ask Warren Buffett, Bill Gates, and others for money for the organization. ROD BLAGOJEVICH states he will ask "[Senate Candidate 6]" to help fund it as well. HARRIS said that funding the 501(c)(4) would be a lot easier for the President-elect than appointing ROD BLAGOJEVICH to a position. ROD BLAGOJEVICH said, "They could say 'hey, we get [Senate Candidate 1]. Let's help this guy have a 501(c)(4) issue advocacy organization. Let's fund it to the level that he's asked for and then we'll get [Senate Candidate 1].'" ROD BLAGOJEVICH said that he will control the 501(c)(4) organization through a board of directors while he is Governor, and then a position in the 501(c)(4) would be waiting for him when he was no longer Governor.

107. On November 12, 2008, ROD BLAGOJEVICH talked with Advisor B. ROD BLAGOJEVICH discussed with Advisor B his idea for a 501(c)(4) organization. Advisor B stated that he likes the idea, but liked the Change to Win option better because, according to Advisor B, from the President-elect's perspective, there would be fewer "fingerprints" on the President-elect's involvement with Change to Win because Change to Win already has an existing stream of revenue and, therefore, "you won't have stories in four years that they bought you off." ROD BLAGOJEVICH said that he likes the 501(c)(4) idea because he knows it will be there in two years when he is no longer Governor, whereas Change to Win might not be.

108. On November 12, 2008, ROD BLAGOJEVICH talked with one of his Washington D.C.-based advisors. ROD BLAGOJEVICH explained the 501(c)(4) organization idea to the advisor, and that "[the President-elect] gets these Warren Buffett types to [fund it]." The advisor asked ROD BLAGOJEVICH if the 501(c)(4) is a real effort or just a vehicle to help ROD BLAGOJEVICH. ROD BLAGOJEVICH stated that it is a real effort but also a place for ROD BLAGOJEVICH to go when he is no longer Governor. The advisor said he likes the Change to Win idea better, and notes that it is more likely to happen because it is one step removed from the President-elect.

109. On November 12, 2008, ROD BLAGOJEVICH spoke with SEIU Official, who was in Washington, D.C. Prior intercepted phone conversations indicate that approximately a week before this call, ROD BLAGOJEVICH met with SEIU Official to discuss the vacant Senate seat, and ROD BLAGOJEVICH understood that SEIU Official was an emissary to discuss Senate Candidate 1's interest in the Senate seat. During the conversation with SEIU Official on November 12, 2008, ROD BLAGOJEVICH informed SEIU Official that he had heard the President-elect wanted persons other than Senate Candidate 1 to be considered for the Senate seat. SEIU Official stated that he would find out if Senate Candidate 1 wanted SEIU Official to keep pushing her for Senator with ROD BLAGOJEVICH. ROD BLAGOJEVICH said that "one thing I'd be interested in" is a 501(c)(4) organization. ROD BLAGOJEVICH explained the 501(c)(4) idea to SEIU Official and said that the 501(c)(4)

could help "our new Senator [Senate Candidate 1]." SEIU Official agreed to "put that flag up and see where it goes."

110. On November 12, 2008, ROD BLAGOJEVICH talked with Advisor B. ROD BLAGOJEVICH told Advisor B that he told SEIU Official, "I said go back to [Senate Candidate 1], and, and say hey, look, if you still want to be a Senator don't rule this out and then broach the idea of this 501(c)(4) with her."

111. Later on November 12, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS. ROD BLAGOJEVICH stated that his decision about the open Senate seat will be based on three criteria in the following order of importance: "our legal situation, our personal situation, my political situation. This decision, like every other one, needs to be based upon on that. Legal. Personal. Political." HARRIS said, "legal is the hardest one to satisfy." ROD BLAGOJEVICH said that his legal problems could be solved by naming himself to the Senate seat.

112. On November 13, 2008, ROD BLAGOJEVICH talked with JOHN HARRIS. ROD BLAGOJEVICH said he wanted to be able to call "[President-elect Advisor]" and tell President-elect Advisor that "this has nothing to do with anything else we're working on but the Governor wants to put together a 501(c)(4)" and "can you guys help him. . . raise 10, 15 million." ROD BLAGOJEVICH said he wanted "[President-elect Advisor] to get the word today," and that when "he asks me for the Fifth CD thing I want it to be in his head." (The reference to the "Fifth CD thing" is believed to relate to a seat in the United States House of

Representatives from Illinois' Fifth Congressional District. Prior intercepted phone conversations indicate that ROD BLAGOJEVICH and others were determining whether ROD BLAGOJEVICH has the power to appoint an interim replacement until a special election for the seat can be held.).

113. Also on November 13, 2008, ROD BLAGOJEVICH talked with Advisor A. ROD BLAGOJEVICH said he wants the idea of the 501(c)(4) in President-elect Advisor's head, but not in connection with the Senate appointment or the congressional seat. Advisor A asked whether the conversation about the 501(c)(4) with President-elect Advisor is connected with anything else. ROD BLAGOJEVICH replied that "it's unsaid. It's unsaid."

114. Later on November 13, 2008, ROD BLAGOJEVICH spoke with Advisor A. ROD BLAGOJEVICH asked Advisor A to call Individual A and have Individual A pitch the idea of the 501(c)(4) to "[President-elect Advisor]." Advisor A said that, "while it's not said this is a play to put in play other things." ROD BLAGOJEVICH responded, "correct." Advisor A asked if this is "because we think there's still some life in [Senate Candidate 1] potentially?" ROD BLAGOJEVICH said, "not so much her, but possibly her. But others."

115. Throughout the past month, ROD BLAGOJEVICH has continued to engage in numerous conversations relating to filling the open Senate seat. In these conversations, he has repeatedly discussed the attributes of potential candidates, including, among other things, the candidates' ability to benefit the State of Illinois, and the personal and political

benefits for himself and his family of appointing particular candidates. These calls have included the following:

a. On December 4, 2008, ROD BLAGOJEVICH spoke to Advisor B and informed Advisor B that he was giving Senate Candidate 5 greater consideration for the Senate seat because, among other reasons, if ROD BLAGOJEVICH ran for re-election Senate Candidate 5 would "raise[] money" for ROD BLAGOJEVICH, although ROD BLAGOJEVICH said he might "get some (money) up front, maybe" from Senate Candidate 5 to insure Senate Candidate 5 kept his promise about raising money for ROD BLAGOJEVICH. (In a recorded conversation on October 31, 2008, ROD BLAGOJEVICH described an earlier approach by an associate of Senate Candidate Five as follows: "We were approached 'pay to play.' That, you know, he'd raise me 500 grand. An emissary came. Then the other guy would raise a million, if I made him (Senate Candidate 5) a Senator.")

b. Later on December 4, 2008, ROD BLAGOJEVICH spoke to Fundraiser A. ROD BLAGOJEVICH stated he was "elevating" Senate Candidate 5 on the list of candidates for the open Senate seat. ROD BLAGOJEVICH stated he might be able to cut a deal with Senate Candidate 5 that provided ROD BLAGOJEVICH with something "tangible up front." ROD BLAGOJEVICH noted he was going to meet with Senate Candidate 5 in the next few days. ROD BLAGOJEVICH told Fundraiser A to reach out to Individual D, an individual who ROD BLAGOJEVICH is attempting to obtain campaign contributions from and who, based on intercepted phone calls, ROD BLAGOJEVICH

believes to be close to Senate Candidate 5. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that Senate Candidate 5 was very much a realistic candidate for the open Senate seat, but that ROD BLAGOJEVICH was getting "a lot of pressure" not to appoint Senate Candidate 5. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that ROD BLAGOJEVICH had a problem with Senate Candidate 5 just promising to help ROD BLAGOJEVICH because ROD BLAGOJEVICH had a prior bad experience with Senate Candidate 5 not keeping his word. ROD BLAGOJEVICH told Fundraiser A to tell Individual D that if Senate Candidate 5 is going to be chosen to fill the Senate seat "some of this stuffs gotta start happening now . . .right now. . . and we gotta see it. You understand?" ROD BLAGOJEVICH told Fundraiser A that "you gotta be careful how you express that and assume everybody's listening, the whole world is listening. You hear me?" ROD BLAGOJEVICH told Fundraiser A to tell Individual D if there is "tangible political support (campaign contributions) like you've said, start showing us now." Fundraiser A stated he will call Individual D on the phone to communicate ROD BLAGOJEVICH's message. ROD BLAGOJEVICH responded that "I would do it in person. I would not do it on the phone." ROD BLAGOJEVICH told Fundraiser A to communicate the "urgency" of the situation to Individual D.

e. On December 5, 2008, ROD BLAGOJEVICH spoke to Fundraiser A. On the morning of December 5, 2008, the Chicago Tribune ran a front page news story stating that ROD BLAGOJEVICH had recently been surreptitiously recorded in relation to

an ongoing criminal investigation. During the conversation on December 5, 2008, ROD BLAGOJEVICH and Fundraiser A discuss certain information contained in the newspaper story. ROD BLAGOJEVICH instructed Fundraiser A to "undo your [Individual D] thing." Fundraiser A confirmed that it would be undone.

d. Also on December 5, 2008, after publication of the Tribune article described above, ROD BLAGOJEVICH and three others discussed whether to move money out of the Friends of Blagojevich campaign fund to avoid having the money frozen and also considered the possibility of prepaying the money to ROD BLAGOJEVICH's criminal defense attorney with an understanding that the attorney would donate the money back at a later time if it was not needed. They also discussed opening a new fund raising account named Citizens for Blagojevich with new contributions received.

116. In addition, in the course of the conversations over the last month, ROD BLAGOJEVICH has spent significant time weighing the option of appointing himself to the open Senate seat, and has expressed a variety of reasons for doing so, including frustration at being "stuck" as governor, a belief that he will be able to obtain greater resources if he is indicted as a sitting Senator as opposed to a sitting governor, and a desire to remake his image in consideration of a possible run for President in 2016, avoid impeachment by the Illinois legislature, make corporate contacts that would be of value to him after leaving public office, facilitate his wife's employment as a lobbyist, and assist in generating speaking fees should he decide to leave public office.

III. CONCLUSION

117. Based upon the facts set forth in this affidavit, I believe that there is probable cause to believe that: (a) ROD BLAGOJEVICH and JOHN HARRIS, and others have conspired with each other and with others to commit offenses against the United States, namely to devise and participate in a scheme to defraud the State of Illinois and the people of the State of Illinois of the honest services of ROD BLAGOJEVICH and JOHN HARRIS, in furtherance of which the mails and interstate wire communications would be used, in violation of Title 18, United States Code, Sections 1341, 1343, and 1346; all in violation of Title 18, United States Code, Section 1349; and (b) ROD BLAGOJEVICH and JOHN HARRIS, being agents of the State of Illinois, a State government which during a one-year period, beginning January 1, 2008 and continuing to the present, received federal benefits in excess of $10,000, corruptly solicited and demanded a thing of value, namely, the firing of certain Chicago Tribune editorial members responsible for widely-circulated editorials critical of ROD BLAGOJEVICH, intending to be influenced and rewarded in connection with business and transactions of the State of Illinois involving a thing of value of $5,000 or more, namely, the provision of millions of dollars in financial assistance by the State of

Illinois, including through the Illinois Finance Authority, to the Tribune Company involving the Wrigley Field baseball stadium; in violation of Title 18, United States Code, Sections 666 (a)(1)(B) and 2. Accordingly, it is requested that arrest warrants be issued as detailed in this affidavit.

_____
Daniel W. Cain
Special Agent
Federal Bureau of Investigation

Sworn to before me this
day of December 2008.

_____
HONORABLE MICHAEL T. MASON
Magistrate Judge
Northern District of Illinois

EXHIBIT 2

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DECEMBER 11, 2008

Graft Case Touches Jackson Jr.

Democrat Denies Seeking Senate Seat From Blagojevich; Service Union Is Scrutinized

By JONATHAN WEISMAN, CLARE ANSBERRY and DOUGLAS BELKIN

CHICAGO -- The scandal surrounding Illinois Gov. Rod Blagojevich's alleged attempt to sell President-elect Barack Obama's former U.S. Senate seat widened on Wednesday, threatening to taint a rising Democratic star and pull in one of the nation's biggest labor unions.

An attorney for Rep. Jesse Jackson Jr. -- the son of longtime civil-rights activist and Chicago politician the Rev. Jesse Jackson -- said the congressman is likely the person referred to as "Senate Candidate No. 5" in a federal criminal complaint that alleges Gov. Blagojevich engaged in a broad range of influence-peddling and fund-raising schemes.

U.S. Attorney Patrick Fitzgerald said Gov. Blagojevich was caught on a wiretap claiming that he'd been offered $500,000 or more by a representative of Senate Candidate No. 5 in exchange for Mr. Obama's Senate seat. James Montgomery Sr., attorney for Rep. Jackson Jr., denied that the congressman or his representatives sought a deal.

"I want to make this fact plain," Rep. Jackson Jr. said Wednesday. "I reject and denounce pay-to-play politics."

Separately, the federal investigation cast a shadow over the Service Employees International Union, a fast-growing alliance of more than two million workers. Tuesday's complaint noted that Gov. Blagojevich spoke at least twice with an SEIU official to discuss a separate possible candidate for the vacant Illinois seat.

The complaint says that in exchange for naming a Senate candidate seen as friendly to organized labor, Gov. Blagojevich discussed a deal to make him national director of the Change to Win federation, a six million member partnership that includes SEIU. The complaint doesn't say whether the union official came up with the offer or was open to it.

An internal communication from the Illinois office of the SEIU, reviewed by The Wall Street Journal, said the SEIU official was Tom Balanoff. The

communication also said representatives from the Federal Bureau of Investigation visited Mr. Balanoff's house at about 6 a.m. Tuesday, the same time that agents arrested Gov. Blagojevich. People close to the SEIU say Mr. Balanoff had flown to Denver on Monday evening, ahead of SEIU meetings Tuesday.

Mr. Balanoff, contacted Wednesday, had no comment. His office issued a release Wednesday evening saying that he was cooperating with the federal investigation. The SEIU office in Washington said that it called the U.S. Attorney's office Tuesday morning and offered its full cooperation.

With Gov. Blagojevich's arrest Tuesday morning, federal investigators made public their five-year investigation into what Mr. Fitzgerald called the governor's "political crime spree," in which he allegedly sought campaign contributions in exchange for government jobs and state contracts. Believing he was ramping up his schemes before state ethics legislation went into effect on Jan. 1, investigators wiretapped Gov. Blagojevich's phones and bugged his office eight weeks ago.

Through his attorney, Gov. Blagojevich has denied wrongdoing. The governor, who has signed a $4,500 signature bond, attempted to return to work on Wednesday, his 52nd birthday. He apparently didn't reach his desk. Lt. Gov. Pat Quinn said federal officials had sealed off Gov. Blagojevich's office at the state office building in downtown Chicago, adding that the governor was working from a nearby desk.

Through a spokesman, Mr. Obama called Wednesday for Gov. Blagojevich's resignation.

"Under the current circumstances, it is difficult for the governor to effectively do his job and serve the people of Illinois," future White House press secretary Robert Gibbs said on the president-elect's behalf. He suggested that Gov. Blagojevich can no longer be entrusted to name Mr. Obama's successor.

Mr. Gibbs said Mr. Obama's transition staff is "gathering information on what people knew about the selection process" for the Senate seat.

Limiting Governor's Power

Illinois lawmakers, meanwhile, were moving ahead with plans to remove the governor from office or limit his powers. Both Illinois Senate President Emil Jones and Speaker of the House Michael Madigan have said they will call the legislature into session Monday to consider a bill to strip the governor's office of its authority to fill the vacated Senate seat. The bill would call for a statewide special election for the seat, said Cindy Davidsmeyer, press secretary for Sen. Jones.

That bill could be on Gov. Blagojevich's desk by the middle of next week. The

governor has several options for defying the measure under the state constitution. Still, U.S. Senate Majority Leader Harry Reid threatened the possibility that the Senate may not seat a senator named by Gov. Blagojevich.

Although Mr. Fitzgerald said repeatedly on Tuesday that Mr. Obama and his staff have not been implicated, the Blagojevich arrest has already become a headache for the president-elect.

Mr. Obama is extremely close to Rep. Jackson Jr., naming him a national campaign co-chairman and consulting with him closely on political strategy. He endorsed Gov. Blagojevich's re-election but was not politically close to the governor.

The SEIU, meanwhile, spent about $29.2 million to support Mr. Obama's presidential campaign this year, more than any other outside group, according to Federal Election Commission records. The union's earliest link with Mr. Obama appears to have been forged by Mr. Balanoff, who has said his political ties with the president-elect stretch back 15 years.

The Republican National Committee said Wednesday that the Obama team had used the SEIU to "keep Blagojevich at arm's length." The federal affidavit says Gov. Blagojevich approached the SEIU, hoping that union officials would get him the lucrative Change to Win job. In exchange, the affidavit said, Gov. Blagojevich discussed appointing "Senate Candidate No. 1."

Multiple people familiar with the Senate-seat portion of the probe say Candidate No. 1 is Mr. Obama's friend, Valerie Jarrett.

Ms. Jarrett, now a senior transition official and soon to be a White House adviser, has declined to comment on the matter.

'Horse Trading'

Mr. Fitzgerald's case against the governor is considered far from a slam dunk. Defense attorneys reading the 76-page FBI affidavit noted many of Gov. Blagojevich's headline-grabbing conversations weren't necessarily crimes. These include discussions with advisers in which the governor gives his view that he ought to "get something real good" in exchange for the vacant senate seat.

Criminal defense attorney Gerald Lefcourt says the FBI-edited portions of conversations don't necessarily add up to criminal behavior. "Every politician keeps accounts -- what is horse trading, and what is hyperbole?" he says.

Typically, prosecutors wait to obtain a grand-jury indictment before making such an arrest. But prosecutors said they moved now in part to thwart Gov. Blagojevich from completing some of the crimes alleged. "It is a crime in and of

itself for people to scheme to violate the law," Mr. Fitzgerald said in his briefing Tuesday. "That's called conspiracy."

In addition to the allegations surrounding the selling of the Obama Senate seat, Gov. Blagojevich allegedly sought to press Tribune Co. Chairman Samuel Zell to fire certain Chicago Tribune editorial writers who had been critical of his administration and had called for a legislative investigation into possible impeachment.

Asked in a CNBC interview if Gov. Blagojevich sought to force the firing of Chicago Tribune staffers, Mr. Zell said he isn't "personally familiar with any of that." Gov. Blagojevich, the government alleges, pressed for the firings in exchange for government help with the sale of Wrigley Field, which Tribune Co. owns.

Mr. Zell said he has been contacted by federal law-enforcement officials in connection with the case, but said he was reluctant to offer more details about an ongoing investigation. Mr. Zell said he couldn't say whether Chicago Tribune staffers were pressured to change their coverage of the governor. Mr. Zell wasn't asked in the interview about his personal role in the allegations against the governor.

—Evan Perez, Timothy A. Martin, Cam Simpson, Shira Ovide, Lauren Etter and T.W. Farnam contributed to this article.

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EXHIBIT 3

www.chicagotribune.com/news/local/chi-blagojevich-jackson12dec12,0,6420556.story

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09-9812_000086

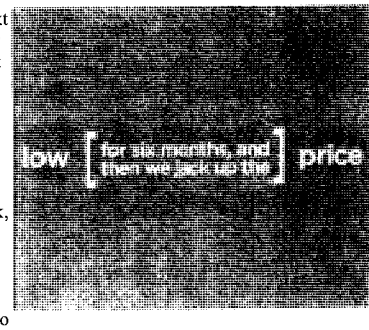
Rod Blagojevich

Blagojevich fundraiser held by Jackson allies Saturday

By David Kidwell, John Chase and Dan Mihalopoulos

Tribune reporters

December 12, 2008



As Gov. Rod Blagojevich was trying to pick Illinois' next U.S. senator, businessmen with ties to both the governor and U.S. Rep. Jesse Jackson Jr. discussed raising at least $1 million for Blagojevich's campaign as a way to encourage him to pick Jackson for the job, the Tribune has learned.

Blagojevich made an appearance at an Oct. 31 luncheon meeting at the India House restaurant in Schaumburg sponsored by Oak Brook businessman Raghuveer Nayak, a major Blagojevich supporter who also has fundraising and business ties to the Jackson family, according to several attendees and public records.

Two businessmen who attended the meeting and spoke to the Tribune on the condition of anonymity said that Nayak and Blagojevich aide Rajinder Bedi privately told many of the more than two dozen attendees the fundraising effort was aimed at supporting Jackson's bid for the Senate.

Among the attendees was a Blagojevich fundraiser already under scrutiny by federal investigators, Joliet pharmacist Harish Bhatt.

That meeting led to a Blagojevich fundraiser Saturday in Elmhurst, co-sponsored by Nayak and attended by Jesse Jackson Jr.'s brother, Jonathan, as well as Blagojevich, according to several people who were there. Nayak and Jonathan Jackson go back years and the two even went into business together years ago as part of a land purchase on the South Side.

Blagojevich and the congressman met to discuss the Senate seat on Monday, one day before federal prosecutors arrested Blagojevich and charged him with trying to sell the U.S. Senate seat vacated by President-elect Barack Obama. As part of the charges, prosecutors alleged that Blagojevich was considering awarding the seat to a politician identified as "Senate Candidate 5" because emissaries for that candidate were promising to raise as much as $1.5 million for Blagojevich's campaign fund.

The Tribune has identified Jesse Jackson Jr. as "Senate Candidate 5." Jackson has denied knowing anything about efforts by emissaries or anybody close to him promising to raise money for Blagojevich

in exchange for being appointed to the Senate. He has been contacted by federal prosecutors as part of the probe and has agreed to meet with them.

Jackson's congressional spokesman Rick Bryant said Thursday that Nayak is a "family friend and supporter" of the congressman as well as his well-known father, Rev. Jesse Jackson. The congressman and Nayak have spoken about Jackson's desire to succeed Obama.

"He has talked to [Nayak] about the Senate seat and he has mentioned his interest," Bryant said of his boss. "But he never asked him to do anything."

Jackson's newly retained attorney, James Montgomery, said Wednesday he could not rule out that such possibilities were discussed with Blagojevich by people who did not have his client's blessing.

Despite the parallels, it could not be determined if the actions outlined by the Tribune were the same as those discussed in the FBI affidavit that accompanied the pay-to-play charges against Blagojevich and his chief of staff, John Harris. But the details, gathered from more than a dozen interviews, make clear that some political operatives were connecting support for Blagojevich to his choice for the Senate seat.

Iftekhar Shareef, past president of the influential Federation of Indian Associations, said he attended the Saturday fundraiser for the governor at the invitation of Bedi and Nayak. Shareef said the congressman's brother Jonathan also attended.

"Raghu [Nayak] is always talking about how we need to appoint Jesse to the Senate," Shareef said. "They are very close. Raghu is close with all the Jacksons. He even asked me to write a letter to the governor supporting Jesse Jackson for the Senate." Shareef said he wrote the letter.

A half-dozen other attendees at the two events said they never heard talk about trying to get Jackson placed into the Senate. Bedi's brother, Jatinder, who is an editor at the Indian Reporter newspaper, acknowledged being at the India House event but said "there was no discussion of the Senate seat."

Rajinder Bedi couldn't be reached for comment.

Reached by telephone at his home, Nayak declined to comment.

Nayak, 54, is a political and community leader in Chicago's Indian community who has raised hundreds of thousands of dollars for Blagojevich, including more than $200,000 from Nayak, his wife and his various corporations. Nayak and his wife have donated more than $22,000 to Jackson, federal records show, and raised more for the congressman.

Nayak owns a series of surgery centers on Chicago's North Side. He also founded and until recently retained an ownership stake in a drug testing laboratory with millions of dollars in Illinois public aid contracts.

Satish "Sonny" Gabhawala, owner of the Chicago Park Hotel in Harvey, said he was at the Oct. 31 meeting and saw Nayak and Rajinder Bedi approach another Blagojevich fundraiser, Babu Patel.

"They were trying to convince Babu to use his influence to get the governor to appoint Jesse Jackson to the Senate," Gabhawala said.

Patel, contacted Thursday evening, acknowledged the conversation but said he never spoke with Blagojevich about the Senate appointment.

Bedi is the managing director for the Illinois Department of Commerce & Economic Opportunity's Office of Trade and Investment, overseeing nine foreign trade offices around the world from China to Israel. He has also been a key fundraiser for Blagojevich.

Blagojevich has referred to Bedi, who wears a turban, as "My Sikh warrior."

The two businessmen who spoke to the Tribune on the condition of anonymity said they did so because they were afraid of repercussions in the close-knit and politically active Indian business community.

One said Nayak and Bedi told him and others of their plan to help Jackson.

The second said he overheard Nayak and Bedi discussing plans with Bhatt, the Joliet pharmacist..

"Raghu said he needed to raise a million for Rod to make sure Jesse got the seat," the second businessman said. "He said, 'I can raise half of it, $500,000.' The idea was that the other two would help raise the rest."

Bhatt, whose two Basinger's Pharmacy outlets were searched by the FBI last week, has been the focus of a state and federal investigations into whether campaign donations were made in exchange for regulatory favors.

Bhatt is a prominent Indian businessman who helped the state's top pharmacy regulator win his job. The Tribune reported last year that state pharmacy auditors probing allegations of Medicaid fraud at Basinger's complained that their bosses thwarted the investigation, allegations Bhatt has adamantly denied in interviews with the Tribune.

Tribune reporter Ray Gibson contributed to this report.

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EXHIBIT 4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 888-5
vs.	)	Judge James B. Zagel
	)	
JOHN HARRIS	)	

PLEA AGREEMENT

1. This Plea Agreement between the United States Attorney for the Northern District of Illinois, PATRICK J. FITZGERALD, and defendant JOHN HARRIS, and his attorney, TERRY EKL, is made pursuant to Rule 11 of the Federal Rules of Criminal Procedure and is governed in part by Rule 11(c)(1)(C), as more fully set forth below. The parties to this Agreement have agreed upon the following:

Charge in This Case

2. Count Four of the superseding indictment ("indictment") in this case charges defendant with wire fraud, in violation of Title 18, United States Code, Sections 1343 and 1346.

3. Defendant has read the charge against him contained in Count Four of the indictment, and that charge has been fully explained to him by his attorney.

4. Defendant fully understands the nature and elements of the crime with which he has been charged.

Charge to Which Defendant is Pleading Guilty

5. By this Plea Agreement, defendant agrees to enter a voluntary plea of guilty to Count Four of the indictment. Count Four charges defendant with participating in a scheme to commit wire fraud, including through the deprivation of honest services, in violation of Title 18, United States Code, Sections 1343 and 1346.

Factual Basis

6. Defendant will plead guilty because he is in fact guilty of the charge contained in Count Four of the indictment. In pleading guilty, Defendant admits the following facts and that those facts establish his guilt beyond a reasonable doubt and constitute relevant conduct pursuant to Guideline §1B1.3:

From approximately October 2008 to on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, Defendant, together with co-defendant Rod Blagojevich and others, participated in a scheme to deprive the people of the State of Illinois of their intangible right to the honest services of Defendant and Rod Blagojevich, in violation of Title 18, United States Code, Sections 1343 and 1346.

It was part of the scheme that beginning in or about October 2008, and continuing until on or about December 9, 2008, Rod Blagojevich ("Blagojevich"), with the assistance of Defendant and others, sought to obtain financial benefits for Blagojevich and his wife, in return for the exercise of his duty under Illinois law to appoint a United States Senator to fill the vacancy created by the election of Barack Obama as President of the United States. At times Defendant assisted Blagojevich's efforts to carry out the scheme by suggesting means by which Blagojevich could secure personal benefits for himself in exchange for appointing

a United States Senator, conducting factual research relating to the scheme at Blagojevich's direction, and counseling Blagojevich on carrying out the scheme. At other times, Defendant expressed opposition to Blagojevich's efforts to enrich himself through his appointment of a United States Senator, and/or did not follow instructions from Blagojevich to assist in those efforts.

Specifically, starting in December 2005 and continuing until December 2008, Defendant served as then Illinois Governor Rod Blagojevich's Chief of Staff. Over the course of many months in 2008, Defendant participated in and was aware of discussions involving Blagojevich and others about the possibility that Blagojevich might have the ability to appoint someone to replace then-U.S. Senator Barack Obama if he won the general election for the President of the United States. By early October 2008, Defendant participated in regular conversations with Blagojevich about what personal benefits Blagojevich could obtain in exchange for naming someone to the U.S. Senate seat should Obama win the Presidency. As one example, around October 6, Blagojevich asked Defendant what Blagojevich could get in exchange for the U.S. Senate seat. Defendant told Blagojevich that the appointment could either reward an ally or make a new ally but that Blagojevich could not trade the Senate seat for something for himself. In other discussions with Blagojevich, Defendant and others told Blagojevich that he could not receive money (either campaign money or other money) in exchange for naming someone to the Senate seat. Blagojevich ignored Defendant's statements.

Shortly before and immediately after the November 4, 2008 election of Barack Obama as President of the United States, Blagojevich's discussions with Defendant about Blagojevich's appointment of a replacement Senator became more frequent and more detailed. Defendant participated in numerous discussions with Blagojevich and others about this issue. Defendant was aware that Blagojevich was also talking to a small group of internal and external advisors about this issue. Throughout the course of these discussions, Blagojevich made it clear to Defendant that Blagojevich was not focused on what was in the best interest of the people of the state of Illinois but instead was focused in large part on what Blagojevich could get personally in exchange for the Senate appointment.

Around the time of the November 4 election, Defendant learned that Senate Candidate B was interested in the Senate seat. Blagojevich discussed with Defendant that he wanted to use Senate Candidate B's interest in the Senate seat as a way to get something for himself from President-elect Obama. Initially, Blagojevich wanted to be appointed Secretary of Health and Human Services ("HHS"). On or about November 6, 2008, Blagojevich met with Service Employees International Union (SEIU) Official A, who had been presented to Blagojevich and Defendant as an emissary working on behalf of President-elect Obama with respect to filling the Senate seat. Prior to the meeting, Defendant helped Blagojevich strategize regarding how to ask SEIU Official A for the HHS position in exchange for making Senate Candidate B the Senator. After the meeting, Blagojevich told Defendant and others that during the meeting, he asked SEIU Official A for the HHS position in exchange for making Senate Candidate B the Senator.

During discussions with Defendant, Blagojevich expressed interest in an ambassadorship from President-elect Obama in exchange for making Senate Candidate B the Senator. On or about November 5, 2008, Blagojevich directed Defendant and Deputy Governor A to research ambassadorship options for him. Blagojevich also directed Defendant and Deputy Governor A to research private foundations where he might be able to get a high-paying position in exchange for making Senate Candidate B the Senator. Defendant told Blagojevich that the private foundation option would give President-elect Obama a buffer, meaning that it would not be obvious that Blagojevich was getting a position in exchange for making Senate Candidate B the Senator. Defendant suggested that the foundation would need to be a group that was dependent on federal funding, so that President-elect Obama would have enough influence to get Blagojevich a position. Blagojevich was very interested in this idea and told Defendant to look into options right away.

Deputy Governor A asked whether Blagojevich was thinking about a position with a private foundation for 2010 (when his term as Governor ended) or now. Blagojevich said that he wanted the position now and wanted to know how much the position paid. Deputy Governor A responded that the salary was likely $200,000 to $300,000. Blagojevich seemed disappointed in that salary and asked something like, "Oh is that all?" At that point, Defendant said that he thought the salary was more like $300,000 to $500,000. Blagojevich had a more positive reaction to that salary. Blagojevich suggested that SEIU and other labor unions provided funds to some private foundations and suggested those foundations be the

ones Defendant and Deputy Governor A research. Defendant understood that Blagojevich's personal financial circumstances and security were a significant consideration for Blagojevich in his analysis of whom he should name to the Senate seat.

Blagojevich told Defendant that if he could not get a position directly through President-elect Obama in exchange for picking a desired candidate, then Blagojevich would seek a position through supporters of President-elect Obama in exchange for naming someone to the Senate seat. Blagojevich asked Defendant to develop a union-based option for him. The next day Defendant responded to his assignment by presenting Blagojevich with an idea by which Blagojevich could become the national coordinator for an organization named "Change to Win." Change to Win is an organization associated with a number of labor unions, including SEIU. Defendant suggested to Blagojevich that SEIU Officials A and B, whom Defendant and Blagojevich believed were already acting as emissaries between Blagojevich and President-elect Obama for purposes of picking a desired Senate candidate, could get Blagojevich the Change to Win position in exchange for Blagojevich agreeing to make Senate Candidate B the Senator. Defendant explained to Blagojevich that the benefit to SEIU would be that SEIU would have helped President-elect Obama by getting Blagojevich to appoint Senate Candidate B to the Senate and in exchange, President-elect Obama would look favorably on SEIU's agenda in President-elect Obama's administration. The benefit to Blagojevich would be a paid position as National Coordinator with Change to Win. Defendant further explained that the benefits to President-elect Obama would be that

Blagojevich would appoint Senate Candidate B to the U.S. Senate seat, and SEIU Officials A and B would act as a buffer between President-elect Obama and Blagojevich.

Defendant explained to Blagojevich that the Change to Win position would keep him politically viable, pay him a salary, and provide him with union support and connections for whatever he wanted to do down-the-road. Blagojevich said that he thought it was a great idea, but was concerned that he would have to make the Senate appointment first, which meant that SEIU could withhold the Change to Win position later. Defendant explained to Blagojevich that part of the advantage to the Change to Win idea was that this was something that SEIU Officials A and B could promise to Blagojevich now and Blagojevich could believe that they would follow through on later, while part of the disadvantage to the Change to Win idea was that it was not politically acceptable for Blagojevich to step down as Governor to take that position. In response, Blagojevich suggested the possibility of having his wife take a position now and then Blagojevich could take the national position later. Defendant told him that this was not a good idea. Blagojevich asked Defendant what the Change to Win position paid and asked whether he could get extra income if he sat on other boards. Defendant speculated that the position would pay no more than SEIU Official A's salary.

On November 7, 2008, Defendant participated in a conference call with Blagojevich and Advisor A, in which Blagojevich solicited Advisor A's thoughts on the Change to Win idea. Defendant knew that Advisor A was an outside consultant whom Blagojevich trusted and upon whom Blagojevich relied for political advice. During the call, Blagojevich told

Advisor A what had happened at the November 6 meeting with SEIU Official A. Blagojevich then directed Defendant to tell Advisor A about the Change to Win idea. Defendant explained the idea and Advisor A responded in a very positive way. Advisor A analogized the Change to Win deal to a three-way trade in baseball because it allowed President-elect Obama to stay out of Illinois politics because he would have a buffer and there would be no obvious quid pro quo for Senate Candidate B. Blagojevich told Advisor A that he was looking for $250,000-$300,000 in salary and also to sit on some boards. During the call, Defendant understood that Blagojevich was focused on obtaining money and maintaining his political viability in his analysis of whom to name to the Senate seat. After this call, defendant and Blagojevich learned that SEIU Official A's salary was approximately $125,000 to $150,000 annually. Upon learning this, Blagojevich was disappointed and wanted to know if he could be paid more than SEIU Official A.

On or about November 12, 2008, the media reported that Senate Candidate B was going to work at the White House. Defendant participated in a number of conversations with Blagojevich about this development. Defendant believed that Senate Candidate B's decision to go to the White House caused Blagojevich to become anxious about losing leverage for what he might be able to ask of President-elect Obama with respect to a position for himself. At this point, Blagojevich began to express greater interest in the possibility that supporters of President-elect Obama would establish and fund a 501(c)(4) organization for the benefit of Blagojevich in exchange for a Senate seat appointment. Blagojevich asked Defendant to

reach out to United States Congressman A about this possibility. Defendant believed that this was a direct quid pro quo and Defendant did not make any calls to further Blagojevich's request. Defendant concealed from Blagojevich that he did not follow Blagojevich's directive to contact United States Congressman A about the 501(c)(4). Blagojevich later told Defendant that he had approached SEIU Official A about the 501(c)(4) idea and Blagojevich said that SEIU Official A was going to "run it up the flag pole," which Defendant took to mean that he was going to check with representatives of President-elect Obama.

At this time, Blagojevich also pressed Defendant to have an "off campus" discussion with Senate Candidate D. Defendant knew that this was a reference to Blagojevich's prior directive to Defendant to ask Senate Candidate D for Senate Candidate D's remaining campaign funds in exchange for appointing Senate Candidate D to the U.S. Senate Seat. Sometime in the summer of 2008, Blagojevich told Defendant that if he appointed Senate Candidate D to the vacant Senate seat, he would want and expect Senate Candidate D to give Blagojevich some or all of Senate Candidate D's campaign funds. Blagojevich raised this topic, which was often referred to as "the off-campus discussion" with Senate Candidate D, in several phone calls with Defendant. Defendant believed that Blagojevich was again raising this issue because Blagojevich believed that a deal with representatives of President-elect Obama involving Senate Candidate B was no longer a possibility.

In response to Blagojevich's directives to him, on November 12, 2008, Defendant met with Senate Candidate D in his Springfield office. During the meeting, Defendant had a discussion with Senate Candidate D about his plans for his campaign funds that could not be

converted to personal use. Defendant did not directly tell Senate Candidate D that Blagojevich was going to ask Senate Candidate D for his campaign funds. Based on what Defendant did say, however, Defendant believed that Senate Candidate D was on notice that, in relation to the Senate seat, Blagojevich was going to talk with Senate Candidate D about Senate Candidate D's campaign funds.

On or about December 4, 2008, Blagojevich told Defendant that Senate Candidate A, through a third-party, had offered to raise $1.5 million in campaign funds for Blagojevich in exchange for the U.S. Senate appointment. Defendant told Blagojevich that the offer to raise funds should not be a factor in his decision, although it was clear to Defendant that a large part of Blagojevich's consideration for appointing Senate Candidate A to the Senate was the offer of campaign funds. Defendant had previously advanced an argument in favor of Senate Candidate A, listing all of the favorable points of a Senate Candidate A appointment, in response to which Blagojevich had dismissed all of the points Defendant made and had refused to even entertain the idea of appointing Senate Candidate A. Although Blagojevich was previously not willing to consider Senate Candidate A, Defendant believed that Blagojevich was now seriously considering Senate Candidate A because of the offer of campaign funds.

In addition, Defendant was aware that, from time to time, in the course of considering options to fill the open Senate seat, Blagojevich considered appointing certain other individuals or appointing himself to the open Senate seat, often with personal benefits to himself as part of Blagojevich's consideration. For instance, with respect to appointing

himself, Blagojevich expressed a variety of reasons for doing so, including to possibly avoid impeachment by the Illinois legislature, to obtain greater resources if he was indicted as a sitting Senator as opposed to a sitting governor, and to facilitate his wife's employment as a lobbyist.

In or about the spring of 2008, around the time that Blagojevich's wife passed her Series 7 examination, which allowed her to sell financial securities, Blagojevich told Defendant that Blagojevich wanted to get Blagojevich's wife a job using her Series 7 license with an entity that did business with the State of Illinois. Defendant told Blagojevich that his wife could not work for an entity that did business with the State of Illinois. Despite this, Blagojevich asked Defendant to set up informational or networking meetings for his wife with financial institutions that had business with the State of Illinois in hopes that those businesses would assist in getting Blagojevich's wife a job. Defendant subsequently arranged a meeting between Blagojevich's wife and an official at a financial institution that had business with the State of Illinois. Defendant also spoke with an official at another financial institution that had business with the State of Illinois concerning that official helping Blagojevich's wife develop possible employment opportunities. When Blagojevich concluded that officials at these institutions had been unhelpful in finding his wife a job, Blagojevich told Defendant that he did not want the institutions to receive further business from the State of Illinois. With respect to one of the institutions, Defendant told Blagojevich that, because the entity had business through the state pension funds, Blagojevich did not control those decisions. With respect to the other financial institution, despite Blagojevich's

directive, Defendant did not prevent that institution from getting further business with the State and avoided telling Blagojevich when the institution was applying for State business so as to prevent Blagojevich from following through on his directive.

Further, in November and December 2008, in response to Chicago Tribune editorials that had been critical of Blagojevich, Blagojevich directed Defendant to tell Tribune Financial Advisor that Blagojevich was going to withhold state financial support that would benefit the Tribune Company, unless the Tribune Owner fired people on the editorial board. In order to appease Blagojevich, Defendant told Blagojevich that he would and did relay this threat to Tribune Financial Advisor. Although Defendant did have a conversation with Tribune Financial Advisor about the negative editorials regarding Blagojevich, Defendant did not relay the threats as directed by Blagojevich.

On or about November 7, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, Defendant and Blagojevich, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between Blagojevich and Defendant, in Chicago, Illinois, and Advisor A, in Washington, D.C., in which Blagojevich, Defendant, and Advisor A discussed financial benefits which Blagojevich could request in exchange for the appointment of Senate Candidate B to the United States Senate; in violation of Title 18, United States Code, Sections 1343 and 1346.

7. The foregoing facts are set forth solely to assist the Court in determining whether a factual basis exists for defendant's plea of guilty, and are not intended to be a

complete or comprehensive statement of all the facts within defendant's personal knowledge regarding the charged crime and related conduct.

Maximum Statutory Penalties

8. Defendant understands that the charge to which he is pleading guilty carries the following statutory penalties:

a. A maximum sentence of 20 years imprisonment. This offense also carries a maximum fine of $250,000. Defendant further understands that the judge also may impose a term of supervised release of not more than three years.

b. In accord with Title 18, United States Code, Section 3013, defendant will be assessed $100 on the charge to which he has pled guilty, in addition to any other penalty imposed.

Sentencing Guidelines Calculations

9. Defendant understands that in imposing sentence the Court will be guided by the United States Sentencing Guidelines. Defendant understands that the Sentencing Guidelines are advisory, not mandatory, but that the Court must consider the Guidelines in determining a reasonable sentence.

10. For purposes of calculating the Sentencing Guidelines, the parties agree on the following points:

a. **Applicable Guidelines.** The Sentencing Guidelines to be considered in this case are those in effect at the time of sentencing. The following statements regarding

the calculation of the Sentencing Guidelines are based on the Guidelines Manual currently in effect, namely the November 2008 Guidelines Manual.

b. **Offense Level Calculations.**

i. The base offense level for the offense of conviction is 14, pursuant to Guideline §2C1.1(a)(1), because defendant was a public official.

ii. Pursuant to Guideline §2C1.1(b)(2), because the value to be obtained exceeded $5000, the offense level is increased by the number of levels from the table in §2B1.1.

iii. Pursuant to Guideline §2B1.1(b)(1)(H), a 14 level increase is warranted because the pecuniary value of the intended loss foreseeable to defendant was more than $400,000 but less that $1,000,000.

iv. Pursuant to Guideline §2C1.1(b)(3), a four level increase is warranted because defendant and Blagojevich were public officials in high-level decision-making or sensitive positions.

v. Pursuant to Guideline §3B1.2, a two level decrease is warranted because defendant was a minor participant in the criminal activity.

vi. Defendant has clearly demonstrated a recognition and affirmative acceptance of personal responsibility for his criminal conduct. If the government does not receive additional evidence in conflict with this provision, and if defendant continues to accept responsibility for his actions within the meaning of Guideline §3E1.1(a), including by furnishing the United States Attorney's Office and the Probation Office with all requested

financial information relevant to his ability to satisfy any fine that may be imposed in this case, a two-level reduction in the offense level is appropriate.

vii. In accord with Guideline §3E1.1(b), defendant has timely notified the government of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the Court to allocate its resources efficiently. Therefore, as provided by Guideline §3E1.1(b), if the Court determines the offense level to be 16 or greater prior to determining that defendant is entitled to a two-level reduction for acceptance of responsibility, the government will move for an additional one-level reduction in the offense level.

c. **Criminal History Category.** With regard to determining defendant's criminal history points and criminal history category, based on the facts now known to the government, defendant's criminal history points equal zero and defendant's criminal history category is I.

d. **Anticipated Advisory Sentencing Guidelines Range.** Therefore, based on the facts now known to the government, the anticipated offense level is 27, which, when combined with the anticipated criminal history category of I, results in an anticipated advisory Sentencing Guidelines range of 70 to 87 months' imprisonment, in addition to any supervised release, fine, and restitution the Court may impose.

e. Defendant and his attorney and the government acknowledge that the above Guideline calculations are preliminary in nature, and are non-binding predictions upon which neither party is entitled to rely. Defendant understands that further review of the facts

or applicable legal principles may lead the government to conclude that different or additional Guideline provisions apply in this case. Defendant understands that the Probation Office will conduct its own investigation and that the Court ultimately determines the facts and law relevant to sentencing, and that the Court's determinations govern the final Guideline calculation. Accordingly, the validity of this Agreement is not contingent upon the probation officer's or the Court's concurrence with the above calculations, and defendant shall not have a right to withdraw his plea on the basis of the Court's rejection of these calculations.

f. Both parties expressly acknowledge that this plea agreement is not governed by Fed.R.Crim.P. 11(c)(1)(B), and that errors in applying or interpreting any of the Sentencing Guidelines may be corrected by either party prior to sentencing. The parties may correct these errors either by stipulation or by a statement to the Probation Office or the Court, setting forth the disagreement regarding the applicable provisions of the Guidelines. The validity of this Plea Agreement will not be affected by such corrections, and defendant shall not have a right to withdraw his plea, nor the government the right to vacate this Plea Agreement, on the basis of such corrections.

Cooperation

11. Defendant agrees he will fully and truthfully cooperate in any matter in which he is called upon to cooperate by a representative of the United States Attorney's Office for the Northern District of Illinois. This cooperation shall include providing complete and truthful information in any investigation and pre-trial preparation and complete and truthful

testimony in any criminal, civil or administrative proceeding. Defendant agrees to the postponement of his sentencing until after the conclusion of his cooperation.

Agreements Relating to Sentencing

12. At the time of sentencing, the government shall make known to the sentencing judge the extent of defendant's cooperation. If the government determines that defendant has continued to provide full and truthful cooperation as required by this plea agreement, then the government shall move the Court, pursuant to Guideline §5K1.1, to depart from the applicable Guideline range and to impose the specific sentence agreed to by the parties as outlined below. Defendant understands that the decision to depart from the applicable guidelines range rests solely with the Court.

13. If the government moves the Court, pursuant to Sentencing Guideline §5K1.1, to depart from the applicable Guideline range, as set forth in the preceding paragraph, this Agreement will be governed, in part, by Federal Rule of Criminal Procedure 11(c)(1)(C). That is, the parties agree that any sentence of imprisonment shall not exceed fifty percent (50%) of the low end of Federal Sentencing Guidelines range applicable to defendant's offense. It is also agreed that while the government will recommend a sentence of imprisonment that is 50% of the low end of Federal Sentencing Guidelines range applicable to defendant's offense, defendant and his attorney are free to ask the sentencing court for any sentence deemed to be appropriate. Other than the agreed maximum term of incarceration, the parties have agreed that the Court remains free to impose the sentence it deems appropriate. If the Court accepts the agreed maximum term of incarceration set forth herein,

defendant may not withdraw this plea as a matter of right under Federal Rule of Criminal Procedure 11(d) and (e). If, however, the Court does not agree to the agreed maximum term of incarceration set forth herein, thereby rejecting this plea agreement, or otherwise refuses to accept defendant's plea of guilty, either party has the right to withdraw from this plea agreement.

14. If the government does not move the Court, pursuant to Sentencing Guideline §5K1.1, to depart from the applicable Guideline range, as set forth above, this plea agreement will not be governed, in any part, by Federal Rule of Criminal Procedure 11(c)(1)(C), the preceding paragraph of this plea agreement will be inoperative, and the Court shall impose a sentence taking into consideration the factors set forth in 18 U.S.C. § 3553(a) as well as the Sentencing Guidelines without any downward departure for cooperation pursuant to §5K1.1. Defendant may not withdraw his plea of guilty because the government has failed to make a motion pursuant to Sentencing Guideline §5K1.1.

15. Defendant agrees to pay the special assessment of $100 at the time of sentencing with a cashier's check or money order payable to the Clerk of the U.S. District Court.

Presentence Investigation Report/Post-Sentence Supervision

16. Defendant understands that the United States Attorney's Office in its submission to the Probation Office as part of the Pre-Sentence Report and at sentencing shall fully apprise the District Court and the Probation Office of the nature, scope and extent of defendant's conduct regarding the charge against him, and related matters. The government

will make known all matters in aggravation and mitigation relevant to the issue of sentencing, including the nature and extent of defendant's cooperation.

17. Defendant agrees to truthfully and completely execute a Financial Statement (with supporting documentation) prior to sentencing, to be provided to and shared among the Court, the Probation Office, and the United States Attorney's Office regarding all details of his financial circumstances, including his recent income tax returns as specified by the probation officer. Defendant understands that providing false or incomplete information, or refusing to provide this information, may be used as a basis for denial of a reduction for acceptance of responsibility pursuant to Guideline §3E1.1 and enhancement of his sentence for obstruction of justice under Guideline §3C1.1, and may be prosecuted as a violation of Title 18, United States Code, Section 1001 or as a contempt of the Court.

18. For the purpose of monitoring defendant's compliance with his obligations to pay a fine during any term of supervised release or probation to which defendant is sentenced, defendant further consents to the disclosure by the IRS to the Probation Office and the United States Attorney's Office of defendant's individual income tax returns (together with extensions, correspondence, and other tax information) filed subsequent to defendant's sentencing, to and including the final year of any period of supervised release or probation to which defendant is sentenced. Defendant also agrees that a certified copy of this Plea Agreement shall be sufficient evidence of defendant's request to the IRS to disclose the returns and return information, as provided for in Title 26, United States Code, Section 6103(b).

Acknowledgments and Waivers Regarding Plea of Guilty

Nature of Plea Agreement

19. This Plea Agreement is entirely voluntary and represents the entire agreement between the United States Attorney and defendant regarding defendant's criminal liability in case 08 CR 888-5.

20. This Plea Agreement concerns criminal liability only. Except as expressly set forth in this Agreement, nothing herein shall constitute a limitation, waiver or release by the United States or any of its agencies of any administrative or judicial civil claim, demand or cause of action it may have against defendant or any other person or entity. The obligations of this Agreement are limited to the United States Attorney's Office for the Northern District of Illinois and cannot bind any other federal, state or local prosecuting, administrative or regulatory authorities, except as expressly set forth in this Agreement.

Waiver of Rights

21. Defendant understands that by pleading guilty he surrenders certain rights, including the following:

a. **Trial rights.** Defendant has the right to persist in a plea of not guilty to the charge against him, and if he does, he would have the right to a public and speedy trial.

i. The trial could be either a jury trial or a trial by the judge sitting without a jury. Defendant has a right to a jury trial. However, in order that the trial be conducted by the judge sitting without a jury, defendant, the government, and the judge all must agree that the trial be conducted by the judge without a jury.

ii. If the trial is a jury trial, the jury would be composed of twelve citizens from the district, selected at random. Defendant and his attorney would participate in choosing the jury by requesting that the Court remove prospective jurors for cause where actual bias or other disqualification is shown, or by removing prospective jurors without cause by exercising peremptory challenges.

iii. If the trial is a jury trial, the jury would be instructed that defendant is presumed innocent, that the government has the burden of proving defendant guilty beyond a reasonable doubt, and that the jury could not convict him unless, after hearing all the evidence, it was persuaded of his guilt beyond a reasonable doubt. The jury would have to agree unanimously before it could return a verdict of guilty or not guilty.

iv. If the trial is held by the judge without a jury, the judge would find the facts and determine, after hearing all the evidence, whether or not the judge was persuaded that the government had established defendant's guilt beyond a reasonable doubt.

v. At a trial, whether by a jury or a judge, the government would be required to present its witnesses and other evidence against defendant. Defendant would be able to confront those government witnesses and his attorney would be able to cross-examine them.

vi. At a trial, defendant could present witnesses and other evidence in his own behalf. If the witnesses for defendant would not appear voluntarily, he could require their attendance through the subpoena power of the Court. A defendant is not required to present any evidence.

vii. At a trial, defendant would have a privilege against self-incrimination so that he could decline to testify, and no inference of guilt could be drawn from his refusal to testify. If defendant desired to do so, he could testify in his own behalf.

b. **Waiver of appellate and collateral rights.** Defendant further understands he is waiving all appellate issues that might have been available if he had exercised his right to trial. Defendant is aware that Title 28, United States Code, Section 1291, and Title 18, United States Code, Section 3742, afford a defendant the right to appeal his conviction and the sentence imposed. Acknowledging this, if the government makes a motion at sentencing for a downward departure pursuant to Sentencing Guideline § 5K1.1, defendant knowingly waives the right to appeal his conviction, any pre-trial rulings by the Court, and any part of the sentence (or the manner in which that sentence was determined), including any term of imprisonment and fine within the maximums provided by law, and including any order of restitution or forfeiture, in exchange for the concessions made by the United States in this Plea Agreement. Defendant also waives his right to challenge his conviction and sentence, and the manner in which the sentence was determined, and (in any case in which the term of imprisonment and fine are within the maximums provided by statute) his attorney's alleged failure or refusal to file a notice of appeal, in any collateral attack or future challenge, including but not limited to a motion brought under Title 28, United States Code, Section 2255. The waiver in this paragraph does not apply to a claim of involuntariness, or ineffective assistance of counsel, which relates directly to this waiver or to its negotiation, nor does it prohibit defendant from seeking a reduction of sentence

based directly on a change in the law that is applicable to defendant and that, prior to the filing of defendant's request for relief, has been expressly made retroactive by an Act of Congress, the Supreme Court, or the United States Sentencing Commission.

c. Defendant understands that by pleading guilty he is waiving all the rights set forth in the prior paragraphs. Defendant's attorney has explained those rights to him, and the consequences of his waiver of those rights. Defendant understands that he has the right to have the criminal charge in the indictment brought within five years of the last of the alleged acts constituting the specified violation. By signing this document, defendant knowingly waives any right to have the charge in the indictment brought against him within the period established by the statute of limitations. Defendant also knowingly waives any defense or claim based upon the statute of limitations or upon the timeliness with which the charge in the indictment was brought.

Other Terms

22. Defendant agrees to cooperate with the United States Attorney's Office in collecting any unpaid fine for which defendant is liable, including providing financial statements and supporting records as requested by the United States Attorney's Office.

Conclusion

23. Defendant understands that this Plea Agreement will be filed with the Court, will become a matter of public record and may be disclosed to any person.

24. Defendant understands that his compliance with each part of this Plea Agreement extends throughout the period of his sentence, and failure to abide by any term

of the Agreement is a violation of the Agreement. Defendant further understands that in the event he violates this Agreement, the government, at its option, may move to vacate the Agreement, rendering it null and void, and thereafter prosecute defendant not subject to any of the limits set forth in this Agreement, or may move to resentence defendant or require defendant's specific performance of this Agreement. Defendant understands and agrees that in the event that the Court permits defendant to withdraw from this Agreement, or defendant breaches any of its terms and the government elects to void the Agreement and prosecute defendant, any prosecutions that are not time-barred by the applicable statute of limitations on the date of the signing of this Agreement may be commenced against defendant in accordance with this paragraph, notwithstanding the expiration of the statute of limitations between the signing of this Agreement and the commencement of such prosecutions.

25. Defendant and his attorney acknowledge that no threats, promises, or representations have been made, nor agreements reached, other than those set forth in this Plea Agreement to cause defendant to plead guilty.

26. Defendant acknowledges that he has read this Plea Agreement and carefully reviewed each provision with his attorney. Defendant further acknowledges that he understands and voluntarily accepts each and every term and condition of this Agreement.

AGREED THIS DATE: _____

_____ _____

PATRICK J. FITZGERALD JOHN HARRIS

United States Attorney	Defendant
CARRIE E. HAMILTON Assistant U.S. Attorney	TERRY EKL Attorney for Defendant

EXHIBIT 5

The New York Times

PRINTER-FRIENDLY FORMAT SPONSORED BY From Dr Danny

December 15, 2008

Businessman Tied to Fund-Raising Offer to Blagojevich

By CHRISTOPHER DREW

CHICAGO — An Illinois businessman caught up in the federal investigation of Gov. Rod R. Blagojevich offered to raise money for the governor on behalf of Representative Jesse L. Jackson Jr., investigators say.

But state and federal records show that the businessman, Raghuveer Nayak, has also been a financial supporter of other politicians, including President-elect Barack Obama and Senator John McCain of Arizona.

Mr. Nayak and his wife, Anita, have donated nearly $17,000 to Mr. Obama's campaigns since 2003, state campaign records show, and friends and associates say Mr. Nayak raised thousands more in the Indian-American community here for Mr. Obama in his 2004 Senate race.

They also say that one of Mr. Obama's close friends, Alexi Giannoulias, the Illinois state treasurer, showed Mr. Nayak's teenage son around New Hampshire at the time of the presidential primary early this year.

As a representative of an Indian-American business community that has been gaining influence here and elsewhere, Mr. Nayak has taken a bipartisan approach to his donations nationally. He and his wife contributed $6,600 this year to the presidential campaign of Mr. McCain and $6,000 to the campaign of Senator Hillary Rodham Clinton of New York. He also donated $2,000 to President Bush's campaign in 2004.

But Mr. Nayak, who became wealthy running pharmacies and then surgical centers in Illinois and Indiana, has lavished most of his giving on Mr. Blagojevich and other Illinois political leaders, including Mr. Jackson and some rivals of the governor who are now pressing him to resign. In all, Mr. Nayak has given more than $200,000 to the governor's campaigns and at least $22,000 to those of Mr. Jackson.

Mr. Blagojevich was arrested last week, accused of seeking to profit from the awarding of state contracts and the appointment of a replacement for Mr. Obama in the Senate. Among the activities federal investigators have said they are looking into is whether Mr. Nayak sought to raise $1 million for Mr. Blagojevich in exchange for the governor's appointing Mr. Jackson to the Senate seat.

Mr. Nayak has not returned telephone calls seeking comment; Mr. Jackson has said he never authorized anyone to try to strike a deal with Mr. Blagojevich over the seat. A lawyer for the governor has said he committed no wrongdoing.

Friends describe Mr. Nayak, 54, as a fairly unassuming man who wanted to help the Indian-American community gain more influence and say he is distraught by the latest turn of events.

His surgical centers are meant to offer a cheaper alternative to hospital procedures, and critics have

suggested he might have used his political connections in securing locations for some of them. State records show he also once owned part of a drug-testing laboratory that had millions of dollars in state public aid contracts.

Cindi Canary, the director of the Illinois Campaign for Political Reform, a nonprofit group, said that to some degree Mr. Nayak provided an example of how many politicians had pursued the growing ranks of immigrant businessmen as a source of campaign cash.

"You see this where you have some segments of the immigrant population that have had some success," Ms. Canary said. "As they get more assimilated, they try to figure out how to get their concerns heard. But there's also a certain amount of opportunism by the political establishment to bring their wallets to the table."

Mr. Nayak's name first surfaced in the Blagojevich investigation last week, when The Chicago Tribune reported that the governor appeared at an Oct. 31 luncheon at which Mr. Nayak and another Indian-American leader told those in attendance that they needed to raise $1 million to support Mr. Jackson's bid for the Senate.

Mr. Nayak then helped to hold a fund-raising event for Mr. Blagojevich on Dec. 6, and both the governor and Mr. Jackson's brother, Jonathan, were there.

The disclosures closely paralleled a sequence of events laid out in the criminal complaint against Mr. Blagojevich, which quoted him as saying in wire-tapped conversations that he was giving greater consideration to a Senate candidate — since identified as Mr. Jackson — whose supporters had offered to raise substantial campaign financing for the governor.

While Mr. Blagojevich and Mr. Jackson are not personally close, Mr. Nayak is one of the few people who have been a major fund-raiser for both.

Mr. Nayak has also been a supporter of Operation PUSH, the community group run by Mr. Jackson's father, the Rev. Jesse Jackson. Mr. Nayak accompanied the elder Mr. Jackson on a trip to India this year.

Mr. Nayak has also made political donations to Pat Quinn, the Illinois lieutenant governor, who would become governor if Mr. Blagojevich resigns, and the state's attorney general, Lisa Madigan, who is leading the fight to oust Mr. Blagojevich.

Mr. Nayak's surgical company also gave $12,000 to Mr. Giannoulias's campaign for state treasurer. Mr. Giannoulias and Mr. Obama play basketball together, and a spokesman for Mr. Obama confirmed Sunday that Mr. Giannoulias had shown Mr. Nayak's son, who was a high school volunteer for Mr. Obama during the presidential race, around New Hampshire in January.

By then, others say, Mr. Nayak and other Indian-American leaders were vacillating between whether they wanted Mr. Obama or Mrs. Clinton to win the Democratic nomination. And in the general election, Mr. Nayak and his wife hedged their bets with their donations to Mr. McCain.

Elisa Cho contributed research.

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EXHIBIT 6

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

Memorandum of Interview

In Re:	Representative Jesse Jackson, Jr.
Review #:	09-9812
Date:	April 9, 2009
Location:	Law Office of James D. Montgomery One North LaSalle Street Chicago, IL 60602
Time:	1119hrs – 1305hrs (approximately)
Participants:	Leo Wise Omar Ashmawy

Summary: Representative Jesse Jackson Jr is a Member of the United States House of Representatives and represents the Second District of Illinois. He was interviewed pursuant to Review 09-9812. We requested an interview with Representative Jackson and he consented to an interview. Representative Jackson made the following statements in response to our questioning:

1. Representative Jackson was given an 18 U.S.C. § 1001 warning, signed a written acknowledgement of the warning [attached], and consented to an interview.

2. The first time Representative Jackson expressed interest in the Senate seat occupied by then-Senator Barack Obama was after the Member's speech at the 2008 Democratic National Convention. Following the speech several members of the Illinois delegation approached him and said he would make a great Senator. Raghuveer P. Nayak, a delegate to the convention, repeatedly referred to Representative Jackson as "Senator."

3. The first substantive discussion regarding the Senate seat was with Mr. Brian Hines, a well connected local attorney, lobbyist and long time supporter of the Member. Representative Jackson did not remember the exact date of the meeting but though that it was after November 5, 2008. During the meeting Mr. Hines indicated no other African-American was on the scene in Illinois and that the Member was doing all the right things.

4. Representative Jackson relayed that after his meeting with Mr. Hines there was significant speculation in the media regarding the Senate seat. He and his wife had a serious conversation regarding the seat and she conducted two surveys on November 5th and 6th, respectively. One survey indicated that Representative Jackson's wife had an overwhelming lead in the Second District if she chose to run for the House of Representatives and the other survey indicated that Jesse Jackson Jr. was the leading choice amongst citizens in Illinois for the now vacant Senate seat.

5. Following those surveys, Representative Jackson began to organize a very public campaign for the seat. Mr. Ken Edmonds, Representative Jackson's chief of staff, and Mr. Richard Bryant, the district director, were primarily in charge of the effort. However, Representative Jackson indicated that, as the campaign was very public, anyone else who wanted to assist was welcome to do so. The rationale for a public campaign was premised on the fact that Governor Rod Blagojevich and Representative Jackson had a frosty relationship and Representative Jackson assumed as a result of that poor relationship Governor Blagojevich might be hesitant to select Representative Jackson for the seat. Representative Jackson indicated that he was very proud of his public campaign and that he was the only individual who conducted such a public campaign.

6. Regarding Mr. Raghuveer P. Nayak, Representative Jackson stated that the first time he spoke with Mr. Nayak regarding the Senate seat was at the Democratic National Convention. The conversations were not substantive and consisted mainly of Mr. Nayak calling Representative Jackson "Senator." The next time Mr. Nayak and Representative Jackson spoke about the seat was on October 28, 2008.

7. The meeting on October 28, 2008 was at a local restaurant called 312. Mr. Nayak, Mr. Rajindar Bedi, the Director of Economic Development for Illinois assigned to the Second District, Mr. Bryant and Representative Jackson were in attendance. Governor Blagojevich spontaneously assigned Mr. Bedi to be the Second District's liaison for economic development two years prior at an Indian Day parade. The October 28th meeting represented Mr. Bedi's first follow up since his appointment two years prior. Representative Jackson did not know Mr. Bedi well, but, in addition to his role as liaison, knew him as a friend of Mr. Nayak and someone who would attend various fundraising events in the company of Mr. Nayak. According to Representative Jackson, the meeting was held to discuss the possibility of constructing an airport in the Second District. Mr. Nayak had arranged the meeting. However, Mr. Nayak had no role in the districts economic development and no role in the airport's development.

8. The meeting was in the morning of October 28, 2008 sometime between 8am and 9am. It lasted for approximately 45 minutes to one hour. Mr. Nayak arrived 15 minutes late to the meeting. Prior to his arrival, Mr. Bedi, Mr. Bryant and Representative Jackson spoke about the

possibility of the airport being built in the district. When Mr. Nayak arrived, the others spent approximately 15 minutes bringing him up to date on the conversation. Upon Mr. Nayak's arrival, he stated to Representative Jackson words to the effect of "You are going to the Senator" and "We want you to be the Senator." Representative Jackson distinctly recalled his response as "That would be a two-fer," referring to both the airport and becoming Senator. The Member then continued to speak about the airport. Although the Member initially recalled the conversation about the Senate seat lasting for about 10 minutes, he later revised his recollection and stated that this exchange was the only reference made to the Senate seat during the October 28th meeting. After the meeting, Mr. Bedi and Mr. Nayak went to the front door and had another conversation that the Member could not hear. Representative Jackson and Mr. Bryant stayed at the table to discuss an upcoming meeting.

9. Representative Jackson did not recall a conversation between Mr. Bedi and Mr. Nayak at the table of which he was not a part, but knows that Mr. Bryant remembers such a conversation. Mr. Bryant and Representative Jackson have talked about the October 28th meeting more than once. The last time they spoke about the meeting was approximately January or February 2009.

10. Representative Jackson was unaware of a lunch meeting on October 31, 2008.

11. Prior to the controversy regarding the Senate seat, Representative Jackson and Mr. Nayak spoke on a quasiregular basis – speaking several times a week, typically making small-talk. The Member described Mr. Nayak as a friend and political supporter. Mr. Nayak also had a relationship with Representative Jackson's father, Reverend Jesse Jackson Sr., and was a former business partner of Representative Jackson's brother, Jonathan Jackson. Mr. Nayak was always welcome in the Jackson home. Mr. Nayak was described as both a prolific and obsessive supporter and fundraiser for Rod Blagojevich and as Rod Blagojevich's "guy." However, Representative Jackson did not see Mr. Nayak as an operative for assisting his campaign for the Senate seat. Nevertheless, Representative Jackson sought assistance from anyone and everyone, including Mr. Nayak. He did not give Mr. Nayak any explicit directions on how to assist his campaign for the seat, nor did he place any explicit restrictions on Mr. Nayak's assistance.

12. In his effort to secure the appointment to the vacant Senate seat, Representative Jackson spoke with a number of individuals including Mr. Ken Edmonds, Mr. Richard Bryant, Representative Jackson's wife, Representative Jackson's father, Mr. Brian Hines, Mr. Mark O'Malley, Mr. Michael Rumman, Mr. John Wyma, Rob Blagojevich's former chief of staff when he was in the House of Representatives, Mr. Tom Balanoff, a significant supporter of Rod Blagojevich, Mr. Victor Roberson, a member of the then-Governor's staff, Mr. Bedi, Mr. Nayak, and then-Governor Rob Blagojevich.

13. Representative Jackson met with Mr. Rumman after he received a text message from Mr. O'Malley on November 11, 2008 offering his support. Representative Jackson responded by saying that Mr. O'Malley could help by putting the Member in touch with anyone who knows the Governor. Mr. O'Malley promptly invited Representative Jackson to his restaurant that same day for a meeting with Mr. Rumman. The meeting was about the Senate seat and Representative Jackson was looking for insight into the Governor's selection process, the criteria that would be used to select an individual for the seat, and any other details regarding the seat. During the meeting, Mr. Rumman explained that the Governor had a bunker mentality and that he was delusional. The Governor was looking for a lifeline for after he left office. Representative Jackson recalled stating words to the effect of "that's what got him trouble in the first place." The meeting ended with a promise from Mr. Rumman to reach out to members of the Governor's staff and attempt to get a sense of the process.

14. Following this meeting, Representative Jackson reinvigorated his campaign for the Senate seat with the intention of making the decision a public decision. The next morning, November 12, 2008, Representative Jackson and Mr. Rumman met at a restaurant called the Yolk where Mr. Rumman relayed that Valerie Jarrett was no longer in the running for the seat and that Representative Jackson was on President-elect Obama's short list for the appointment to the Senate. Mr. Rumman suggested a meeting with Mr. John Wyma. After the November 12th meeting, the Member recalled feeling increasingly disillusioned because no public criteria had been expressed by the Governor for how he would make his appointment.

15. Some time thereafter, Representative Jackson met with Mr. Wyma. During the meeting Representative Jackson relayed to Mr. Wyma that he wanted the seat and wanted a meeting with the Governor. Mr. Wyma asked about the Member's relationship with the Governor and Representative Jackson replied that it was frosty. Mr. Wyma then asked why the relationship was a poor one and the Member replied that it was because he had not supported the Governor previously. Mr. Wyma's response was that if Representative Jackson wanted a meeting with Governor Blagojevich then trust needed to be built. He also conveyed that J.B. Pritzker was a serious contender for the seat because Pritzker could help the Governor when he was done with his political career. However, Mr. Wyma also stated that Representative Jackson's best argument for being appointed was that as Senator he could support the Governor in his 2010 campaign for reelection. Mr. Wyma then asked Representative Jackson if he would support the Governor in 2010. As the meeting ended, Representative Jackson asked Mr. Wyma for anything he could do to help him get a meeting with the Governor. While Representative Jackson was taking a phone call, Mr. Wyma wrote a note and handed it to the Member. On the note were several bullet points: Building trust and personal relationship; Historical significance/Importance of the seat; and the case for your candidacy/lifeline. This note was not turned over to any federal or state investigator. Representative Jackson's attorney stated during the interview that he has

the note, but it was misplaced. The subject of fundraising did not come up during the meeting with Mr. Wyma.

16. Representative Jackson explained his frosty relationship with the Governor as stemming from an occasion in 2001 when he was asked for $25,000 to support Rod Blagojevich's campaign for the Governor of Illinois. Representative Jackson declined to give any money to his campaign. When Mr. Blagojevich was elected to Governor, then-Governor Blagojevich asked Representative Jackson if he could do anything to help the Member. Representative Jackson asked Governor Blagojevich to consider Representative Jackson's wife for a job. He then forwarded his wife's resume to the Governor. Governor Blagojevich suggested that he would appoint Representative Jackson's wife to a position related to the state lottery, but when the time came for the announcement the Governor appointed another individual. Afterwards, Representative Jackson saw Governor Blagojevich and asked him what had happened. The Governor apologized and as he was leaving the event told Representative Jackson that he should have given him the $25,000. Representative Jackson also relayed another incident when Mr. Tony Resko, an individual associated with political corruption in Illinois, attended a meeting about building the airport in the Second District and identified himself as a representative of the state. Representative Jackson informed the U.S. Attorney after the meeting. The member was unable to recall with any specificity, to include the year, when the meeting occurred. As a result of these interactions, the Member had not met with the Governor in almost four years.

17. Regarding the December 6, 2008 event that has been reported in the media as a fundraiser, Representative Jackson stated that he was not aware of the event prior to reading about it in the media. Subsequent to the media reports, Representative Jackson learned that the event was a celebration of an Indian holiday known as Duwalli. Originally Representative Jackson's father was invited to the event but could not attend. Mr. Jonathan Jackson, the Member's brother, attended in his father's place. Representative Jackson and his brother spoke about the December 6th event afterwards and the Member's brother relayed that the event was not a fundraiser but instead a holiday celebration. The Governor was in attendance, but the only mention of the Senate seat was a joke the Governor made to Jonathan Jackson. The Member's brother said that he presented awards to children who attended the event. Mr. Nayak also attended the event. The Member and his brother never talked about any conversation between Jonathan Jackson and Mr. Nayak.

18. After the December 6th event, the Member started receiving many phone calls from a number of individuals to include Mr. Nayak and the Member's father. The Member described these phone calls as "Mea Culpa calls" in which he was advised to go to the Governor and apologize for the state of their relationship.

19. Representative Jackson met with then-Governor Blagojevich at approximately 4pm on December 8, 2008. The meeting was attended by the Governor, Mr. Hines, and Representative Jackson. Mr. Bryant arrived with the Member, but waited outside for the duration of the meeting. Representative Jackson presented the Governor with a package supporting his appointment to the vacant Senate seat. The first ten minutes of the meeting involved Representative Jackson apologizing for the past differences between him and the Governor. The Governor then asked if Representative Jackson could run with him in 2010 and Representative Jackson indicated he could so. As the meeting ended, the Governor told the Member that it was a good interview and the he was going to have him back for another interview. Nothing about quid pro quo or a lifeline came up during the meeting.

20. Overall, the only restrictions or caveats Representative Jackson gave to those who promoted his campaign for the Senate seat were contained in notes attached to an informational package he gave some of his supporters. Those notes explained the context of the Illinois political landscape and included the fact that the Governor was under investigation for "pay to play" politics. The Member explained that Mr. Nayak's only interest in policy related to his support for U.S. – Indian nuclear cooperation and, with that exception, Mr. Nayak did not discuss policy with Representative Jackson. Representative Jackson also stated that Mr. Nayak has never asked him for any political favor. The Member did not see Mr. Nayak as a serious mind in politics and therefore did not seek to utilize Mr. Nayak's connection to the Governor. Mr. Nayak never told Representative Jackson that he was arranging to raise money for the Senate seat, nor did it ever come to the Member's attention – directly or indirectly – that Mr. Nayak might be doing so. The last time Representative Jackson spoke with Mr. Nayak was either the day of or the day after the arrest of Governor Blagojevich. Representative Jackson and his father were on the phone talking about the possible identities of individuals listed in the criminal complaint who were identified by alphabetical letters. Rev. Jesse Jackson Sr. suggested that one of them might be Mr. Nayak. Rev. Jackson placed his son on hold, called Mr. Nayak, and conferenced him into the conversation with his son. Representative Jackson asked Mr. Nayak if he was one of the individuals in the complaint and Mr. Nayak said he was not. Representative Jackson did not know what would make his father wonder if Mr. Nayak was identified in the complaint.

I prepared this Memorandum of Interview on April 17, 2009 after interviewing Representative Jackson on April 9, 2009. I certify that this memorandum contains all pertinent matter discussed with Representative Jackson on April 9, 2009.

Omar S. Ashmawy
Investigative Counsel

EXHIBIT 7

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

Memorandum of Interview

In Re:	The District Director for Representative Jackson
Review #:	09-9812
Date:	April 9, 2009
Location:	Cochran, Cherry, Givens, Smith & Montgomery One North LaSalle Street, Suite 2450 Chicago, Illinois
Time:	approximately 9:00 am to 11:00 am
Participants:	Leo Wise Omar Ashmawy

Summary: The District Director for Representative Jackson is Congressman Jesse Jackson, Jr.'s district office administrator. The District Director for Representative Jackson was one of two staff members (the other being chief of staff) who assisted Congressman Jackson on matters related to his potential appointment to the Illinois Senate seat vacated by President Barack Obama in November 2008. We requested an interview with the District Director for Representative Jackson and he consented to an interview. The District Director for Representative Jackson made the following statements in response to our questioning:

1. The District Director for Representative Jackson was given an 18 U.S.C. § 1001 warning and consented to an interview. The District Director for Representative Jackson signed a written acknowledgement of the warning.

2. The District Director for Representative Jackson has worked for Congressman Jackson since he was elected 14 years ago. The District Director for Representative Jackson was a local reporter who covered Congressman Jackson's first campaign. After Jackson won, the District Director for Representative Jackson asked for a job. He was made Deputy District Administrator. Within a year he was promoted to District Administrator and has held that position ever since. In that position, he runs the district office, does outreach to local elected officials and handles the press and correspondence.

3. The District Director for Representative Jackson was asked about his contact with former Governor Blagojevich and his office. He said that from the time Governor Blagojevich was elected until 2002 he spoke with his office 3-4 times a year. Since 2006, he said he had no contact. In the 2002 to 2006 timeframe, the contacts concerned a third airport in Chicago. He also recalled some communication on a capital bill being considered in Springfield in 2008. Contact was usually initiated by the Governor's office.

4. From 2006 on, it became apparent that the Governor would not support Representative Jackson's proposal for an airport in the Southwest Chicago Suburbs.

5. The idea of Representative Jackson filing President Obama's Senate seat first came up a year before the election.

6. As the Presidential election approached there was a lot of discussion in the press about the process for filing the seat and how the Governor would make the appointment. The District Director for Representative Jackson attended the press conference where Governor Blagojevich spoke about how he would select a replacement to fill the seat.

7. The District Director for Representative Jackson discussed the Senate seat with the Congressman. The District Director for Representative Jackson does not remember precisely when they started talking about the seat but knows these conversations occurred in the summer or fall 2008. The Congressman concluded that the only way to be selected was to run a "public campaign." This strategy was chosen because the Congressman had "no relationship" with the Governor and therefore the Congressman believed he needed a great deal of public support in order to be a viable candidate.

8. In fall 2008 when it looked like Senator Obama would win the presidency a "plan was put into action." Congressman Jackson wrote out a "case" for why he was qualified for the Senate. The Congressman and the District Director for Representative Jackson and the Chief of Staff of Representative Jackson, the Congressman's Chief of Staff, then contacted editorial boards in hopes of getting endorsements. When individual citizens would ask how they could help, they would be told to contact the Governor and advocate for Congressman's Jackson's selection.

9. The District Director for Representative Jackson and the Chief of Staff of Representative Jackson were the only members of the staff that worked on appointment to the Senate seat. It was not something that was discussed at staff meetings.

10. The District Director for Representative Jackson talked to the Governor's scheduler Mary Stewart in November about scheduling a meeting between the Governor and Congressman Jackson.

11. Victor Roberson, the Governor's liaison to the black community also called the office two or three times in the fall.

12. Mark O'Malley contacted Congressman Jackson and offered to help with the Senate selection process. He proposed setting-up a meeting between the Congressman and Michael Rumman, a former member of Governor Blagojevich's administration. The Congressman, the District Director for Representative Jackson, Rumman and O'Malley met at O'Malley's restaurant, the Firehouse.

13. Rumman told Representative Jackson the Governor met with his "inner circle" recently for four hours to discuss the Senate seat. Rumman said he had heard that the Governor was "completely undecided" about the Senate seat. Rumman said the Governor's inner circle described him as "delusional" and said he was "not in touch with reality" in terms of his own political future. At this time, Governor Blagojevich's approval ratings were in the teens and, therefore, his re-election was highly unlikely Blagojevich's "inner circle" told him his political life was over and that he should "keep his nose clean" and finish out his term. Nonetheless, Governor Blagojevich at times talked about having a political life in the future (including running for re-election). Rumman said he was told that when the Governor was 'in his saner moments" he thinks about his daughters and his family and is interested in a "high-paying job" after politics. Rumman told Representative Jackson that Governor Blagojevich was looking for a "lifeline." The Congressman asked Rumman what that term meant. Rumman explained that Blagojevich will be looking for a high-paying job and explained that was why J.B. Pritzker was under consideration for the Senate seat—because Pritzker was in a good position to offer him one. The Congressman told Rumman "that is precisely the kind of thing that got him in trouble in the first place—some kind of tradeoff." Rumman opined that since Blagojevich was "toxic" such an offer might not be forthcoming from any source. Rumman volunteered to attempt to collect more information on the Governor's deliberations and report back to the Congressman.

14. Rumman, O'Malley, the District Director for Representative Jackson and the Congressman met the next morning at a restaurant called "Yolk" for approximately 30 minutes. Rumman reported he had made some calls the previous evening but had no new information. He did relay information that was public, namely that Valerie Jarrett was

"pulling out" of consideration that Emil Jones was making "a big push" and that President Obama was staying out of the selection process.

15. On October 28, 2008 the Congressman met with Raju Nayak and Rajindar Bedi at a restaurant called 312 across the street from a state office building. The District Director for Representative Jackson attended the meeting. The Congressman's driver Howard Painter was in the restaurant but did not sit the party. The District Director for Representative Jackson said the Congressman had called him the day before and said we are going to meet with Rajindar Bedi, the Governor's "second district economic development guy" to talk about the third airport. The District Director for Representative Jackson is the staff person in charge of handling the third airport project but he did not schedule the meeting. The previous Friday, the District Director for Representative Jackson had called the State Aeronautics Administrator Susan Shea and asked for an update on the airport plans. The District Director for Representative Jackson thought his call might have prompted the meeting. Nothing was said at the meeting that suggested it had. Bedi came to the meeting with Raju Nayak. According to the District Director for Representative Jackson, Nayak did not have anything to do with the airport project. When asked why he was there, the District Director for Representative Jackson said he thought Nayak was there to introduce Bedi to the Congressman since Nayak and Bedi were friends. The Congressman knew Nayak. When asked if the Congressman had previously met Bedi, the District Director for Representative Jackson said he did not think it was the first time the Congressman had met Bedi. The District Director for Representative Jackson said Nayak and Bedi mentioned the Senate seat. The District Director for Representative Jackson does not remember any of the conversation about the Senate seat. The District Director for Representative Jackson also said that at some point, Nayak and Bedi began talking to one another (they were seated side-by-side across the table from the District Director for Representative Jackson and the Congressman). The District Director for Representative Jackson said he could not hear their conversation but did hear them talk about "fundraising." At the end of the meeting Bedi said he was going to talk to the Governor in the next day or so about the airport and the plan was for the District Director for Representative Jackson to call him to follow-up.

16. The District Director for Representative Jackson did call to follow-up in agreed upon time frame (The District Director for Representative Jackson does not recall precisely what that was) but Bedi said he had not spoken to the Governor but still planned on doing so.

17. The District Director for Representative Jackson said this was the first time he had met Nayak. The District Director for Representative Jackson said knew his name and the

only previous interaction he had with the office was when he, Nayak, called the district office looking for help on visas for Indians that wanted to visit the United States. Prima Garcia, a staff assistant who worked in the district office, had worked for a doctor who knew Nayak. The District Director for Representative Jackson said he learned from Ms. Garcia that Nayak had given money to Congressman Jackson's campaign.

18. When asked whether the Congressman and Nayak discussed the Senate seat the District Director for Representative Jackson said he did not know.

19. When asked if he, the District Director for Representative Jackson, had made a public statement that they had, the District Director for Representative Jackson said he did not know.

20. The District Director for Representative Jackson was then shown a December 12, 2008 Chicago Tribune article in which he, the District Director for Representative Jackson, is quoted as saying, "He [the Congressman] has talked to [Nayak] about the Senate seat and he has mentioned his interest . . . But he never asked him to do anything." Attached hereto as "Exhibit A." The District Director for Representative Jackson at first said he did not remember making that statement and that he did not know the basis for his statement. Later in the interview he said he remembered getting a call from a reporter at his home around 9 pm on the 11th and being asked whether the Congressman had talked to Nayak about the Senate seat. The District Director for Representative Jackson said he had called the Congressman and that he had given him this statement and that the District Director for Representative Jackson only "changed the "I" to "he."

21. The District Director for Representative Jackson was then shown an e-mail provided to the OCE by Congressman Jackson's lawyers from Congressman Jackson dated October 22, 2008 where the Congressman wrote, "rhagu wants to get all the Indian organization heads to sign a ltr to Blago on our behalf. He wants our office to draft it." Attached hereto as "Exhibit B." The District Director for Representative Jackson is on the "to" line of the e-mail, as is Congressman Jackson's chief of staff. The District Director for Representative Jackson said the Chief of Staff of Representative Jackson followed-up on the letter. When asked if this letter came up at the October 28, 2008 meeting, the District Director for Representative Jackson said "it might have come up, now that you mention it" but that he did not recall.

22. The District Director for Representative Jackson accompanied Congressman Jackson to the Congressman's meeting with Blagojevich on December 8, 2008 but did not go in the room with the Governor and Congressman. The District Director for Representative Jackson said the meeting began at 5pm and lasted 90 to 120 minutes. The District

Director for Representative Jackson said the Congressman told him when he came out that he was "as confused coming out as he was when he went in" about his, the Congressman's, prospects. The District Director for Representative Jackson asked the Congressman if "anything like a quid pro quo" came up because, the District Director for Representative Jackson said he told the Congressman, "this guy is notorious for that." The Congressman told him "no" and said they went through the notebook that Jackson had brought with him on why he should be selected.

23. When asked if the Congressman and Nayak ever met after the October 2008 meeting described, the District Director for Representative Jackson said he had heard from the Congressman that he had met with Nayak in his Washington office when Nayak was in Washington for the signing of a U.S.-India nuclear cooperation treaty or related legislation.

24. When asked about Jonathan Jackson, Nayak said that Jonathan Jackson has only called the district office 2 times in the last 6 years, both times to talk about passports. The District Director for Representative Jackson said he did not have any dealings with Jonathan Jackson about policies or politics. The District Director for Representative Jackson has seen Jonathan Jackson at some campaign events but was not aware of him playing a role in the campaign. The District Director for Representative Jackson had no knowledge of Jonathan Jackson supporting the former Governor. The District Director for Representative Jackson was not aware of the December 6, 2008 event (which Jonathan Jackson is reported to have attended).

25. The District Director for Representative Jackson volunteered on Representative Jackson's campaign occasionally but did not play a significant role. He attended fundraisers, did some canvassing and looked at polling and advised the campaign.

26. The District Director for Representative Jackson was not aware of the October 31, 2008 luncheon at the India House.

27. The District Director for Representative Jackson is not aware of Nayak having any interest in particular policies or in a government position.

We certify that this memorandum contains all pertinent matter discussed with the District Director for Representative Jackson on March 17, 2009.

Leo J. Wise	Omar Ashmawy
Staff Director & Chief Counsel	Investigative Counsel

www.chicagotribune.com/news/local/chi-blagojevich-jackson12dec12,0,6420556.story

chicagotribune.com

Rod Blagojevich

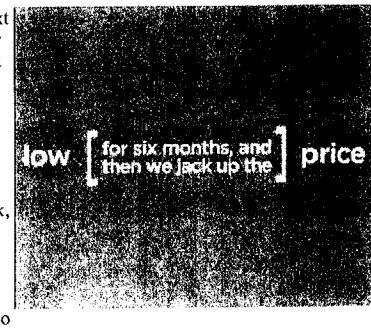
Blagojevich fundraiser held by Jackson allies Saturday

By David Kidwell, John Chase and Dan Mihalopoulos

Tribune reporters

December 12, 2008

As Gov. Rod Blagojevich was trying to pick Illinois' next U.S. senator, businessmen with ties to both the governor and U.S. Rep. Jesse Jackson Jr. discussed raising at least $1 million for Blagojevich's campaign as a way to encourage him to pick Jackson for the job, the Tribune has learned.



Blagojevich made an appearance at an Oct. 31 luncheon meeting at the India House restaurant in Schaumburg sponsored by Oak Brook businessman Raghuveer Nayak, a major Blagojevich supporter who also has fundraising and business ties to the Jackson family, according to several attendees and public records.

Two businessmen who attended the meeting and spoke to the Tribune on the condition of anonymity said that Nayak and Blagojevich aide Rajinder Bedi privately told many of the more than two dozen attendees the fundraising effort was aimed at supporting Jackson's bid for the Senate.

Among the attendees was a Blagojevich fundraiser already under scrutiny by federal investigators, Joliet pharmacist Harish Bhatt.

That meeting led to a Blagojevich fundraiser Saturday in Elmhurst, co-sponsored by Nayak and attended by Jesse Jackson Jr.'s brother, Jonathan, as well as Blagojevich, according to several people who were there. Nayak and Jonathan Jackson go back years and the two even went into business together years ago as part of a land purchase on the South Side.

Blagojevich and the congressman met to discuss the Senate seat on Monday, one day before federal prosecutors arrested Blagojevich and charged him with trying to sell the U.S. Senate seat vacated by President-elect Barack Obama. As part of the charges, prosecutors alleged that Blagojevich was considering awarding the seat to a politician identified as "Senate Candidate 5" because emissaries for that candidate were promising to raise as much as $1.5 million for Blagojevich's campaign fund.

The Tribune has identified Jesse Jackson Jr. as "Senate Candidate 5." Jackson has denied knowing anything about efforts by emissaries or anybody close to him promising to raise money for Blagojevich

in exchange for being appointed to the Senate. He has been contacted by federal prosecutors as part of the probe and has agreed to meet with them.

Jackson's congressional spokesman Rick Bryant said Thursday that Nayak is a "family friend and supporter" of the congressman as well as his well-known father, Rev. Jesse Jackson. The congressman and Nayak have spoken about Jackson's desire to succeed Obama.

"He has talked to [Nayak] about the Senate seat and he has mentioned his interest," Bryant said of his boss. "But he never asked him to do anything."

Jackson's newly retained attorney, James Montgomery, said Wednesday he could not rule out that such possibilities were discussed with Blagojevich by people who did not have his client's blessing.

Despite the parallels, it could not be determined if the actions outlined by the Tribune were the same as those discussed in the FBI affidavit that accompanied the pay-to-play charges against Blagojevich and his chief of staff, John Harris. But the details, gathered from more than a dozen interviews, make clear that some political operatives were connecting support for Blagojevich to his choice for the Senate seat.

Iftekhar Shareef, past president of the influential Federation of Indian Associations, said he attended the Saturday fundraiser for the governor at the invitation of Bedi and Nayak. Shareef said the congressman's brother Jonathan also attended.

"Raghu [Nayak] is always talking about how we need to appoint Jesse to the Senate," Shareef said. "They are very close. Raghu is close with all the Jacksons. He even asked me to write a letter to the governor supporting Jesse Jackson for the Senate." Shareef said he wrote the letter.

A half-dozen other attendees at the two events said they never heard talk about trying to get Jackson placed into the Senate. Bedi's brother, Jatinder, who is an editor at the Indian Reporter newspaper, acknowledged being at the India House event but said "there was no discussion of the Senate seat."

Rajinder Bedi couldn't be reached for comment.

Reached by telephone at his home, Nayak declined to comment.

Nayak, 54, is a political and community leader in Chicago's Indian community who has raised hundreds of thousands of dollars for Blagojevich, including more than $200,000 from Nayak, his wife and his various corporations. Nayak and his wife have donated more than $22,000 to Jackson, federal records show, and raised more for the congressman.

Nayak owns a series of surgery centers on Chicago's North Side. He also founded and until recently retained an ownership stake in a drug testing laboratory with millions of dollars in Illinois public aid contracts.

Satish "Sonny" Gabhawala, owner of the Chicago Park Hotel in Harvey, said he was at the Oct. 31 meeting and saw Nayak and Rajinder Bedi approach another Blagojevich fundraiser, Babu Patel.

"They were trying to convince Babu to use his influence to get the governor to appoint Jesse Jackson to the Senate," Gabhawala said.

Patel, contacted Thursday evening, acknowledged the conversation but said he never spoke with Blagojevich about the Senate appointment.

Bedi is the managing director for the Illinois Department of Commerce & Economic Opportunity's Office of Trade and Investment, overseeing nine foreign trade offices around the world from China to Israel. He has also been a key fundraiser for Blagojevich.

Blagojevich has referred to Bedi, who wears a turban, as "My Sikh warrior."

The two businessmen who spoke to the Tribune on the condition of anonymity said they did so because they were afraid of repercussions in the close-knit and politically active Indian business community.

One said Nayak and Bedi told him and others of their plan to help Jackson.

The second said he overheard Nayak and Bedi discussing plans with Bhatt, the Joliet pharmacist..

"Raghu said he needed to raise a million for Rod to make sure Jesse got the seat," the second businessman said. "He said, 'I can raise half of it, $500,000.' The idea was that the other two would help raise the rest."

Bhatt, whose two Basinger's Pharmacy outlets were searched by the FBI last week, has been the focus of a state and federal investigations into whether campaign donations were made in exchange for regulatory favors.

Bhatt is a prominent Indian businessman who helped the state's top pharmacy regulator win his job. The Tribune reported last year that state pharmacy auditors probing allegations of Medicaid fraud at Basinger's complained that their bosses thwarted the investigation, allegations Bhatt has adamantly denied in interviews with the Tribune.

Tribune reporter Ray Gibson contributed to this report.

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Edmonds, Kenneth

From: Jackson, Jesse
Sent: Wednesday, October 22, 2008 8:58 AM
To: Edmonds, Kenneth; Bryant, Rick

17739090309 rhagu wants to get all Indian organizations heads to sign a ltr to Blago on our behalf. He wants our office to draft it

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Sent from my BlackBerry Wireless Handheld

EXHIBIT 8

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

Memorandum of Interview

In Re:	The Chief of Staff of Representative Jackson
Review #:	09-9812
Date:	April 17, 2009
Location:	1017 Longworth HOB Washington, DC 20515
Time:	1300hrs – 1530hrs (approximately)
Participants:	Leo Wise Omar Ashmawy

Summary: The Chief of Staff of Representative Jackson was interviewed pursuant to Review 09-9812. We requested an interview with the Chief of Staff of Representative Jackson and he consented to an interview. The Chief of Staff of Representative Jackson made the following statements in response to our questioning:

1. The Chief of Staff of Representative Jackson was given an 18 U.S.C. § 1001 warning, signed a written acknowledgement of the warning and consented to an interview.

2. The Chief of Staff of Representative Jackson brought several documents to the interview, including a timeline of events. Following the interview the Chief of Staff of Representative Jackson sent via email a memorandum of talking points prepared for citizen supporters of Representative Jackson's bid for the vacant Senate seat.

3. The Chief of Staff of Representative Jackson began by discussing the timeline of events. He explained that the timeline reflected interactions with the individuals identified in the Memorandum for Information this office submitted to him. Dates in boldface reflect direct contact between the Chief of Staff of Representative Jackson and the respective individual. If an individual is not on the timeline, then the Chief of Staff of Representative Jackson indicated he did not have any interaction with that person.

4. On October 22, 2008, Congressman Jackson sent an email to members of his staff about preparing a letter for Mr. Raghuveer Nayak to circulate among the Indian-American community of Illinois for signatures in support of the Congressman's bid for the Senate seat that would be vacated if Senator Barack Obama was elected President of the United States. On October 24, 2008, the Chief of Staff of Representative Jackson sent the letter to Mr. Nayak via email.

5. On November 9, 2008, after Barack Obama was elected President, Congressman Jackson sent an email to staff members seeking a meeting with former Illinois Governor Rod Blagojevich. To the Chief of Staff of Representative Jackson's knowledge this was the first official attempt to meet with the Governor, however the Chief of Staff of Representative Jackson stated that he was not sure of this fact and that he did not have the best memory. He also stated that a Chicago Sun-Times article reporting Congressman Jackson's October 2008 attempts to reach out to the Governor was the first time he had heard of any October 2008 contact between the Member and the Governor's office. The Chief of Staff of Representative Jackson thought it was unlikely that Congressman Jackson reached out prior to the election because the Congressman and his advisors were concerned about appearing to have ulterior motives for their support of Barack Obama's candidacy.

6. Around the time of November 24, 2008, the Chief of Staff of Representative Jackson grew increasingly concerned because the Governor was reaching out to a number of other individuals, but not Congressman Jackson, despite a very public effort to gain the appointment. In an attempt to gain intelligence regarding the process, Congressman Jackson reached out to an aid, Mr. Victor Roberson, and an unofficial advisor of the Governor, Mr. Michael Rumman. The Chief of Staff of Representative Jackson did not know either of these individuals prior to contacting them. Mr. Rumman called the Chief of Staff of Representative Jackson back a few days later to apologize and say that he attempted to find information but was unable to do so. Mr. Roberson did not provide any helpful information either.

7. The Chief of Staff of Representative Jackson had no independent knowledge nor had he seen any information to verify an April 7, 2009 Chicago Sun-Times article reporting that the Governor's office contacted the Congressman's office about a meeting. It could be true as there was a lot of back and forth between individuals at the time, but the Chief of Staff of Representative Jackson did not know if it was true.

8. Despite an editorial endorsing the Congressman, articles appearing in the Chicago Sun-Times on November 28, 2008 and December 1, 2008 gave raise to increased concern. The public campaign for the seat was very aggressive because it was becoming clear that it was the Member's only option. The Congressman was not part of the political machine in Chicago and was seen as an outsider. Nor did he have contacts within the Governor's office.

9. The Chief of Staff of Representative Jackson did not recall whether it was his idea or the Congressman's idea, but a decision was made to call Mr. John Wyma, who the Chief of Staff of Representative Jackson described as the Governor's right hand man, a big-time Illinois lobbyist and the former chief of staff of the Governor when Rob Blagojevich was in Congress. The Congressman knew Mr. Wyma because Mr. Wyma had been in the office, because he represented many Illinois companies, and because the Member and Mr. Wyma spoke on an infrequent basis.

10. Congressman Jackson met with Mr. Wyma on December 2, 2008. The Chief of Staff of Representative Jackson had made plans to be at the meeting, but ultimately was unable to make it. He recalled being upset he was not there because he wanted to observe Mr. Wyma and assess his non-verbal gestures. Following the meeting, the Chief of Staff of Representative Jackson and the Congressmen spoke. The Chief of Staff of Representative Jackson distinctly recalled that Congressman Jackson took notes of the meeting because the Congressman never took notes and the uniqueness of the fact made it memorable. The Member took a yellow piece of paper out of his pocket and unfolded it and read his notes to the Chief of Staff of Representative Jackson. The Chief of Staff of Representative Jackson did not look at the notes himself. The Chief of Staff of Representative Jackson did not recall the notes in detail, but remembered Mr. Wyma's advice for getting a meeting with the Governor included: suggesting the Member be himself and address the past and the breach in his relationship with the Governor. After asking the Chief of Staff of Representative Jackson about the word "lifeline," the Chief of Staff of Representative Jackson stated that the word may have been used by Mr. Wyma and that the term did not sound new to him. It was hard for the Chief of Staff of Representative Jackson to get a sense of the meeting from the notes, but his intuition told him that despite their very successful campaign, things were not going well for the Member. The list of potential appointees was getting longer, not shorter, and the Chief of Staff of Representative Jackson had the impression that while Congressman Jackson was in contention for the seat, he was not a serious contender. As an example of his concern, the Chief of Staff of Representative Jackson recalled that a new name emerged from the Member's meeting with Mr. Wyma – J.B. Pritzker. The Chief of Staff of Representative Jackson was concerned that if individuals who were not elected officials were being considered then there was cause for concern.

11. Sometime that week, the Congressman's office received an email inviting the Representative to a Poverty Summit at Northwestern University. A meeting had not yet been scheduled between Congressman Jackson and the Governor and so this invitation was a source of some aggravation as the Chief of Staff of Representative Jackson was frustrated that the Governor would make such a request, but would not grant the Congressman a meeting regarding the Senate seat.

12. On December 4, 2008, after scheduling and rescheduling, Ms. Mary Stewart called from the Governor's office to schedule a meeting between the Governor and Congressman Jackson. The Chief of Staff of Representative Jackson was reached at home and scheduled the meeting for December 8, 2008.

13. Congressman Jackson met with the Governor on December 8th for approximately 90 minutes. In addition to the oral presentation, Congressman Jackson provided the Governor with a notebook highlighting his qualifications, including a political memorandum that provided an analysis of African-American geographical regions and how the Governor could benefit in a 2010 reelection bid if there was an African-American running with him.

14. Governor Blagojevich was arrested on December 9, 2008 and Congressman Jackson held a press conference on December 10, 2008. Soon after the press conference was over, Mr. Roberson called the Chief of Staff of Representative Jackson and said words to the effect of "please tell the Congressman that I'm sorry things turned out the way they did." The Chief of Staff of Representative Jackson was very surprised by the call.

15. With regard to Mr. Raghuveer Nayak, the Chief of Staff of Representative Jackson knew Mr. Nayak to be a very successful businessman and long-time supporter of Congressman Jackson. Mr. Nayak has also served in past years as a co-chair for Congressman Jackson's largest annual fundraiser – a birthday event held in downtown Chicago. The first time the Chief of Staff of Representative Jackson recalled hearing anything connecting Mr. Nayak to the Senate seat was with regard to the letter of support on October 22, 2008.

16. The Chief of Staff of Representative Jackson did not know the exact nature of Mr. Nayak's relationship with Rod Blagojevich, but he had the impression Mr. Nayak was a prolific fundraiser for the Democratic Party – raising money for Barack Obama, Hillary Clinton, Joseph Biden, and Rod Blagojevich. The Chief of Staff of Representative Jackson also understood Mr. Nayak to be very influential in the Indian-American community. The Chief of Staff of Representative Jackson was unaware of any policy concerns that Mr. Nayak may have had, with the exception of a single request made to Congressman Jackson's office for a possible appropriation for an unspecified center Mr. Nayak was working on or building. However, the office could help because the center was outside of the Congressman's district.

17. The relationship between Congressman Jackson and his brother, Jonathan, has been strained since June 2008. The poor relationship stems principally from Congressman Jackson's public disagreements with his father, Reverend Jesse Jackson Sr., over some of Reverend Jackson's pre-election comments about President Obama and the public support the Congressman's mother lent to Hillary Clinton.

18. The Chief of Staff of Representative Jackson did not know anything about the October 31, 2008 event that has been reported as a luncheon held at the India House.

19. The Chief of Staff of Representative Jackson had no contact with Mr. Rajinder Bedi between June 2008 and 31 December 2008. The last time he saw Mr. Bedi was during an event at the Kennedy Center in Washington, DC. Although he did not know Mr. Bedi, the Chief of Staff of Representative Jackson always considered him a prominent Indian-American. The Chief of Staff of Representative Jackson did not know that Mr. Bedi worked for the state until the fact was reported in the media. The Chief of Staff of Representative Jackson described Mr. Nayak and Mr. Bedi as best friends, stating that they were always seen together.

20. The Chief of Staff of Representative Jackson was not aware of any meetings between Mr. Nayak, Mr. Bedi, and Congressman Jackson in October 2008.

21. The Chief of Staff of Representative Jaekson did not remember the first time Representative Jackson and he had a substantive discussion regarding the Senate seat. However, there was an awareness of the possibility of gaining an appointment to the Senate as early as the Democratic National Convention in August 2008. The Chief of Staff of Representative Jackson recalled thinking the convention was important and, as the date of the convention approached, began advising Representative Jackson to conform his persona to one evocative of a Senator.

22. There was never a specific time when Representative Jackson and his staff met and laid out a plan of how they would seek the vacant seat. There was a sense among the Member and his staff that there was no single, proven strategy to follow given the relative rarity of a gubernatorial appointment to the United States Senate. As such, their process was constantly evolving. Despite misgivings that their public campaign for the seat was seen as officious, there was a sense among the Member and his staff that a public campaign was not merely the best chance, but the only chance Representative Jackson had to secure the appointment. There was not a specific conversation or moment when they came to this conclusion. Instead, it was an evolving process and the recognition of a reality.

23. The Chief of Staff of Representative Jackson described Representative Jackson alternatively as both the coach and quarterback of their campaign for the seat or as the coach with himself, the Chief of Staff of Representative Jackson, as the quarterback. Throughout the campaign, Representative Jackson typically told the Chief of Staff of Representative Jackson when the Representative spoke to individuals about the seat or the Chief of Staff of Representative Jackson was involved in the meeting. However, Representative Jackson was furiously pitching to numerous individuals for support and the Chief of Staff of Representative Jackson was not aware of every conversation, but he thought he was aware of the significant ones.

24. Generally, all of Representative Jackson's meetings used to be scheduled through Ms. DeBorah Posey, the Member's scheduler, but then the Representative began to schedule his own meetings. As result, the Chief of Staff of Representative Jackson was aware of some, but not all of the meetings Representative Jackson attended. When the Member was in Washington, DC, the Chief of Staff of Representative Jackson was aware of all of his meetings, but when the Member was in Chicago this was not the case. The office would try to stay abreast of his schedule, but often could not, leaving him with a feeling of exasperation.

25. In calendar year 2008 there was almost no contact between Representative Jackson's Congressional office and the Illinois Governor's office. The Chief of Staff of Representative Jackson would be surprised to learn if there were more than two instances when the Governor's office contacted the Member's office about any matter whatsoever. The Chief of Staff of Representative Jackson was only able to recall one instance when the Governor's office contacted the Member's office in 2008. The matter involved a capital bill before the state legislature.

26. The development of the third airport project was a priority for Representative Jackson. If the member saw a little window of opportunity, then he would dive through it. The project was the Representative's central goal and was described as the most important thing to the Member. The Chief of Staff of Representative Jackson could not recall an instance when the Governor's office contacted the Member regarding the third airport project and did not think it happened. When Representative Jackson did work on the airport, the Chief of Staff of Representative Jackson usually knew about it. If the meeting was in Washington, DC he would definitely know about it. If the meeting was in Chicago, then he may know about it, but the District Director for Representative Jackson would definitely know about it.

27. The District Director for Representative Jackson technically reports to the Chief of Staff of Representative Jackson, but their relationship, practically speaking, is less hierarchal. The District Director for Representative Jackson is the primary point of contact on all district issues and on the airport project. The District Director for Representative Jackson and the Chief of Staff of Representative Jackson speak constantly – sometimes once a day and sometimes seven times a day. The District Director for Representative Jackson did not update the Chief of Staff of Representative Jackson on all issues regularly.

28. The Chief of Staff of Representative Jackson has never had a conversation with Representative Jackson about the indictment or criminal complaint filed against Rod Blagojevich. He has never asked the Member about the specifics of any of the allegations made against any of the individuals named in either the indictment or the complaint.

I prepared this Memorandum of Interview on April 20, 2009 after interviewing the Chief of Staff of Representative Jackson on April 17, 2009. I certify that this memorandum contains all pertinent matter discussed with the Chief of Staff of Representative Jackson on April 17, 2009.

Omar S. Ashmawy
Investigative Counsel

EXHIBIT 9

MEMORANDUM

TO: Governor Rod Blagojevich

RE: Rep. Jesse L. Jackson, Jr.'s Potential Appointment to the U.S. Senate

DATE: December 8, 2008

Please find below a brief summary outlining why Congressman Jackson should succeed President-elect Barack Obama in the U.S. Senate.

I. JESSE JACKSON JR. IS THE BEST CANDIDATE TO FILL PRESIDENT-ELECT OBAMA'S SEAT

- U.S. Congressman Jesse Jackson Jr. is uniquely qualified to fill President-elect Barack Obama's U.S. Senate seat.

- Like President-elect Obama, Congressman Jackson is a young, progressive, and from Chicago's South Side. So, the two share generational, political, geographical, and philosophical similarities.

- During his 13 years as a Member of Congress, Congressman Jackson has become a seasoned legislator and an experienced member of the powerful House Appropriations Committee – which funds virtually all domestic and international programs. This gives him enormous insight into domestic policy and international affairs.

- Congressman Jackson has brought back more than $600 million to his district and the State of Illinois, increasing investment in healthcare, education, infrastructure, transportation and national security. In addition, he has provided critical support to protecting the family farmer, ensuring America's food supply and advancing research at state land grant universities.

- He has been a diligent and committed legislator, missing only two votes in 13 years in Washington, amassing one of the best voting records in Congress.

- Like the President-elect, Congressman Jackson has put together a broad-based coalition of support among Illinois voters – including Democrats and Republicans; Blacks, Whites, Hispanics and Asians; business and labor; young and old; gay and straight; Christians, Jews and Muslims. He has been endorsed every election by every Chicago area newspaper and wins by wide margins (by an average of 86 percent of the vote in an area that when he was elected was considered a "swing district").

- Congressman Jackson has proved that he can work with leaders in both parties and can assemble bipartisan coalitions to refine and advance legislation that is good for all Americans.

- Like President-elect Obama, Congressman Jackson had the judgment, foresight and political courage to oppose the war in Iraq from the start. He argued then that the rush to war was a profound mistake, undermining our country's national security and long-term interest. Congressman Jackson supports Barack Obama's plan to begin to end the Iraq War immediately and responsibly.

- Like the President-elect, Congressman Jackson also would be one of the youngest members of the U.S. Senate, beginning his service at an age that is young enough so he can serve long enough to advance in the Senate's seniority-based system, which over time would be beneficial to Illinois residents. (Congressman Jackson would be the youngest member of the Senate.)

- Overall, Congressman Jackson is viewed as one of the most progressive leaders in Congress. He annually receives top ratings from environmentalists, human rights groups, teachers, organized labor, healthcare providers, anti-war activists and women's group.

- Congressman Jackson has consistently fought and spoken out against waste, fraud and abuse in government. As the Sun-Times stated in their endorsement of him for re-election to Congress, "Jackson is the rare elected official willing to criticize public corruption in Chicago and the state."

- Barack Obama said during his first post-election press conference that his successor should be someone that shares his values and passion about helping working families in Illinois. In addition, Obama's successor should be able to win re-election in 2010 and help Obama bring needed change to the country, which will not come easily or quickly. Congressman Jackson meets the criteria.

  - As a leading, progressive reformer, Congressman Jackson served as a co-chair of Barack Obama's campaign for the U.S. Senate in 2004 as well as a national co-chair of his presidential campaign of 2008. They share the same values and vision.

  - According to a Rasmussen poll conducted on December 2nd, Congressman Jackson is the clear favorite of Illinois Democrats to succeed Barack Obama as the state's junior U.S. Senator. In addition, according to an earlier Zogby poll of Illinois voters (conducted November 5 & 6), Congressman Jackson is the leading candidate among virtually <u>all demographic groups across the state</u>. The poll also indicated that Congressman Jackson would beat potential Republican challengers in a hypothetical match-up in 2010.

- Congressman Jackson has received major newspaper endorsements for the appointment, including from the *Chicago Sun-Times*, *Southtown Star*, *Chicago Defender* and *Kankakee City News*. He also has received editorial endorsements from smaller publications in the Chicago metropolitan area.

- In short, Congressman Jackson has the record, profile and vision to be appointed to the U.S. Senate. On CNN's Larry King Live, John King, one of the country's most respected political journalists, succinctly laid out the rationale for appointing Congressman Jackson to succeed Obama in the U.S. Senate. He said the following:

  - "*...you would replace an African-American in the Senate with an African-American. You would replace a young man in the Senate with a young man with a long political future. And you would replace Barack Obama in the Senate with a man who shares his ideas and his goals on an agenda going forward.*" [November 17, 2008]

- With an appointment to the U.S. Senate, Jesse Jr. will have the power of incumbency, enhancing his ability to raise the necessary money to run for re-election in 2010.

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CONGRESSMAN JESSE L. JACKSON, JR.

AN OUTSPOKEN, INDEPENDENT AND PROGRESSIVE VOICE FOR AMERICA

Congressman Jesse L. Jackson, Jr. is an outspoken, independent and progressive voice in the United States House of Representatives. Since his election to Congress in 1995, he's been a committed, courageous champion for change, promoting economic opportunity, human rights and justice at home and abroad.

Congressman Jackson has dedicated his career in public service to building "a more perfect Union." He has offered bold, sweeping reforms to overcome profound, structural inequities in the country, proposing new amendments to the U.S. Constitution, including the affirmative, explicit rights to high quality education and health care.

From his seat on the powerful House Appropriations Committee, Congressman Jackson has increased investments in health care, education, infrastructure and national security. Heeding the needs of the "least of these," he has expanded funding for low-income home energy assistance; disease research, prevention and treatment; early childhood education; jobs and skills training; nutrition assistance; and environmental clean-ups.

During the last several years, Congressman Jackson has brought back $600 million for his district. These funds have been a catalyst for change, growth and development in the Southland. He continues to be the leading advocate for building a third Chicago airport through an innovative public-private partnership. The market-driven, state-of-the-art airport would solve the city's aviation capacity crisis, create thousands of jobs, generate billions in revenue, and keep Chicago as the world's preeminent transportation hub.

As an avid reformer, Congressman Jackson has been willing to challenge the status quo, reach across the aisle and even take on his own party. He has spoken out forcefully against the waste, fraud and corruption that too often corrodes our government and violates the public trust. He has worked to bring new leadership and fresh ideas into the political process, making government more open, more responsive and more effective. Congressman Jackson is a public servant, dedicated to the common good.

ADVANCING HUMAN RIGHTS:

The Second Bill of Rights -- Since 2001, Congressman Jackson has introduced 10 amendments to the U.S. Constitution, to establish new, fundamental and affirmative rights. This "second bill of rights" includes the constitutional rights to vote, to health care, to public education, to a clean environment and to equal pay for women.

IMPROVING HEALTH CARE, EDUCATION AND HUMAN SERVICES:

Health Centers -- As a member of the House Labor-Health and Human Services-Education Appropriations Subcommittee, Congressman Jackson has directed the efforts to increase funding for community health centers. Specifically, he has led the charge to modernize the technology used by community health centers, making them more efficient and effective in serving low income Illinoisans.

Health Disparities -- On the Labor, Health and Human Services, and Education Appropriations Subcommittee, Congressman Jackson has led the charge to end health disparities. He has increased the annual funding for the Minority HIV/AIDS Initiative from $166 million in 1998 to almost $450 million now. He also restored the Bush Administration's proposed cuts to the health professions programs, which promote diversity in the healthcare workforce.

Research on Minority Health -- Congressman Jackson coordinated the passage of legislation that created the National Center on Minority Health and Health Disparities at the National Institutes of Health (NIH). The law has resulted in almost $1.5 billion in federal healthcare research targeted to end health disparities facing minority and underserved populations.

Education -- As a member of the House Labor-Health and Human Services-Education Appropriations Subcommittee, Congressman Jackson has led efforts during the past 10 years to prepare young people for college by increasing the funding for college preparation programs (TRIO and GEAR-UP) and making college more affordable for economically-disadvantaged students by increasing funding for student financial aid (Pell Grants, Work Study.)

Human Services -- As a member of the House Labor-Health and Human Services-Education Appropriations Subcommittee, Congressman Jackson has been the leader in increasing funding for this program. In fact, Illinois is the third largest recipient of the federal Low Income Home Energy Assistance Program.

PROMOTING DEMOCRACY AND SECURITY:

Failed or Failing States -- As Vice Chair of the State and Foreign Operations Appropriations Subcommittee, Congressman Jackson has helped to direct more than $35 billion annually in foreign aid.

In the aftermath of the terrorist attacks on September 11, 2001, Congressman Jackson began to work on a new, top priority -- stabilizing failed and/or failing states that could potentially provide safe havens for terrorists. He led efforts to include humanitarian funds for disaster assistance, healthcare, refugee resettlement, food aid and peacekeepers in annual supplemental appropriations bills.

Sudan and Liberia -- In 2005, Congressman Jackson authored legislation that added $500 million for humanitarian aid, food assistance and peacekeepers for the Darfur region of Sudan. In 2006, he passed an amendment to an appropriations bill that added $50 million for humanitarian aid and security assistance for Liberia.

Congressman Jackson also recently proposed an innovative approach to foreign aid by attempting to fix the root cause of poverty and instability, not just ameliorate the symptoms. This bill -- the Liberia SEEDS Act -- strengthens Liberia's democracy and economy by providing funds and supporting projects that do the following: (1) rebuild key infrastructure (the main port, roads and bridges, water and sanitation systems, and the electricity grid); (2) train and employ ex-combatants and war-affected youth; (3) enhance government accountability, transparency and effectiveness; and (4) improve security and promote human rights and the rule of law.

Scott Air Force Base and the Rock Island Arsenal -- As a member of the House Appropriations Committee, Congressman Jackson has assisted with building facilities to assist military families at both Scott Air Force Base and the Rock Island Arsenal.

EXPANDING ECONOMIC SECURITY, JOBS, GROWTH AND DEVELOPMENT:

Stimulus Package -- Congressman Jackson has led the effort in Congress to help Americans families who are struggling most with rising food and fuel costs, a housing and financial crisis, and a sputtering economy. He has fought to include a temporary increase in emergency nutrition funding -- such as food stamp benefits -- in a second economic stimulus package for the nation, thereby feeding the hungry as well as the economy.

Jobs -- As a member of the House Labor-Health and Human Services-Education Appropriations Subcommittee, Congressman Jackson has directed efforts to increase federal funding for job training programs and dislocated workers programs throughout the State of Illinois.

Also as the Vice Chair of the House State-Foreign Operations Subcommittee, Congressman Jackson has led the effort to stabilize and open foreign markets for Illinois companies, such as Caterpillar, John Deere and Boeing.

Third Airport -- In his district, Congressman Jackson has led the efforts to build a third Chicago airport -- the Abraham Lincoln National Airport -- through an innovative public-private partnership. Under the cost-effective, market-driven, privately-financed approach, the airport would be built by world-class developers at no cost or risk to taxpayers.

In 2007, Congressman Jackson passed legislation to remove onerous and byzantine statutory burdens and roadblocks -- contained in the dubious "Weller Amendment" -- to building the airport.

In addition, the Congressman provided federal funds for long-range planning on the airport. Through a Small Business Administration grant, the local airport authority may conduct a comprehensive study on how the region can maximize job creation and retention, and ensure local, female, disadvantaged and minority participation during all phases of the airport project.

Funding Local Initiatives -- As a member of the House Appropriations Committee, Congressman Jackson has secured $600 million for local healthcare, transportation, education, public safety and economic development projects. Those projects include a senior housing center in Harvey; fresh drinking water for Ford Heights; new commuter train stations in South Chicago; three new regional emergency dispatch centers; redevelopment of a former South Side steel mill site; rebuilding the Lake Michigan shoreline; and extending the "Deep Tunnel" flood control project to Chicago's South Side and south suburbs.

INVESTING IN INFRASTRUCTURE, RESEARCH, NUTRITION, CONSERVATION AND AGRICULTURE:

Improving State Waterways -- As a member of the House Appropriations Committee, Congressman Jackson has invested millions in modernizing the Upper Mississippi River Systems, equipping facilities along commercially navigable waterways with new lock chambers. The upgrades allow modern barge tows to efficiently travel along the river to deliver commodities and natural resources throughout the state. In addition, Congressman Jackson has supported federal funding to bolster dam safety, deteriorating embankments, control works and walls along the Illinois Waterway.

Highways and Mass Transit Systems -- As a member of the House Appropriations Committee, Congressman Jackson has helped make investments in highway programs and mass transit (fixed rail and busses) both downstate and in the Chicago metropolitan region.

Protecting our Food Supply -- Congressman Jackson also has led the charge to improve access to healthy, safe foods in all communities across the state. He has supported the National Center for Food Safety and Technology at Illinois Institute of Technology, which is a unique collaboration among government, academia and the food industry to develop methods to detect and prevent food contamination.

Encouraging Agriculture Research -- Congressman Jackson also has supported increased funding for the Cooperative State Research, Education and Extension Service to enable the University of Illinois to remain at the forefront of agriculture research. The Congressman has backed programs such as the Soybean Disease Biotechnology Center at

the University of Illinois, promoting scientific research into protecting soybean crops improving productivity of family farmers.

FIGHTING FOR REFORM:

Bi-partisan Reform -- Congressman Jackson has a reputation for fighting corruption and abuse in city and state politics, and working across party lines to achieve greater cooperation between local officials. He has helped to form broad, diverse coalitions of government, civic, business and labor officials and groups, including the Hyde-Jackson partnership and the Abraham Lincoln National Airport Commission.

Since his first years in office, Congressman Jackson has been standing up and blowing the whistle on public waste and wrongdoing. His actions have helped to expose and end fraud, corruption and crime in the Dixmoor park district, the Village of Dolton and the City of Harvey.

HONORING THE PAST AND INSPIRING THE FUTURE:

Emancipation Hall -- Congressman Jackson was the chief Democratic co-sponsor of legislation designating the 20,000-square foot great hall of the new U.S. Capitol Visitors Center as 'Emancipation Hall." Emancipation Hall is the focal point and largest space in the new visitors center, which is located underground on the east side of the Capitol and serves as the entryway for millions of visitors to the seat of American government.

At the time of its passage in 2007, Congressman Jackson said, "Emancipation Hall will stand as a memorial to our nation's struggle and progression from slavery to freedom, from oppression to equality. In ways substantive and symbolic, we must continue to move our country forward, going from slavery to Reconstruction, from *Plessy* to *Brown* and from division to union -- a more perfect Union."

Rosa Parks Statue -- In 2005, Congressman Jackson initiated legislation to place a life-size statue of Rosa Parks in National Statuary Hall in the United States Capitol. The Rosa Parks statue -- the first and only sculpture of an African American to be in the prominent location -- memorializes an American heroine whose act of courage and dignity helped to break down barriers, overcome oppression and transform the country.

The Abraham Lincoln Bicentennial Commission -- Congressman Jackson is a proud and active member of the ALBC. The 15-member commission is charged with planning and organizing a fitting tribute to commemorate the 200th Birthday of the nation's 16th and greatest president.

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FROM THE DESK OF
CONGRESSMAN JESSE JACKSON JR.

Jesse Jackson Jr. for Senate Endorsements

- Chicago Sun Times December 1, 2008
- Chicago Defender: October 24, 2008
- Southtown Star: November 10, 2008
- Progressive Democrats of America - Illinois: November 11, 2008
- Hermene Hartman, Editor & Founder, N'digo: November 21, 2008

CHICAGO SUN-TIMES

Rep. Jackson is our choice to be senator

Recommend (4)
Comments
December 1, 2008

U.S. Rep. Jesse Jackson Jr. is our choice to be the next U.S. senator from Illinois.

Though Gov. Blagojevich, who must pick a replacement in the Senate for President-elect Barack Obama, finds himself with no shortage of qualified candidates, we believe Jackson has earned the job and would serve our state -- our entire state -- well.

And if Jackson does not, he'll get bounced soon enough. Once appointed, he would have to stand for election statewide in less than two years, where his famous name would be as much a burden as a blessing.

We believe Jackson, 43, has the drive, the passion and the experience. In his 13 years in Congress, he has distinguished himself as a thoughtful, committed legislator who fights for what he thinks is right.

Jackson took the lead in the push for a third Chicago area airport -- in Will County, close to his South Side and south suburban district -- and has refused to give up. That has put him at odds with Mayor Daley, a man he would be smart to befriend, but we admire his commitment on this issue, as well as his daily determination to bring economic development to his depressed district.

Jackson has looked after his constituents well, bringing home about $600 million in federal grants and appropriations for projects such as fresh drinking water in Ford Heights, a community long stuck with rust-colored, foul-smelling water. He has led efforts to redevelop the former US Steel South Works site on the South Side.

Jackson also has proven himself on the national stage, serving on the House Appropriations Committee and as Obama's national campaign co-chairman. He has pushed for universal health care and, in 2001, was the point man on legislation that created a center on minority health and health disparities at the National Institutes of Health.

Above all, we believe, Jackson shares the values and goals of the president-elect, a consideration of no small importance to us in making this endorsement. The voters of Illinois chose Obama twice -- first for the Senate and then for president -- and they deserve a replacement who fully shares the president-elect's agenda.

Jackson at times reminds us more of the consensus-inclined Obama, seeking to rise above race and factionalism, than his honorable but more divisive father, the Rev. Jesse Jackson. The son has even called out the father when he felt it necessary. Back in July, when the Rev. Jackson was caught whispering a rather ungentlemanly comment about Obama -- something, as we recall, about snipping Obama's manhood -- Rep. Jackson played it straight, saying he was "outraged and disappointed" by his father's "reckless" mutterings.

This newspaper has respect for both Jesse Jacksons -- the son and the father -- and in the son we see many of the father's finest qualities, in particular a passion for championing the poor, the oppressed and the powerless.

But in Rep. Jackson, we also see somebody who is his own man.

We cannot conclude this editorial without mentioning one other superbly qualified candidate for the job, Illinois Attorney General Lisa Madigan. She is an independent and highly effective leader and would make a terrific senator.

But we doubt Blagojevich would offer her the appointment, given that she is the daughter of his Springfield nemesis, House Speaker Mike Madigan. And we doubt Lisa Madigan would accept the appointment, given her obvious interest in running for governor in 2010.

More to the point, we are fully enthusiastic about the prospect of a Sen. Jesse Jackson Jr. -- oh, how far we have come -- and we urge the governor to make it happen.

DEFENDER

If Obama wins, Jackson Jr. should take Senate seat

America will soon elect a new president. If that new president is Barack Obama, and we sincerely hope that it is, Illinois will need to quickly fill one of the most famous seats in the U.S. Senate.

If that's the case, the Chicago Defender strongly endorses Congressman Jesse L. Jackson Jr. as Senator Obama's successor.

We believe that Congressman Jackson has proven to be the very best person to carry on Barack's legacy and to represent all Illinoisans in the Senate.

Not only that, Jesse Jr. would serve as a stalwart and loyal advocate in the U.S. Senate for the new administration, which could critically prove important in the tough years ahead.

Congressional Quarterly once named Congressman Jackson one of the "Top 50 Lawmakers" in Congress, noting that "no doubt he sees one of his roles as that of spreading his liberal message to a wider audience than just the House."

During his 13 years in the U.S. House of Representatives, Congressman Jackson has been a passionate and progressive leader.

Like Senator Obama, Jackson has been an inspiring, effective and dedicated public servant from Chicago's South Side.

His record demonstrates a commitment to advocating for innovative and profound changes that America needs, both at home and abroad.

Like Obama, Jackson is a skilled and seasoned lawmaker whose worked effectively with both Democrats and Republicans to promote and further Illinois' interests on Capitol Hill.

And like Barack, Jesse Jr. is a proven vote getter and coalition builder who finds support across political and demographic lines.

Thus, Jackson is imminently electable in two years. He consistently receives strong support among Black, white, Hispanic and Asian voters; among Christians, Jews and Muslims; city, suburban and even rural residents; business and labor; and the young and old.

While few may know this about him, Jackson has compiled one of the best voting records in the House—missing only two votes throughout his entire career.

That voting record means Jackson brings almost unprecedented know-how and expertise to the job.

As a member of the powerful House Appropriations Committee for the past nine years, Jackson has led efforts to increase domestic investments in health care, education, infrastructure and national security.

For his district, he's secured more than $600 million in federal aid for schools, hospitals, clean water, infrastructure and more. This money has served as a catalyst for growth and development, often in communities suffering from neglect anddisinvestment.

On the world front, Jackson has gained invaluable international experience and insight as a senior member of the congressional committee responsible for foreign aid.

A staunch and early opponent of the Iraq War, he believes in direct, principled and tough diplomacy, knowing that military force should always be used as a last resort.

As a member of Congress, he has traveled the world—including trips to Israel, Darfur

and Liberia—highlighting the need for American engagement in promoting sustainable peace, development and democracies.

It was this depth and breadth of experience—bringing resources to his district, legislating progressive programs in DC, and exporting good-will overseas—that prompted Senator Obama to name Jesse Jr. as one of his 10 national campaign co-chairs.

Finally and significantly, there is the issue of diversity in the U.S. Senate.

Senator Obama is the only African-American Senator. If the Senate has any hope of reflecting today's face of America, this seat (once held by Carol Moseley-Braun) should be filled by an African-American.

Congressman Jackson, like Obama, is a member of Congress' new generation of Black leaders—leaders who transcend race, who embrace and encourage dynamic and diverse views, and who have moved beyond the fight for civil rights to the pursuit of human rights for all.

Coincidentally, at 43, Congressman Jackson would be the youngest member of the U.S. Senate—even though he has 13 years of legislative experience and relationships.

So while he'd give up considerable seniority in the House, Jackson is young enough to serve long enough in the Senate to acquire the seniority and influence necessary to truly benefit Illinois.

In short, his experience and qualifications uniquely prepare him to hit the ground running and immediately take on the critical challenges facing our nation, our new president and our world.

Without reservation, we believe that Congressman Jackson would be an outstanding U.S. Senator, able to serve our state with integrity, dignity and honor.

Thus, if the opportunity arises, we strongly urge Governor Blagojevich to appoint Jesse Jackson Jr. to the U.S. Senate.

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SOUTHTOWNSTAR®

Congressman Jackson for Obama's seat

November 10, 2008

THE ISSUE: Barack Obama's soon-to-be open U.S. Senate seat is creating a stampede of, "Me, me, me!"

WE SAY: No one is better suited to fill the seat than U.S. Rep. Jesse Jackson Jr.

The Southtown Star newspaper office sits at 159th Street and Harlem Avenue in Tinley Park. We hold a unique vantage point straddled between Cook and Will counties, between the gated communities of Homer Glen and the abandoned bungalows of Harvey. Our readers include Chicago city workers, Homewood teachers and the union households of Oak Lawn, Orland Park and Country Club Hills.

We know the farmers of Elwood. The stay-at-home moms of Mokena.

We know the members of the mosques, the Catholic churches, the Baptist congregations.

Our perch in the Southland gives us an authoritative voice and a rounded view of Illinois. We've got it all, right here.

And so, with that perspective, we offer our strong recommendation of U.S. Rep. Jesse Jackson Jr. (D-2nd), of Chicago, to fill the vacancy of President-elect Barack Obama's U.S. Senate seat.

Here's why:

For 13 years, we've watched Jackson up close. He is one of Congress' most reliable advocates for the middle class while supporting economic development for large and small businesses alike. Of the $600 million in federal appropriations he has secured for the 2nd District, nearly every cent has gone toward infrastructure projects, colleges and universities, housing and health care programs, and police and firefighter grants.

There are no bridges to nowhere. There are no statues, no stained-glass windows. He uses his position on the House Appropriations Committee to fund programs in his district that help working families. He is not afraid to call out wasteful spending when he sees it.

He has been a lonely voice - a fearless voice - on corruption, from abuses in Chicago's minority set-aside program to the Hired Truck scandal to voting rights violations nationwide and an inept police department in Harvey.

He endorses and supports candidates for office regardless of color or political expediency. He has backed reformers such as Forrest Claypool on the Cook County Board and clashed with the entrenched interests of former Chicago Ald. William Beavers and Dolton Mayor Bill Shaw, two Southland officials stuck in the model of old-school, unresponsive, patronage-laden government.

These are issues that impact us all.

Gov. Rod Blagojevich said championing health care will be a prerequisite for any candidate he considers - not just talking the talk, but walking the walk, as Blagojevich has done.

Jackson fits the bill. He has been a consistent voice on Capitol Hill for health care accessibility, backing a more progressive agenda, in fact, than Obama himself. Jackson supports a constitutional amendment to guarantee health care for all Americans and was a critical resource to the Institute of Medicine of the National Academies when it conducted its groundbreaking 500-page report, "Unequal Treatment," in 2003, which outlined racial disparities in health care delivery.

Jackson voted twice last fall to extend the State Children's Health Insurance Program - a program for which Blagojevich's administration pushed hard. He would be a key ally for Obama in the U.S. Senate.

Democrats want Blagojevich to choose someone who can be elected statewide in 2010. Although downstate voters aren't shy about their distrust of the Rev. Jesse Jackson, Jackson Jr. is not his father's cutout.

Obama's successful U.S. Senate strategy in 2004 was to get in front of as many groups as possible so voters could see and hear him. He spent weeks living out of his Jeep Cherokee, shaking hands at Lincoln dinners and block parties. The same strategy could work for Jackson - although we welcome a hearty challenge from the Republicans as well.

Finally, we are not so naive as to discount the tension that has bubbled between Blagojevich and Jackson; Jackson and former Senate President Emil Jones; Jackson and Chicago Mayor Richard Daley; and Jackson and newly elected U.S. Rep. Debbie Halvorson (D-11th). Jackson has demonstrated a propensity to flare up and lash out.

However, we hope Blagojevich will see beyond the narrow disagreements of Illinois' diverse Democratic Party.

We hope, Governor, that you will take a wide, holistic view of the contributions Jackson could make to the state of Illinois, and to the country, in making this selection.

PDA PROGRESSIVE DEMOCRATS OF AMERICA *Mobilizing the Progressive Vote*

Make Jesse Jackson, Jr. our next U. S. Senator

President-Elect Barack Obama has formally resigned his U. S. Senate Seat. Illinois law gives Governor Rod Blagojevich the right to appoint a replacement. Progressive Democrats of America - Illinois recently polled its membership and by a three to one

margin Rep. Jesse Jackson, Jr. came out on top as the people's choice to represent Illinois in the U. S. Senate.

PDA-Illinois now invites you and all of Illinois to send a message to Governor Blagojevich urging him to name Jesse Jackson, Jr. as our next U.S. Senator. By submitting the petition located here, you are joining with thousands of Illinois citizens across the state in letting our Governor know the people's choice.

Jesse Jackson Jr. for Senate

Governor Rod Blagojevich has the responsibility to appoint the next senator from the State of Illinois. That person will fulfill Barack Obama's term for the next two years. Many names have been suggested and the announcement could come any day.

Jesse Jackson Jr. is the best candidate for the seat. He has served in Congress for 13 years and has become a seasoned, accomplished legislator. He has experience on the House Appropriations Committee, which funds virtually all domestic and international programs. Jackson has significant insight into world affairs. Voting is important to Congressman Jackson and he has one of the best voting records in Congress. In 13 years, he has missed voting only twice.

President-elect Obama could use Jackson's Washington talents. He is a coalition builder with a broad base of support including Democrats and Republicans, blue and white collar laborers, blacks, whites and Hispanics and the young and old. He is the co-author of the book, *A More Perfect Union: Advancing New American Rights*, that defines his political doctrine and he served on Obama's executive campaign team.

Should Jackson be appointed, he would be the youngest member of the Senate. He is a progressive leader and has received cheers from environmentalists, human rights groups, educators, health care providers, anti-war activists and women's groups. His mindset is right. His background is ripe for the time. He is a part of the changing of the generational guard and is in line with Obama's message of change.

He is a popular congressman ready for the Senate at this important time in history. If appointed, Jackson would be the only black in the United States Senate, as were Carol Moseley Braun and Barack Obama. It is important that the seat remain occupied by an African-American.

Another person being widely discussed for the post is the newly retired president of the Illinois Senate, Emil Jones, who has had an illustrious career in Illinois politics. He is often referenced as "The Godfather" to Barack Obama, for his advocacy of Obama's State Senate candidacy, which ultimately gave rise to his presidency. If Jones wants the seat,

he will probably get it. It would be next to impossible for the governor to say "no" and for Obama not to give the nod. But it would be wonderful if President Obama appointed Jones to an ambassadorship instead.

The *Chicago Sun Times* suggested Frank Clark of ComEd. Clark is one of the best corporate executives in Chicago and he should remain at the helm of the corporation and as an energy advisor to the president.

Many stand the opportunity to join their fellow Illinoisans in Washington at the federal level. Obama's giant step has the potential to open many doors. Congressman Danny K. Davis has shown interest in Obama's Senate seat, but he could also serve in the area of Human Services. Arne Duncan could be the Secretary of Education and doctors Eric Whitaker, Terry Mason or David Schneider would be excellent choices for Surgeon General. State Senators Donne E. Trotter and James Meeks and Aldermen Sandi Jackson, Leslie Hairston and Willie Cochran would all make great congressmen. Tammy Duckworth would be an excellent replacement for Congressman Rahm Emanuel, who is leaving his congressional seat to become the chief of staff in the Obama Administration. As would Cook County Commissioner Forrest Claypool, though he's said he will not run.

The election of President Obama will bring many into the ranks of public service, just as it was under President Kennedy. It is a brand new day with brand new faces in roles, seats and positions that were dreams only yesterday.

Jesse Jackson Jr. is best person to replace Senator Obama

News that Congressman Jesse Jackson Jr. wants to be named to replace Barack Obama is no surprise to anyone who has been paying attention to Illinois Politics.

Jackson has been doing the heavy lifting for many Democratic Party officials in this region for years and has out paced the retiring Senate President Emil Jones Jr., who has been doing his own brand of campaigning for the United States Senate post; his recent retirement announcement just another element in that plan.

But few, and that includes Governor Blagojevich, can compare any of those who would seek the position, with the long and dedicated service to the people of Illinois of Congressman Jackson and even fewer would dare try to compare the record of Senator Jones with that of Jackson Jr.

In fact, based on his recent rants and political maneuvering to give his son his vacated Senate seat, Jones is fast losing whatever public support he has outside the limits of the Chicago district that he rules like a medieval king.

Jackson on the other hand seems to be gaining in popularity among Illinois Democrats, especially African American members of the party, due mainly to his years of hard work and his no none sense attitude about economic development as exemplified by his battle to build the Abraham Lincoln National Airport in Peotone.

Unlike the Jones and others have been around Illinois politics for decades, Jackson Jr. has been careful not to promise great successes for his constituents but has kept his promises realistic and has followed through on the promises he makes.

Jones, the man who some are touting to replace Obama, and who's recent resignation ploy is likely designed to gain him favor with those who want to cross out Jackson Jr.'s bid to replace Obama, has soiled his reputation among the majority of Illinois voters. Voters who, regardless of past differences with Jackson Jr., would rather see Jackson as their Senator than the unpredictable, old time politician and gruff, Emil Jones Jr.

A recent voter poll of readers who reside in the South Cook County area, the cities of Joliet, Harvey, Markham, Midlothian, Country Club Hills, University Park, Richton Park, Park Forest and Kankakee, and are registered Democrats, reveals that most, about three to one, said they would prefer Jesse Jackson Jr. to follow Senator Barack Obama as the second Illinois Senator in Washington, D.C.

We at Taylor Publications fully agree. Governor Blagojevich can do much to reclaim his reputation among African American voters by doing the right thing here, appoint Jesse Jackson Jr. to the U.S. Senate to replace Barack Obama, he is qualified.

By James Taylor Sr. – Publisher (Kankakee City News)

South Suburban Mayors

Andre Ashmore, Matteson
Thomas Brown, East Hazel Crest
Dwight Welch, Country Club Hills
Al McCowan, University Park
Rick Reinbold, Richton Park
Linzey Jones, Olympia Fields
David Webb, Markham
Robert Donaldson, Hazel Crest
David Owen, South Chicago Heights
Irene Brodie, Robbins
Keevan Grimmett, Dixmoor
Don DeGraff, South Holland
John Ostenburg, Park Forest
Michelle Qualkinbush, Calumet City
Rich Hofeld, Homewood
Jack Swan, Thornton
David Webb, Markham
Terry Wells, Phoenix
Eugene Williams, Lynwood

State Senator James Meeks
State Senator Maggie Crotty
State Representative David Miller
State Representative Al Riley
State Representative Bob Rita
Rich Twp. Supervisor Ken Bradford

471 P02/03 NOV 18 '08 16:03

November 10, 2008

COPY

The Honorable Rod R. Blagojevich
Office of the Governor
207 State House
Springfield, Illinois 62706

Dear Governor Blagojevich:

The electorate has spoken and we are very excited that Senator Barack Obama will be the 44th President of the United States.

With that victory, your appointment of his senate successor gives Illinois the opportunity to increase its dynamic leadership at the national level. As you consider potential appointees, we recommend that you give strong consideration to our Second District Congressman Jesse L. Jackson, Jr.

As mayors, we have worked closely with Congressman Jackson on many regional initiatives. He has been a model legislator and a tireless champion for his diverse district. His support of regional initiatives such as the third airport and the Southeast Metra line will benefit not only his constituents, but all of Illinois.

We believe Congressman Jackson is a true visionary. For 13 years, he has led efforts for new infrastructure, more jobs, clean water, and healthcare for all. That is true leadership, the kind of leadership we need in the Senate.

Your appointment of his successor becomes even more important because Senator Obama is the only African-American United States Senator. Congressman Jackson, born in the midst of the American civil rights struggles of the '60s, would be a strong, symbolic choice who also has the youth, energy and experience necessary to focus on the large issues facing our country in the near and long term. He now sits on the powerful House Appropriations Committee, which funds America's domestic and foreign programs and projects. And he has a strong bond with our new President which will undoubtedly benefit the citizens of our great state.

We are sure you will be considering a number of fine candidates, but we believe none will fit as perfectly into the seat as Congressman Jackson and we strongly encourage you to select Jesse Jackson Jr. as our next Senator.

Sincerely,
Mayors of the 2nd Congressional District

471 P03/03 NOV 18 '08 16:03

November 10, 2008
Page 2

Village of South Holland

City of Markham

Village of Richton Park

Village of Dixmoor

Village of University Park

Village of Matteson

Village of Lynwood

Village of Robbins

Village of East Hazel Crest

Village of So. Chicago Heights

City of Country Club Hills

Village of Olympia Fields

Village of Hazel Crest

Rich Township

Village of Phoenix

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CYNTHIA L. DOORN
MATHEW JAMES
JOHN F. SULLIVAN

September 15, 2008

The Honorable Rod R. Blagojevich
Office of the Governor
207 State House
Springfield, Illinois 62706

Dear Governor Blagojevich:

We are living in an extraordinary historical time. A young, African-American public servant from our state stands at the precipice of the highest office in our land. We now have an opportunity to have an unprecedented voice for Illinois in the national arena and galvanize residents across the state. Barack Obama clearly has become a beacon of hope for positive change in America.

With an Obama victory, your appointment of an equally dynamic leader to his Senate seat will give our state strength at the national level it has not seen in decades, not only benefitting Illinois as a whole, but also its local communities. As you think about potential appointees, I would like to take this opportunity to recommend that you give strong consideration to Congressman Jesse L. Jackson, Jr.

As Mayor of South Holland, I have been privileged to work closely with Congressman Jackson on many regional initiatives. He has been a model legislator and a tireless champion for his diverse district, as well as our state as a whole. As you know, his support of regional initiatives such as the third airport and the Southeast Metra line will benefit not only his constituents, but all of Illinois.

Balancing the varying needs and desires of regions throughout the state is complicated, but true visionary leaders can see through the problems for the greater good of all Illinois residents. I believe Congressman Jackson has demonstrated that quality. For 13 years, he has led efforts for new infrastructure, more jobs, clean water, and healthcare for all. That is true leadership, the kind of leadership we need in the Senate.

Should Barack Obama become our 44th president, your appointment of his Senate successor becomes even more important as there will be no African-American members in the U. S. Senate. Congressman Jackson, born in the midst of the

American civil rights struggles of the '60s, would be a strong, symbolic choice who also has the youth, energy and experience necessary to focus on the large issues facing our country in the near and long term. He now sits on the powerful House Appropriations Committee, which funds America's domestic and foreign programs and projects. And as the national co-chairman of Obama's Presidential campaign, he would undoubtedly have the President's ear, which can only benefit our state.

I believe Congressman Jackson's passion for his region and our state make him the ideal candidate to fill Illinois' U.S. Senate seat should it become vacant. I am sure you will be considering a number of fine candidates, but I believe none will fit as perfectly into the seat as Congressman Jackson. Thus, I strongly encourage you on behalf of the citizens of the State of Illinois to select Jesse Jackson Jr. as our next Senator.

Sincerely,

Don A. De Graff
President, Village of South Holland

bcc: Congressman Jesse Jackson, Jr.

Village of Homewood

Village Hall
2020 Chestnut Road
Homewood, IL 60430-1776
(708) 798-3000
(708) 206-3496 fax

Village Manager's Office
(708) 206-3377
(708) 206-3496 fax

Community Development Department
(708) 206-3385
(708) 206-3947 fax

Finance Department
(708) 798-3000
(708) 798-4680 fax

Fire Department
[illegible]0 Dixie Highway
[illegible]wood, IL 60430-1732
[illegible] 206-3400
(708) 206-3498 fax

Police Department
17950 Dixie Highway
Homewood, IL 60430-1788
(708) 206-3420
(708) 206-3497 fax

Public Works Department
17755 Ashland Avenue
Homewood, IL 60430-1301
(708) 206-3470
(708) 206-3499 fax

November 6, 2008

Governor Rod R. Blagojevich
Thompson Center
Suite 16 – 100
100 W. Randolph St.
Chicago, IL 60601

Dear Governor Blagojevich,

The election of President Obama affords you the unique opportunity to make a Senatorial appointment to continue Illinois' reputation of having outstanding individuals as our Senators.

Congressman Jesse Jackson, Jr. would continue this tradition of representing the State of Illinois. Congressman Jackson has represented his constituency so very well over the past 10 years. I am proud to be a mayor in his district, and have seen first-hand his caring for, and his responsiveness, to all citizens, businesses and government entities.

Congressman Jackson's appointment would acknowledge your leadership by filling this seat with the very best person for the job. He makes us proud to have him as our Congressman and would even more so as our Senator.

Sincerely,

Richard A. Hofeld
Mayor

Village of Homewood

homesweethomewood.com

4200 Main Street
Country Club Hills, IL 60478

(708) 798-2616
Fax: (708) 798-7352

November 1, 2008

Dear Governor Blagojevich:

As the eve of this historic hour for our great nation approaches, the State of Illinois sits uniquely poised to witness the departure of one great man and the potential arrival of another. Let there be no doubt that the man chosen to replace Barack Obama in the United States Senate if he is elected president of the United States must possess the same intelligence, heart, passion for government, and loyalty to his constituency that propelled Senator Obama to possible inauguration as the ambassador and leader of the greatest country in the free world.

Therefore, it is with great pride and pleasure that I endorse Representative Jesse Jackson, Jr. as Illinois' next U.S. Senator in Obama's absence. As Mayor of the City of Country Club Hills–a City of 16,000 within Representative Jackson's constituency–and an active Cook County area politician, I consider myself lucky enough to have known him both politically and personally for many years. I find him to be not only an exceptionally gifted legislator, but also a caring and compassionate man who has always selflessly acted as the voice of change and reform for the people whom he represents.

As a close ally of Obama's, I am certain that Representative Jackson will serve the people of Illinois in the United States Senate with the same kind of passion and integrity with which he has served his district for the past twenty three years. In the months and years to come, our State and our Nation will face great challenges and perilous hardships. And just as Barack Obama will almost certainly be called upon to serve a higher purpose for the good of our Country, I believe that Representative Jesse Jackson, Jr. is destined to serve the people of Illinois in the United States Senate. Thank you for your time and consideration with regard to this highly important matter, and may God bless America and the great State of Illinois.

Sincerely,

Dwight W. Welch, Mayor
City of Country Club Hills

Office of the Mayor *Village of Hazel Crest* *Dr. Robert B. Donaldson*

October 20, 2008

The Honorable Rod Blagojevich, Governor
Office of the Governor, State of Illinois
100 West Randolph Street, 16th Floor
Chicago, Illinois 60601

Dear Governor Blagojevich:

In the event that U. S. Senator Barack Obama is elected President of the United States in November 2008, I strongly recommend that you appoint Second Congressional District Congressman Jesse Jackson, Jr. as the next United States Senator from Illinois.

In many ways, Congressman Jackson is a mirror image of Senator Obama. Both are young, hard-working, independent, progressive, African American leaders. While both have liberal voting records, they also are known to reach across the aisle and work in a bi-partisan way to support legislation that helps all Americans. As my Congressman, I have been impressed by Representative Jackson's success in forging a broad based coalition of support that includes business and labor, Caucasians, African Americans, Hispanics, Asians, and other races. He also reaches out to the young and old, as well as city and suburban constituents.

In Washington, he has already distinguished himself during the past 13 years as a leader within the Illinois delegation and a senior member of the powerful House Appropriation Committee.

Having observed and worked with Congressman Jackson over the years and as Mayor of the Village of Hazel Crest, Illinois, I am confident that he would bring energy, commitment, and vision to the United States Senate.

I thank you for your kind consideration in this most important matter and wish you the best in the months ahead.

Respectfully and sincerely,

Robert B. Donaldson

Robert B. Donaldson, Mayor
Village of Hazel Crest, Illinois

09-9812_000171

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Jerome Ferrell, Jr.
Martina Mahaffey
Elizabeth Loggins
Willie Mae Smith

November 13, 2008

Dear Governor Blagojevich:

As we all bask in the glow of Senator Obama's victory, I can only say that I never believed that I would see this happen in my lifetime. This is truly an historic event and all of us throughout this great state should be proud. But, as momentous as this event is, we must now seize the moment and reach for even greater heights.

Just imagine the power and influence that the state of Illinois will have with President Obama in the White House and his close advisor, Dick Durbin, moving up in the Senate. The final piece of the puzzle would be to add a young, energetic and intelligent leader to help Senator Durbin and President Obama, that person is Jesse L. Jackson, Jr.

Congressman Jackson, as I am sure you are aware, has been in Washington for over 13 years and has gained the respect and admiration of colleagues on both sides of the aisle. He will give us a team in Washington that will help shape the future of America for the next generation.

In my community the discussion about the Obama election is on the lips of everyone. As part of the discussion people are asking who is best suited to move into the position as Senator, the unanimous choice is Congressman Jackson. This is not only the consensus in the black community, but many white communities as well. The bottom line is that many of the people that voted for Obama also support Congressman Jackson.

Governor Blagojevich, I realize that there is probably a great deal of pressure coming from various factions around the state who will try to influence your decision. But from most of the people that I have come in contact with, Congressman Jackson is by far the best choice.

Thank you for your consideration in this matter.

Sincerely,

Terry R. Wells

Terry R. Wells
Mayor, Village of Phoenix

Chicago
Southland
Convention & Visitors Bureau
Just Beyond the City Limits

November 19, 2008

Governor Rod Blagojevich
James R. Thompson Center
100 West Randolph Street
Suite 1600 - 100
Chicago, IL, 60601

Dear Governor Blagojevich:

There's not a more qualified person other than Jesse Jackson Jr. to fill the U.S. Senate seat recently vacated by President-elect Barack Obama.

Representative Jackson has demonstrated solid leadership in the House of Representatives (2nd District) since 1995 and has been a strong advocate for the State of Illinois supporting Illinois infrastructure projects, housing and health care issues, higher education and has provided many valued federal grants for fire and police protection for the State of Illinois. He strongly supports the value and importance of job creation and the link that joins those new jobs to economic development opportunities for the State of Illinois. From our vantage point, Representative Jackson has also been a strong advocate for tourism on a state, national and global level. As you know, tourism is very important economic generator for Illinois, and his support will continue.

Representative Jackson has proven his leadership experience in the House of Representatives, and also brings a solid reputation of credibility, integrity, passion, intelligence, and "good old common sense" to the position. He thinks 360 degrees before making decisions, and is highly respected in the U.S. House and Senate. He has represented the State of Illinois in the highest professional tradition and has proven and solid support from both the suburban and rural areas across the state of Illinois.

Jesse Jackson Jr. is an outstanding legislator, and he has proven his worth and value to the citizens of Illinois, and also enjoys a very close working partnership with President-elect Obama. That bond will be an important legislative asset in Washington, which will greatly benefit our state.

Governor Blagojevich, your appointment of Representative Jesse Jackson Jr. to the U.S. Senate will also reflect in a very positive way your judgment and leadership as governor of Illinois.

Sincerely,

Jim Garrett, CDME
President/CEO

09-9812_000173

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info@visitchicagosouthland.com
www.visitchicagosouthland.com

RABBI ELLEN W. DREYFUS

November 5, 2008

Honorable Rod Blagojevich
Governor of Illinois
100 West Randolph St. 16th Floor
Chicago IL 60601

Fax: 312-814-5512

Dear Governor Blagojevich,

Congratulations to us all! After Senator Barack Obama's historic victory to become President of the United States, you now have the important responsibility of appointing someone to fill his seat as U. S. Senator from Illinois. I believe that the best person for that office is my congressman, Representative Jesse L. Jackson, Jr.

I write as a private citizen, not representing my congregation, B'nai Yehuda Beth Sholom of Homewood, nor in my official capacity as the next president of the Central Conference of American Rabbis (an organization of 1800 Reform Rabbis world-wide), or past-president of the Chicago Board of Rabbis. I have known and worked with Congressman Jackson since he reached out to the Jewish community of the southern suburbs in the primary campaign of his first run for Congress. We have had an excellent relationship ever since then, with good communication and consultation on issues of importance to both of us. Along with other Jewish leaders of the South Suburbs, I accompanied Congressman Jackson on his first trip to Israel in August 2003.

What impresses me most about Congressman Jackson is his intelligence, along with his openness to considering new information and different perspectives. He has the ability to represent a diverse population with respect, fairness and integrity. In his years in the House of Representatives, he has grown to become a leader of national stature, while keeping the needs and concerns of his district and the State of Illinois paramount in his priorities. I believe that he has the ability and the temperament to become our next Senator.

Thank you for your consideration.

Sincerely,

Ellen W Dreyfus

Rabbi Ellen W. Dreyfus

1322 WEST 190TH STREET • HOMEWOOD, ILLINOIS • 60430
PHONE: 708-799-9206 • EWDREYFUS@EARTHLINK.NET

Living the faith through worship, witness and wondrous works

Rev. Dr. Trunell D. Felder, Senior Pastor

November 10, 2008

The Honorable Jesse L. Jackson, Jr.
United States House of Representatives
17926 South Halsted Street
Homewood, IL 60430

Good Day Congressman Jackson,

Blessings to you, your family and the constituents the Lord has placed under your care! It has been a while since we have personally spoken, but I have been keeping you and your family at large in my prayers. Additionally, we are praying for your appointment to the vacant United States Senate seat. We believe you are the most qualified to represent our State in Washington.

The Heavens are truly rejoicing over the election of President Barack Obama. As people of faith, we know that this was ordained from the beginning of time and that President-elect Obama is only walking in the destiny that has been set before him. When the then Senate candidate was running for office, New Faith was a stop on his campaign trail. It was during this time the Lord spoke to me while Mr. Obama was with us in Service to prophesy to him that the Senate was not the last stop for him... he would in fact be President. That was four years ago. Dr. Alexis and I are elated to see that the words of God do not return void and that what He had me speak that Sunday years ago has actually come to pass.

With that being said, it would be Dr. Alexis and my greatest honor to be in attendance at the Swearing-In Ceremony for President-elect Obama. My assistant has researched and it appears that tickets to this most historic event are only disseminated to members of the Senate and the House. I am humbly requesting your assistance in securing two tickets so that we may witness this awesome move of God. As you know, we have shied away from politics and have chosen to cover those concerns in prayer. Dr. Alexis and I feel, however, God's urging to personally witness this manifestation of God's Word.

It is my prayer that you will be able to assist me in this endeavor. If I can provide any further information to you at this time, please let me know. We are mailing you a copy of the DVD with the prophecy. Please also feel free to contact me directly at 708.935.4657 or Dr. Alexis at 815.405.5707 with any questions you may have.

Thank you in advance for your assistance. We pray continued blessings over you and again, we look forward to seeing you in the Senate seat vacated by President-elect Obama.

God Bless,

Trunell D. Felder

Rev. Dr. Trunell D. Felder
Senior Pastor

Alexis L. Felder

Rev. Dr. Alexis L. Felder
First Lady

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Cynthia Jones, MD, MPH
Interim CEO

Lisa Green, DO MPH
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Min Webster-Cross, RN, CMT
Chief Operations Officer

James Socha
Chief Information Officer

Peter Nwaezeigwe, MBA
Chief Financial Officer

La Tanya Brown, DDS
Dental Director

Ingra Cooper
Community Outreach Coordinator

Board of Directors

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Daryl Crudup

Terry McAlister

Kimberly Russell

Earle Stutzriem

Marcus Swan

Wendi Waddy

November 19, 2008

The Honorable Rod R. Blagojevich
Governor, State of Illinois
207 Statehouse
Springfield IL 62706

RE: Urge Selection of Congressman Jesse L. Jackson, Jr. to Succeed Senator Obama in US Senate

Dear Governor Blagojevich:

I write you today to urge the selection of Congressman Jackson as your choice to fill the two year Senate vacancy created by the retirement of President-Elect Obama from the United States Senate.

Congressman Jackson has served the people of the 2nd Congressional district with honor and distinction for thirteen years. He has made job creation and economic development his top priority for our community which has been devastated by plant closings and job loss.

As the Interim CEO of a Federally Qualified Community Health Center, charged with providing health care to working families, I can personally attest to Jesse's commitment to both community and the ideals that you have espoused regarding the need for comprehensive health care reform. Jesse has been a champion of increasing access to quality health care for many years and as a member of the House Appropriations Committee, he has literally put his money where his mouth is relative to funding efforts to get quality health care to the people who need it the most. I know he'll continue those efforts as our next US Senator because Jesse believes, as you do, that health care is a right and not privilege.

09-9812_000176

31 West 155th Street • Harvey, Illinois 60426 • Phone (708) 596-5177 • Fax (708) 339-3583

The Honorable Rod R. Blagojevich
Springfield, IL 62706

November 19, 2008
Page Two

Governor Blagojevich, thank you for the work you have done to expand access to care in Illinois and making Illinois an example to the rest of the country. I believe selecting Congressman Jackson to fill out the remaining two years of President Elect Obama's U.S. Senate term will not only add to your legacy as Governor but will add one more vote in the Senate for real and lasting health care reform.

Sincerely,

Cynthia L. Jones, MD, MPH

Cynthia L. Jones, MD, MPH
Interim CEO

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Jackson Is Top Choice of Illinois Democrats To Succeed Obama in Senate

Thursday, December 04, 2008

Rep. Jesse L. Jackson, Jr. is the clear favorite of Illinois Democrats among the party's top five candidates to succeed Barack Obama as the state's junior U.S. senator.

The Chicago congressman who has been openly campaigning for the job has the support of 36% Democrats, according to a new Rasmussen Reports telephone survey in the state taken Tuesda

Tammy Duckworth, director of Illinois' Department of Veterans Affairs, is next with the backing followed by state Attorney General Lisa Madigan with 17%.

Another congressman mentioned for the post, Rep. Jan Schakowksy, has eight percent (8%) su Emil Jones, president of the Illinois Senate, at two percent (2%). Just seven percent (7%) of D are not sure which candidate they prefer.

Rod Blagojevich, Illinois' Democratic governor and consistently one of the most unpopular state executives in the country, has said he will appoint Obama's successor during the Christmas holi Obama has not endorsed anyone for the post for the seat which he resigned following his electi president.

Just 15% now say Blagojevich is doing a good or excellent job as governor, while 61% rate his performance as poor. Both numbers mark an improvement for Blagojevich from his numbers in Rasmussen Reports survey just before Election Day. to With just two years remaining in Obama term, a key issue for Democrats is the electability of the fill-in senator in 2010.

(Want a free daily e-mail update? Sign up now. If it's in the news, it's in our polls).

Madigan is the top vote-getter among Republicans (37%) and those unaffiliated with either par Nearly one-third in both these groups, however, are undecided, which is perhaps not surprising the action is on the Democratic side.

Among all Illinois residents, Madigan attracts 25% support, closely followed by Jackson with 23 Duckworth is next with the backing of 21%. Schakowksy has seven percent (7%) support, with three percent (3%). Twenty-one percent (21%) are undecided.

Each of the contenders for the job offers political advantages and disadvantages for the embatt Blagojevich. Madigan is expected to challenge Blagojevich if he seeks reelection in 2010, so nar the Senate would remove a powerful potential rival and perhaps tone down one of his sharpest Madigan's father, who is speaker of the state House. One of the governor's only remaining pock support is the African-American community which is insisting that a candidate such as Jackson succeed Obama, who was the only black U.S. senator.

Duckworth, who lost both her legs while serving in Iraq and was an unsuccessful candidate for this year, has the support of Obama's chief of staff Rahm Emmanuel and Senate Majority Whip Durbin, Illinois' senior senator.

Madigan is the leader among men with 28% support, while Jackson is the favorite of a plurality (29%). Next for women is Madigan with 22% backing. Second for men is Duckworth (24%), wl 19% support among women. Just 15% of men support Jackson.

Eighty-one percent (81%) of African-Americans favor Jackson, compared to 10% of whites. Ma the highest level of white support (31%), followed by Duckworth with 22%. Statistically, Madig. support among blacks.

Duckworth is the top choice of married Illinois residents, closely followed by Madigan. Jackson a Madigan are the top picks for unmarrieds.

Jackson's support is highest among low-income residents in the state, while those with higher-i prefer Madigan and Duckworth.

Illinois residents are even more supportive of Obama as president-elect than voters nationwide seven percent (57%) Strongly Approve of Obama's performance since Election Day, while 12% Disapprove.

Nationally, in the Rasmussen reports daily Presidential Approval Index, 42% of voters now Stro Approve of the way Obama is handling the role of president-elect while just 14% Strongly Disa

Obama easily carried his home state on Election Day.

Please sign up for the Rasmussen Reports daily e-mail update (it's free)... let us keep you up to the latest public opinion news.

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Rasmussen Reports is an electronic publishing firm specializing in the collection, publication, an distribution of public opinion polling information.

The Rasmussen Reports ElectionEdge™ Premium Service for Election 2008 offers the most com public opinion coverage ever provided for a Presidential election.

Scott Rasmussen, president of Rasmussen Reports, has been an independent pollster for more decade.

This national telephone survey of 500 Likely Voters was conducted by Rasmussen Reports December 2, 2008. The sampling error for the survey is +/- 4.5 percentage points with a 95% level of confidence.

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Also available at: fritz@zogby.com

Date: Nov. 10, 2008

Zogby: Jesse Jackson Jr. Leads Field of Obama Senate Successors

Poll of likely voters statewide shows Jackson would defeat two Republicans in a Senate race: Jackson support spans the state

UTICA, New York – Congressman Jesse Jackson Jr. of Illinois' 2nd District is the favorite among possible replacements to fill the U.S. Senate seat to be vacated by President-elect Barack Obama, a new Zogby telephone poll shows.

The survey, conducted Nov. 5-6, 2008, shows that, given a choice of 10 possible candidates, 21% think Gov. Rod Blagojevich should appoint Jackson to the seat when Obama leaves it vacant to ascend to the presidency, far more than the rest of the field. Tammy Duckworth, a former Democratic congresswoman candidate from a suburban Chicago district, is the only other potential candidate to win double-digit support – 14% said she should be appointed.

Jackson's base of support is strongest among those who consider themselves "strong Democrats," 32% of which believe he should win the appointment to the Obama seat, while 14% favored Duckworth. Among moderately strong Democrats, 25% said they think Duckworth should be appointed, compared to 20% who favored Jackson. Among weak Democrats, Jackson leads with 18% support, compared to 12% support for Duckworth.

Among independent voters, Jackson is favored over Duckworth by a 14% to 10% margin. Among Republicans, Jackson is also favored over Duckworth. Support levels for other candidates are 6 percent for Congresswoman Jan Schakowsky, 4 percent for Congressman Danny Davis and 4 percent for State Senator James Meeks. Several other candidates received less than 1 percent.

Jackson's support spans the state of Illinois – he is favored for the appointment by a wide margin in the Chicago area and in the St. Louis metropolitan area, but also is favored in the suburbs and the rural areas of the state.

901 Broad Street
Utica, New York, 13501
Phone: (315) 624-0200 Fax: (315) 624-0210

1600 K Street NW
Washington, DC 20006
202-429-0022

Among those who voted for Obama in the presidential race, 25% favor Jackson for the appointment, compared to 15% who favor Duckworth. Jackson's support also spans all age groups except voters over age 70 (where Duckworth is favored by 16% and Jackson by 15%). Jackson's edge is widest among those under age 30, where 19% said they preferred his appointment, compared to just 5% who would rather Duckworth take the Senate seat.

Men favor Jackson over Duckworth by a narrow margin. Interestingly, Jackson holds a sizable edge among women – 26% favor Jackson, compared to 14% who favor Duckworth.

Among those who consider themselves ideologically liberal, 25% would prefer Jackson be appointed to the seat, compared to 15% who would prefer Duckworth. Moderates also favor Jackson, by 5 points, over Duckworth, while he is preferred by 6 points among Illinois conservatives.

Jackson Would Defeat Republican Opponents

In two prospective Senate races, Jackson would defeat Republican Congressman Ray LaHood by a 50% to 31% margin, the survey shows. Among the 15% who were not certain about whom they would support, nearly two said they were leaning toward Jackson for every one that was leaning toward supporting LaHood.

Jackson's district includes part of Chicago and extends to the south suburbs. Lahood is a congressman from rural Illinois whose district includes Peoria and the northern suburbs of Springfield.

In a prospective match-up against Republican Congressman Mark Kirk, Jackson wins 48% support, compared to 32% for Kirk. Among the 15% who are leaning toward one candidate or the other, Kirk has a 10% to 7% edge, the survey shows. Kirk's district is north of Chicago along the shores of Lake Michigan.

The telephone survey was commissioned by the Jackson campaign, and was conducted using live interviewers calling from Zogby's in-house call center in Upstate New York, included 802 likely voters statewide in Illinois from across the political spectrum. It carries a margin of error of +/- 3.5 percentage points.

After a short biographical statement was read about Jesse Jackson Jr., respondents were much more likely to support him for the U.S. Senate - 69% were more likely to support Jesse Jackson Jr. for the U.S. Senate, while 25% were not likely.

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Zogby International

Polling/Market Research
Public Relations Services
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Likely voters across Illinois were asked whether they have a favorable or unfavorable opinion of the following people who are potential candidates for the U.S. Senate seat now held by President-elect Barack Obama:

Potential Successors to the Obama Senate Seat	Favorable Rating	Unfavorable Rating	Not Familiar/Not Sure
Jesse Jackson Jr.	43%	22%	35%
Tammy Duckworth	31%	9%	60%
Jan Schakowsky	21%	5%	74%
Danny Davis	20%	8%	72%
James Meeks	17%	8%	75%
Donnie Trotter	13%	3%	84%
Cheryl Jackson	13%	3%	84%
Kwame Raoul	5%	4%	91%

For a complete methodological statement on this survey, please visit:

(paste statement link here)

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Bryant, Rick

From: Bryant, Rick
ent: Wednesday, November 12, 2008 12:09 PM
To: Bryant, Rick
Subject: Southtown: Survey shows Jackson best choice for Obama seat 11-12-2008

Survey: Jackson best choice to replace Obama

(http://www.southtownstar.com/news/1274266,111208jacksonsidebar.article)

November 12, 2008

BY WILLIAM LEE, Staff writer

U.S. Rep. Jesse Jackson Jr. (D-2nd) is favored among a crowded field of possible replacements for President-elect Barack Obama's vacant U.S. Senate seat, a new poll suggests.

The Zogby International poll conducted after Election Day says 21 percent of likely Illinois voters want Gov. Rod Blagojevich to appoint Jackson to Obama's seat, which expires in January 2011. His nearest competitor is Tammy Duckworth, director of the Illinois Department of Vet erans Affairs, who was supported by 14 percent of those responding to the poll.

Jackson, of Chicago, the son of civil rights icon the Rev. Jesse Jackson, is preferred over Duckworth by voters who consider themselves "strong Democrats" as well as Republicans and independent voters, according to the poll.

for support for other possible candidates to succeed Obama, the poll found 6 percent support for U.S. Rep. Jan Schakowsky (D-9th) and 4 percent for U.S. Rep. Danny Davis (D-7th), of Chicago, and state Sen. James Meeks (D-Chicago).

Jackson also sported higher favorability ratings over his competition, the poll says.

The poll, taken on Nov. 5 and 6, also suggests that Jackson would defeat prominent Republicans who could challenge him in the 2010 election, including U.S. Reps. Ray LaHood (R-18th), of Peoria, and Mark Kirk (R-10th), of Highland Park.

The Senate seat will need to be filled as of Jan. 20, when Obama is sworn in as president.

William Lee can be reached at wlee@southtownstar.com or (708) 633-6747.

Memo on Jesse Jackson Jr.'s Possible Run for Senator in 2010; Impact on Governor's Race

Congressman Jackson is well poised to make a statewide run for United States Senator in 2010. Jackson has the strongest favorable ratings among black voters in Chicago and Cook County and is also formidable among white voters. There has been considerable voter expansion, particularly in the south suburbs, as a result of the Obama campaign, and Jackson is very strong with the new voters. The suburban share of the statewide vote has been steadily growing for quite some time. In the 2006 general election, Suburban Cook County turnout exceeded turnout in the City of Chicago by over 1,000 votes.

According to a a non-partisan analysis of the 2006 Illinois General Election produced by the Institute for Politics at Roosevelt University, the black vote was the determining factor for Governor Blagojevich in the 2006 general election. A review of the numbers demonstrates that Blagojevich won the 2006 general election through his strengths in the city's primarily black wards and south suburban black townships. Most of the wards and townships are in Jackson's congressional district and Jackson could be a major boost to Blagojevich's re-election efforts if he energizes his base in these key areas.

Statewide race - Chicago Ward votes:

In Chicago, five of the top ten turnout wards are far south side, middle class African-American wards (#21 - #8 - #34 - #6 and #18). The racially changing south suburban townships like Thornton, Bloom, Bremen and Rich – that were not so long ago GOP bastions – have flipped politically (especially Thornton and Rich) and now produce vote turnouts like Chicago's south side middle-class African-American wards – with powerful Democratic majorities. However, even in non-African-American townships with huge turnouts, Democratic candidates are making significant inroads in state and county contests. Jackson is very popular in these areas as well.

In the 2006 general election, Chicago's African-American community gave overwhelming support to Blagojevich. The Governor carried all of the city's 50 wards while piling up a 404,725 vote margin over Topinka. However, the real story of Blagojevich's big Chicago numbers rests in the black community.

The numbers are astounding. Fourteen African-American wards gave the Governor 10,000+ victory margins. As expected, keying this onslaught were the far south side, middle-class black wards. For example, wards #21 and #8 gave Blagojevich 18,000+ vote margins while wards #34 and #6 supported the Governor with 16000+ margins. (These are in Jackson's district.)

Percentage-wise, Blagojevich's African-American support is even more impressive. Sixteen wards (15 black/one Hispanic) gave the Governor 90%+ of their vote. Again, the far south side led the way, e.g. #17 tallied over 97% of its vote for Blagojevich. Seven more wards came in at 80%+ while most of the remaining wards were in the 70%+ range.

Conversely, at the bottom end of the Governor's ward percentage parade were his six-lowest winning wards, where he totaled less than 60% of the vote. These wards in rank order (highest to lowest) were #32 - #45 - #19 - #43 - #42 – and #41. Three of these wards are along or near the north lakefront #42 and #43 lakefront - #32 a quickly gentrifying ward bordering the other two wards; wards #41 and #45 are far northwest side wards while #19 sits on the far southwest side. None of these six wards have sizable numbers of African-American residents and they all can be regarded as middle to upper-middle income wards. If the GOP is going to make any move to regain party strength in Chicago – these six wards will be a centerpiece of the renewal.

Statewide Race – Suburban 30 Townships

In 2002 Blagojevich defeated Jim Ryan in the Suburban 30 (the thirty Cook County townships outside of Chicago) by almost 51,000 votes while carrying thirteen townships. Four years later, the Governor improved his vote performance in this region as he bested Topinka by almost 104,000 votes while winning eighteen townships. The bottom line in the Suburban 30 was simple – Blagojevich more than doubled his margin of victory over his Republican opponent.

As in the city – suburban Cook townships with a large black vote went overwhelmingly for the Governor. Thornton township, the south suburban colossus, gave Blagojevich a 28,000 winning margin. Three other townships Proviso (west) and Rich and Bremen (south) provided Blagojevich 10,000+ margins. Interestingly, his next six best margin townships (all 4,000+ votes) were scattered throughout the county. Evanston and Niles (north), Oak Park and Cicero (west) Bloom and Worth (south). These latter six townships either had significant black populations, were considered liberal, or as in the case of Worth and Cicero had pro-Blagojevich and anti-Topinka political factors working for the Governor.

Percentage-wise Blagojevich received his highest mark from Calumet (86.6%) a small south suburban township with a heavy African-American vote base. Mighty Thornton, one of Congressman Jackson's strongholds, was also 80%+ for the Governor while seven other townships came in at 60% plus. Again, Blagojevich won 18 suburban townships.

The magnitude of Topinka's defeat in the Suburban 30 can be seen in one simple vote comparison. The total of Topinka's margins over Blagojevich in her twelve winning townships – was a little over 18,000 votes. The Governor's margin in Thornton Township alone was 28,000 votes -- or nearly 10,000 votes greater than the sum of Topinka's 12 township winning margins. The Topinka "township dozen" wins were also scattered. Her best margin was in northwest Palatine township (3,667) and she recorded 1,000+ margin victories in western, southwestern and other northern townships. Three townships (Wheeling – Evanston – Worth) gave the Green party candidate over 4,000 votes. Percentage-wise Oak Park and Evanston townships provided Whitney 18%+ totals while several northwestern townships came in at 10%+.

Conclusion:

Congressman Jesse Jackson could be a major asset to Governor Blagojevich in his re-election campaign. The Governor's strongest voter support is in Congressman Jackson's district, where voters generally turn out and vote in higher numbers than in Chicago's west side or inner city. In the race for United States Senate, Jackson starts out as a much more formidable candidate than the other prospective candidates because he has a very strong regional base of voters. Working together, the Congressman and the Governor can be of great assistance to each other and the state of Illinois.

EXHIBIT 10

1 IN RE: THE INTERVIEW OF:)
2 "WITNESS A")
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9 TRANSCRIPT OF PROCEEDINGS had at the
10 interview of "WITNESS A," taken before
11 THERESA M. LAZZARO, a Certified Shorthand Reporter of
12 the State of Illinois, CSR No. 84-004629, on the 17th
13 day of June 2009 at 10:35 a.m. at 33 North LaSalle
14 Street, Suite 2800, Chicago, Illinois.
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1 PRESENT:

2 U.S. HOUSE OF REPRESENTATIVES

3 OFFICE OF CONGRESSIONAL ETHICS, by

4 MR. LEO J. WISE and

5 MR. OMAR S. ASHMAWY

6 1017 Longworth Building

7 Washington, DC 20515

8 202-225-9739 leo.wise@mail.house.gov

9 Appeared on behalf of U.S. House of

10 Representatives;

11

12 STEPHEN LEVY & ASSOCIATES, by

13 MR. STEPHEN LEVY

14 33 North LaSalle Street, Suite 2800

15 Chicago, Illinois 60602

16 312-346-5676

17 and

18 BROWN, UDELL & POMERANTZ, LTD., by

19 MR. DAVID A. EPSTEIN

20 1332 North Halsted Street, Suite 100

21 Chicago, Illinois 60642

22 312-475-9900 depstein@buplaw.com

23 Appeared on behalf of "Witness A."

24

1 MR. ASHMAWY: Under the resolution that
2 created -- well, let me start by saying we're here to
3 conduct an interview with "Witness A"
4 in a review done by the Office of
5 Congressional Ethics for the United States House of
6 Representatives.
7 The resolution that created our
8 office put an obligation on us to provide you with a
9 copy of 18 U.S.C. 1001 -- it's known as the false
10 statements act -- and to have you sign a document
11 saying that we have done so and that you acknowledge
12 that it applies to this review.
13 This package, which you've already
14 seen and I've provided copies to your attorney, I'm
15 showing to you now. This is 18 U.S.C. here and this
16 is the acknowledgment letter, if you all want to take
17 a look at that again.
18 MR. LEVY: What it means, Witness A, is every
19 statement that you give to them as a Federal officer
20 is just as though you were under oath making a false
21 statement to that officer and is good for ten years
22 at least in the Federal penitentiary.
23 MR. EPSTEIN: With bad food.
24 WITNESS A: I understand.

1 MR. LEVY: And a lot of meat.
2 WITNESS A: I am a vegetarian.
3 MR. ASHMAWY: Steak every Friday is what I
4 hear.
5 MR. EPSTEIN: He's a vegetarian.
6 MR. ASHMAWY: That does not help you then.
7 So if we're in agreement, if you can
8 sign the document.
9 MR. LEVY: It's only if you want to go ahead
10 with the interview.
11 WITNESS A: That's what we're here for.
12 MR. ASHMAWY: You can make a photocopy of
13 that before we leave.
14 MR. LEVY: Yes. Whatever documents, we'll
15 copy them all.
16 MR. ASHMAWY: That's fine.
17 Okay. Witness A, am I
18 pronouncing your last name correct? Is it --
19 WITNESS A: Witness A.
20 MR. ASHMAWY: Witness A. All right.
21 Well, I'd like to draw your memory
22 back in time to the autumn period of 2008, so the
23 autumn period of last year, roughly from about
24 September of 2008 until about December of 2008. That

1 will be the period of time that when I ask you a
2 question, that's what I'm talking about.
3 WITNESS A: Okay.
4 MR. ASHMAWY: Let me start with your
5 relationships to individuals that have come to our
6 attention.
7 What then was your relationship with
8 Mr. Nayak?
9 WITNESS A: Personally I have no relation
10 with Mr. Nayak except Mr. Nayak is the past president
11 of FIA, Federation of Indian Associations, where I
12 have acquainted myself and involved myself since
13 2007.
14 And Mr. Nayak, from the information
15 I have, had been a past president way before that.
16 It could be 2002, 3, 4. I don't know exact year.
17 And my meeting, knowledge, or
18 relation with Mr. Nayak is except we meet sometimes
19 at some common Indian social functions and I believe
20 one or two political fund-raising event where I have
21 met with Mr. Raghu Nayak, and the majority of the
22 meeting is in FIA meeting that he has attended.
23 MR. ASHMAWY: And what is the purpose of the
24 organization, the FIA?

1 WITNESS A: Okay. Federation of Indian
2 Associations is an association formed by all the
3 ethnic Indians' associations, so it's a master
4 association of -- there are I believe 27 or 28 local
5 associations of Indian people, so in that way there
6 are lots of people, like people from north, people
7 from south, people from west, people with east. So
8 every -- like we are Gujaratis, G-u-j-a-r-a-t-i-s.
9 In our Gujaratis there are I think three or four
10 associations, so all these four associations will
11 send one person as a member of FIA.
12 Now, I am involved into FIA as a
13 representative of AAHOA, A-A-H-O-A, that's Asian
14 American Hotel Owners Association. And so I was a
15 representative of AAHOA as a member of FIA.
16 So basically FIA has two activities
17 that they do, celebration of Republic Day and
18 Independence Day. So the major role of FIA is very
19 limited to have a parade -- I'm sorry -- a flag
20 hoisting at the Daley Center on August 15th and have
21 a parade and a gala dinner celebration on Republic
22 Day, January 26th.
23 MR. LEVY: Witness A, just answer the question.
24 Don't give dissertations.

1 WITNESS A: Oh, all right.
2 MR. LEVY: That could have been simply said
3 it was an umbrella organization. Try to keep it --
4 or we'll be here forever.
5 WITNESS A: Oh, okay.
6 MR. ASHMAWY: Does the organization FIA have
7 any political fund-raising --
8 WITNESS A: Never.
9 MR. ASHMAWY: -- function?
10 WITNESS A: Never.
11 MR. ASHMAWY: How about the association, the
12 hotel association, does that have a political
13 fund-raising function?
14 WITNESS A: Never.
15 MR. ASHMAWY: What --
16 WITNESS A: Can I ask you one more? Now,
17 you meant political fund-raiser events in Chicago or
18 outside Chicago?
19 MR. ASHMAWY: Either.
20 WITNESS A: Well, in Washington there are
21 many fund-raisers held by AAHOA, Asian American Hotel
22 Owners Association.
23 MR. ASHMAWY: What kind of fund-raisers?
24 WITNESS A: Invite Democratic Parties and

1 the Republican Parties and sponsor lots of
2 candidates. That's done. Like AAHOA has its own PAC
3 fund, Political Action Committee fund, and that has
4 been organized by the association.
5 MR. ASHMAWY: In that time period that I
6 asked you about, September to December of 2008, were
7 there any -- did the hotel association have any
8 fund-raisers in Washington, DC in that time period?
9 WITNESS A: There is possibility. I
10 don't have any recollection, but there is a
11 possibility.
12 MR. WISE: So did you attend any fund-raisers
13 sponsored by the AAHOA in that time period?
14 WITNESS A: I have attended quite a few.
15 MR. LEVY: No, no. Listen to question.
16 You're going to get me angry.
17 During that period, between
18 September and December, did you attend any?
19 WITNESS A: That's what --
20 MR. LEVY: If you don't recall, you don't
21 recall.
22 WITNESS A: That's what I said. I have
23 attended, but I don't remember during that period
24 have I attended or not.

1 MR. WISE: What about before that period?
2 WITNESS A: There is a possibility.
3 MR. WISE: And these were AAHOA fund-raisers?
4 WITNESS A: Yes, sir.
5 MR. WISE: Did you attend -- we'll do it
6 first in that time period -- any fund-raisers not
7 associated with AAHOA in the fall?
8 WITNESS A: Have I attended?
9 MR. WISE: Yes.
10 WITNESS A: Yes, I have.
11 MR. EPSTEIN: Are you asking about Washington?
12 MR. WISE: Just fund-raisers generally.
13 WITNESS A: Yes, I have.
14 MR. WISE: And who were those for?
15 WITNESS A: Okay. I attended the
16 fund-raiser for Melissa Bean. I have attended a
17 function for the Democratic Party when Bill Clinton
18 was in Chicago. That was during the election period.
19 I have attended a function for John McCain
20 fund-raising in Chicago. And I have attended a
21 function, I think three or four, for Governor
22 Blagojevich.
23 MR. WISE: In the fall?
24

1 WITNESS A: No, not in the fall.
2 MR. WISE: Okay.
3 WITNESS A: I'm talking about in general.
4 I don't remember during that particular period of
5 time how many I have attended. All I know is that I
6 attended one on October 31st, 2008.
7 MR. WISE: And who was that for?
8 WITNESS A: That was when the Governor
9 wanted to meet everybody at India House Restaurant in
10 Schaumburg.
11 MR. WISE: Who is everybody?
12 WITNESS A: Wanted to meet the Indian
13 friends at the India House Schaumburg. And during
14 that meeting Raghu Nayak, N-a-y-a-k or N-a-i-k -- I
15 don't remember the last name.
16 And since then I was very shortly,
17 for less than maybe five, ten minutes, on
18 December 6th, 2008 that was held at Waterford
19 Banquet.
20 MR. WISE: And who was that for?
21 WITNESS A: And that was for celebration
22 of Indian New Year's.
23 MR. ASHMAWY: Was that in addition to the
24 celebration for the Indian New Year? Is that Diwali?

1 WITNESS A: That is correct, yes.
2 MR. ASHMAWY: Was it also a fund-raiser?
3 WITNESS A: I don't know about the --
4 what I was told that it is the Diwali celebration
5 function event. That's what I was told. And that
6 was decided on October 31st, 2008 event.
7 MR. WISE: So the October 31st luncheon had
8 some relationship with the December the 6th --
9 WITNESS A: That is correct. December --
10 originally it was on December 4th. I could be wrong.
11 But then I think it was held on December 6th.
12 MR. LEVY: I want to stop you. Let's have
13 the house rules: One questioner at a time.
14 MR. WISE: No. I mean, I didn't come -- I
15 mean, we do interviews just like I did at the Justice
16 Department.
17 MR. LEVY: You're not in the Justice
18 Department.
19 MR. WISE: I'm just saying it's not uncommon.
20 MR. LEVY: But let's try to do it one at a
21 time. No double-teaming.
22 MR. WISE: No, I'm not agreeing to that. I
23 flew out. I tried to be on the phone. That was
24 apparently objectionable.

1 MR. LEVY: Absolutely.
2 MR. WISE: I spent taxpayer money to come out
3 here --
4 MR. LEVY: Hey, hey, hey. Don't tell me
5 about taxpayer money.
6 MR. WISE: Well --
7 MR. LEVY: That's your purpose.
8 MR. WISE: My purpose is to ask questions.
9 MR. LEVY: Right. And do it in an orderly
10 fashion just like you were in a courtroom.
11 MR. WISE: We are doing it orderly.
12 MR. EPSTEIN: I think all you're saying is
13 one at a time.
14 MR. LEVY: That's correct. No back and --
15 MR. EPSTEIN: There's no problem --
16 MR. LEVY: -- forth.
17 MR. EPSTEIN: -- going -- well, no, I think
18 they can go back and forth.
19 MR. WISE: That was fine.
20 MR. EPSTEIN: But not simultaneously.
21 MR. WISE: There was nothing --
22 Were you at all confused?
23 MR. LEVY: No, no, no, no. You don't ask him
24 that question.

1 MR. WISE: Why not?
2 MR. LEVY: Because I told you not to.
3 MR. WISE: Well, you just told me not to
4 after the fact, but I don't think there was anything
5 confusing about that.
6 MR. LEVY: Well, here, let's try it one
7 questioner at a time, and then we can do it that way,
8 an orderly thing.
9 MR. WISE: I thought it was one at a time,
10 so --
11 MR. LEVY: Well, you misthought.
12 MR. WISE: Well, I'm not going to be able to
13 follow your rule if I think it is one at a time and
14 you're telling me it's not.
15 MR. LEVY: You let him ask his set of
16 questions and then you ask your questions just like
17 follow-up.
18 MR. WISE: Which is what I just did.
19 MR. LEVY: No, you didn't. You interrupted
20 him because he's not done yet.
21 MR. WISE: Were you done --
22 MR. LEVY: And don't ask me how I know, but
23 he's not done.
24 MR. WISE: Well, you don't know.

1 MR. EPSTEIN: Why don't we -- why don't we
2 slow it down? I don't perceive that there is a real
3 dispute going on here. But why don't we just take --
4 if you guys have to bounce back and forth --
5 MR. WISE: We do it all the time.
6 MR. LEVY: I'm not interested in whether you
7 do it all the time.
8 MR. WISE: I'm telling you we do it all the
9 time.
10 MR. LEVY: A bully beats up people all the
11 time too.
12 MR. WISE: If there is bullying, I mean, for
13 God's sake --
14 MR. LEVY: Listen, just try it and see what
15 happens, how nice and orderly it comes out. Just
16 like I told him, answer questions directly, don't
17 embellish.
18 One question at a time.
19 MR. EPSTEIN: If we slow it down, I think
20 we'll --
21 MR. ASHMAWY: I think we've accommodated your
22 requests --
23 MR. LEVY: I'm sure you will.
24 MR. ASHMAWY: No, no. We have.

1 MR. LEVY: And you will.
2 MR. ASHMAWY: And we're done accommodating
3 your requests.
4 MR. LEVY: Oh, no, no, no, no, no. Don't
5 ever say that.
6 MR. ASHMAWY: I just --
7 MR. LEVY: When there's a legitimate request
8 posed, I certainly hope that you would accommodate it
9 rather than give the stonewall type of approach.
10 MR. ASHMAWY: We don't stonewall, sir.
11 MR. WISE: Why don't we --
12 MR. EPSTEIN: Let's -- let's -- let's
13 continue.
14 MR. WISE: My -- we were supposed to start at
15 10:00. We started at 10:30. We have a 2:00 o'clock
16 flight. I'd like to get this done, so --
17 MR. EPSTEIN: We want to be done by noon. We
18 want --
19 MR. WISE: I'd like to be done before noon,
20 frankly.
21 MR. EPSTEIN: Or earlier.
22 MR. LEVY: Let's just try it --
23 MR. EPSTEIN: Take it orderly.
24 MR. LEVY: -- one at a time.

1 MR. EPSTEIN: Calm down and let's do it or
2 we're going to be here all day, which we don't want
3 to do.
4 MR. ASHMAWY: To be honest, I'm confused by
5 your rule, but let's try and see what we can do.
6 MR. LEVY: How many -- how many at
7 committee --
8 MR. WISE: Let's just ask questions. This is
9 a waste of time in my view.
10 MR. ASHMAWY: So --
11 MR. LEVY: I believe it is too.
12 MR. ASHMAWY: What was the connection between
13 the October 31st, 2008 meeting at the -- well, why
14 don't we -- describe the October 31st, 2008 meeting,
15 please.
16 WITNESS A: I was there because --
17 MR. LEVY: No. Answer his question.
18 Describe it.
19 WITNESS A: There were 30 --
20 MR. LEVY: Where was it at?
21 WITNESS A: It was at India House
22 Restaurant in Schaumburg, Illinois. It was supposed
23 to be at 12:00 o'clock. I arrived at around 12:30,
24 12:45, and when I arrived, there were about 30, 35

1 people present there. Governor was not there. Then
2 Governor arrived. Governor gave a speech, and then
3 after Governor gave a speech, Rajinder Bedi gave a
4 speech and he announced that they're going to have a
5 fund-raiser to celebrate India's -- India -- the New
6 Year's Diwali party, and only day that Governor was
7 available was for that day, and that's where they
8 were asking people to buy the tables and there will
9 be a celebration and they are expecting 1,000 people.
10 MR. ASHMAWY: Okay. Let me backtrack. The
11 Governor gave a speech at this event?
12 WITNESS A: That is correct.
13 MR. ASHMAWY: Why did he give a speech?
14 WITNESS A: He just gave the speech to
15 thank the Indian community and basically updated what
16 is going on in the State and all those things.
17 MR. ASHMAWY: You said -- was it Jatinder,
18 Jatinder Bedi?
19 WITNESS A: Rajinder.
20 MR. ASHMAWY: Rajinder Bedi.
21 WITNESS A: R.
22 MR. ASHMAWY: He also gave a speech. Why did
23 he give a speech?
24 WITNESS A: He gave a speech that

1 Governor is a good friend of Indians and we want to
2 do the celebration this time. They want to come --
3 all the Indians come under one umbrella, one place,
4 and to have the Governor be present at the celebration
5 of Indian Diwali.
6 MR. ASHMAWY: And Mr. Bedi said that they
7 were going to have a fund-raiser to celebrate the New
8 Year?
9 WITNESS A: That is correct.
10 MR. ASHMAWY: And that is Diwali?
11 WITNESS A: That is correct.
12 MR. ASHMAWY: And that was the event that was
13 held on December 6th, 2008?
14 WITNESS A: That is correct.
15 MR. ASHMAWY: Was -- you used a phrase that
16 the Governor wanted to meet everybody and described
17 them as Indian friends. Could you be more specific?
18 Could you describe what you meant?
19 WITNESS A: I was invited. I was told
20 about two days ago that there is a lunch --
21 MR. LEVY: You don't mean two days ago.
22 WITNESS A: Huh?
23 MR. LEVY: You don't mean two days ago.
24 MR. EPSTEIN: You mean two days before the

1 event.
2 WITNESS A: Yes. Two days before the
3 event, yes.
4 Two days before the event that
5 Governor wants to meet for lunch, so I should be
6 there, so -- and then so I was there.
7 MR. ASHMAWY: Okay. Is there -- is there a
8 fund-raising committee known as The Indian Friends
9 of -- or was there a fund-raising committee known as
10 The Indian Friends of Blagojevich? Was --
11 WITNESS A: I am not aware of any
12 committee that is Indian Friends for Blagojevich, no,
13 not at all.
14 MR. ASHMAWY: Was there a group of Indian
15 American individuals that associated in support of
16 the Governor?
17 MR. LEVY: That he knows of?
18 MR. ASHMAWY: Well, I guess, if you could
19 explain, because I'm a little bit confused, that
20 Governor Blagojevich wanted to meet everyone at the
21 India House.
22 WITNESS A: That is correct.
23 MR. ASHMAWY: Could you -- who -- how did
24 everyone know that they were part of the group

1 everyone?

2 WITNESS A: Okay. I have never organized

3 any fund-raiser --

4 MR. LEVY: No. Just answer his question.

5 WITNESS A: I was called. I received a

6 call from Babu Patel, and he is the one invited me,

7 and that's all I know. I don't have any other bank

8 of knowledge.

9 MR. ASHMAWY: Who else was -- who else was

10 there?

11 WITNESS A: At that October --

12 MR. ASHMAWY: The October 31st --

13 WITNESS A: -- 31st fund-raiser, I

14 know -- do you want me to name who I know --

15 MR. ASHMAWY: Yes.

16 WITNESS A: -- who was there?

17 It was Kanti Patel, K-a-n-t-i,

18 Patel; Kishan Patel, K-i-s-h-a-n, Patel; Babu Patel;

19 Dr. Kamal Patel, K-a-m-a-l, Patel; there was a guy

20 named Nick Patel, N-i-c-k, Patel; Raghu Nayak;

21 Rajinder Bedi; Jatinder Bedi; Harish Bhatt,

22 H-a-r-i-s-h, B-h-a-t-t; Dr. Kapadia; Bhagu Patel,

23 B-h-a-g-u, Patel.

24 These are the only people I -- I

1 know that were there. There were -- there were some
2 other people besides this.
3 MR. ASHMAWY: Approximately how many people
4 attended?
5 WITNESS A: 30 to 35.
6 MR. ASHMAWY: Were they generally
7 businesspeople?
8 WITNESS A: Some people are
9 businesspeople, but majority are businesspeople, yes.
10 MR. ASHMAWY: You described the event as a
11 fund-raiser. Did you write a check? Did you donate
12 money at the event?
13 WITNESS A: Which event?
14 MR. ASHMAWY: At the October 31st event.
15 WITNESS A: There was no -- nobody -- to
16 my knowledge nobody paid any money.
17 MR. ASHMAWY: What was the purpose, then, of
18 the October 31st event, just to be clear?
19 WITNESS A: I said it very clearly, that
20 Governor wanted to meet the people, the
21 businesspeople and the friends, and that's all I
22 know.
23 MR. ASHMAWY: Was there -- was it -- it's
24 been described as a planning meeting for the Diwali

1 fund-raiser. Do you know if that --
2 WITNESS A: I was not told about the
3 planning meeting, but it was discussed at that -- it
4 was like when Rajinder went -- after the Governor's
5 speech Rajinder disclosed this to everybody. That
6 was the first time I found out that they're going to
7 have the Diwali dinner.
8 MR. ASHMAWY: When you attended the
9 December 6th New Year's Diwali dinner, did you donate
10 money at that --
11 WITNESS A: I wrote a check for $1,000.
12 MR. ASHMAWY: To whom did you write the
13 check?
14 WITNESS A: I don't remember to whom I
15 wrote because what I did was I wrote the check and
16 give to Babu Patel for $1,000. I was there for not
17 more than five to ten minutes because my wife and my
18 daughter were sitting in the car and I had to go to
19 another event. So I went in and when I went in, it
20 was late, and then Rajinder started taking the podium
21 and I walked out. I wrote a check and I walked out.
22 So I was there very shortly.
23 MR. ASHMAWY: When you say you don't remember
24 who you wrote the check to, did you write -- did you

1 write the check to -- do you mean you don't remember
2 what the money was going to be used for or that --
3 WITNESS A: No. That was -- that was
4 going to the Governor, sir. I'm sorry. Governor
5 Blagojevich.
6 MR. ASHMAWY: Okay. So the money was
7 intended for the Governor?
8 WITNESS A: Yes, sir. That was for
9 Governor Blagojevich, yes.
10 MR. WISE: So just to be clear, when you said
11 you don't remember who you wrote it to, whether it
12 was Friends of Blagojevich or some other committee
13 name, you don't remember the actual --
14 WITNESS A: That is correct, that is
15 correct.
16 MR. WISE: Okay.
17 MR. ASHMAWY: Do you want to ask him
18 questions about either the October 31st or the
19 December 6th event?
20 MR. WISE: I mean, that, yes.
21 MR. ASHMAWY: You were -- I'm sure you've
22 seen this. You were quoted in the Chicago Tribune as
23 stating that you were at the October 31st event and
24 that you saw Mr. Nayak and Rajinder Bedi approach

1 Babu Patel and that they were trying to convince
2 Mr. Patel to use his influence to get the Governor to
3 appoint Jesse Jackson to the Senate.
4 WITNESS A: Okay. My statement to the
5 reporter was that I was -- okay. After this
6 October 31st meeting -- it was a buffet lunch and I
7 was talking to my friend Babu Patel face-to-face, and
8 behind Babu Patel there were three people. One is
9 Raghu Nayak, one is Rajinder Bedi, and the third one
10 I believe it was Harish Bhatt.
11 They were talking among themselves
12 to tell Babu Patel to tell Governor to appoint Jesse
13 Jackson, Jr. as a senator, so when the newspeople
14 called me, this is what I had told him, exactly what
15 I am telling you now.
16 MR. ASHMAWY: Okay. Did they talk about
17 appointing Jesse Jackson in relation to raising money
18 for the Governor?
19 WITNESS A: Not at all. To my knowledge
20 I never heard that.
21 (WHEREUPON, a telephone rang.)
22 WITNESS A: Excuse me. May I?
23 MR. ASHMAWY: Yes.
24

1 (WHEREUPON, a discussion was
2 had off the record.)
3 MR. WISE: And can you just repeat, who were
4 the three people you said that were talking behind --
5 you said you were at the buffet lunch talking to Babu
6 Patel and there were people behind him talking?
7 WITNESS A: That is correct.
8 MR. WISE: Who were the three that were
9 behind him talking?
10 WITNESS A: For sure Rajinder Bedi, Raghu
11 Nayak, and I believe the third one was Harish Bhatt,
12 B-h-a-t-t.
13 MR. EPSTEIN: If I can jump in, are you
14 uncertain that the third one was Mr. Bhatt?
15 WITNESS A: Yes.
16 MR. WISE: So I put a bracket around him.
17 But Bedi and Nayak.
18 MR. ASHMAWY: And there was a third person,
19 but you are not sure who it was?
20 WITNESS A: That is correct. Because the
21 person I was talking to, he is about -- he is taller
22 than I am.
23 MR. WISE: I see.
24 WITNESS A: But Rajinder Bedi is tall.

1 He is -- you know, you could see him.
2 MR. WISE: Got it.
3 And the person you were talking to
4 was Babu Patel?
5 WITNESS A: That is correct.
6 MR. LEVY: And these other people were not
7 participating in your conversation?
8 WITNESS A: Not at all, not at all.
9 MR. EPSTEIN: And just so we're clear --
10 We can go back and forth.
11 MR. WISE: I was going to say, What happened
12 to the house rules?
13 MR. EPSTEIN: But just so we're clear, your
14 conversation with Babu Patel was physically separate
15 from the three gentlemen's conversation that were
16 standing behind him?
17 WITNESS A: That is correct.
18 MR. EPSTEIN: And at -- during that -- so
19 we're clear, did the two conversations ever come
20 together?
21 WITNESS A: Never.
22 MR. EPSTEIN: Okay. So you just overheard
23 something in a separate conversation?
24 WITNESS A: There is -- we were just

1 talking -- Babu and I were just talk general, and
2 while we were talking general I overheard somebody
3 saying to talk to Babu to tell the Governor about
4 appointing Jesse Jackson. That's all I had
5 overheard.
6 MR. ASHMAWY: And who was Babu Patel? Who --
7 what relation did he have? How could he have
8 influence --
9 MR. LEVY: To who?
10 MR. ASHMAWY: -- to the Governor?
11 MR. LEVY: Relationship to who?
12 MR. WISE: He had -- he was about to finish
13 his question. He said to the Governor.
14 MR. ASHMAWY: What was his relationship to
15 the Governor that he would have any influence?
16 WITNESS A: I have no knowledge except
17 that a couple times he has held a fund-raiser which I
18 have attended.
19 MR. WISE: Fund-raiser for who?
20 WITNESS A: For Governor.
21 MR. WISE: What were you talking about with
22 Patel? You are said you were at the buffet talking
23 to him and it was a separate conversation from the
24 three behind him. What were you and he talking

1 about?

2 WITNESS A: Just the general business,

3 about the business deal. I had just purchased a

4 hotel. You know, it was a general conversation, not

5 related to that meeting or any politics or anything.

6 It was a general conversation. Babu and I, we are

7 goods friend and we talk. We are very good friends

8 for a long time. He had cataract surgery and --

9 MR. WISE: Thank you.

10 MR. ASHMAWY: Other than that conversation

11 that you overheard, did you hear Jesse Jackson's name

12 again on October 31st, 2008?

13 WITNESS A: No, no.

14 MR. ASHMAWY: Recognizing you were there for

15 not very long on December 6th, 2008, did you hear

16 Jesse Jackson's name?

17 WITNESS A: No.

18 MR. WISE: If I may?

19 MR. ASHMAWY: Please.

20 MR. WISE: Did you -- holding aside whether

21 you actually heard his name, did you hear any mention

22 of the Senate seat, just the Senate seat?

23 WITNESS A: Nothing.

24 MR. WISE: On the 6th?

1 WITNESS A: Nothing.
2 MR. WISE: And what about on the 31st?
3 WITNESS A: Nothing.
4 MR. ASHMAWY: And, again, just to be clear
5 because we're recording this, when you say nothing,
6 you mean except for the conversation that you
7 overheard?
8 WITNESS A: That is correct.
9 MR. ASHMAWY: So if I can return back to one
10 of my first questions, other than your association
11 with Mr. Nayak in the FIA, what else -- what other
12 relationship did you have with Mr. Nayak?
13 WITNESS A: Nothing.
14 MR. ASHMAWY: Who was Mr. Nayak? Who is --
15 who is Raghu Nayak?
16 WITNESS A: Raghu Nayak was, as I
17 explained it to you, past president of the FIA. I
18 believe he owns some medical clinics. I have no
19 firsthand information. I have secondhand
20 information. That's all I know about Raghu Nayak.
21 MR. ASHMAWY: What do you know about his
22 relationship to then Governor Blagojevich?
23 WITNESS A: I really have no knowledge
24 about his relation except what I read in the paper

1 after this event -- not event, after this writing --
2 write-ups and all these things in the newspaper.
3 MR. ASHMAWY: Did you know Mr. Nayak to raise
4 money for Governor Blagojevich?
5 WITNESS A: I have no knowledge. I was
6 never in invited, and I have never contributed.
7 MR. ASHMAWY: Who -- this December 6th
8 fund-raiser, who -- I mean, it was meant to raise
9 money for the Governor, but who organized the event?
10 WITNESS A: I have no knowledge who
11 organized that event. I know Babu could be one of
12 them because he --
13 MR. LEVY: Don't speculate.
14 WITNESS A: Okay. Then I don't know.
15 MR. ASHMAWY: What was your relationship with
16 Rajinder Bedi?
17 WITNESS A: No relation at all.
18 MR. ASHMAWY: Who did you know Rajinder Bedi
19 to be?
20 WITNESS A: He is also a past president
21 of FIA and he works for some business development in
22 the State of Illinois Governor's Office, and that's
23 all I know about him.
24 MR. ASHMAWY: Did you know him to raise money

1 for the Governor?
2 WITNESS A: Personal knowledge, no.
3 MR. ASHMAWY: Are you familiar with his
4 brother? I believe it's Rajinder and Jatinder?
5 WITNESS A: Yes, I am.
6 MR. ASHMAWY: What was your relationship with
7 Jatinder Bedi?
8 WITNESS A: I have no relation with
9 Jatinder Bedi except I know that he owns some Indian
10 Reporter newspaper.
11 MR. ASHMAWY: Did you know -- did you have
12 any personal knowledge of Jatinder Bedi raising money
13 for the Governor?
14 WITNESS A: Not at all.
15 MR. ASHMAWY: Have you ever attended any
16 fund-raisers specifically for Jesse Jackson, Jr.?
17 WITNESS A: Never.
18 MR. ASHMAWY: In the -- well, let's start
19 with in that autumn/winter of 2008, other than
20 December 6th, 2008 did you attended any fund-raiser
21 for then Governor Blagojevich?
22 WITNESS A: Not to my knowledge.
23 MR. ASHMAWY: Just to be clear, when you say
24 not to your knowledge -- I should say -- let me ask

1 you this way: Do you have any memory of how many
2 fund-raisers you attended in that period?
3 WITNESS A: Not at all.
4 MR. ASHMAWY: Do you know if you attended --
5 you said you remember attending December 6th. Do you
6 remember if you attended more than that fund-raiser
7 in that period?
8 WITNESS A: I said I don't have any
9 recollection.
10 MR. ASHMAWY: Okay. And, again, I just want
11 to be clear, you don't have a recollection of
12 specific ones. Do you know if you just generally
13 attended fund-raisers?
14 WITNESS A: During October and December I
15 could have. I don't remember.
16 MR. ASHMAWY: Outside of that time period, so
17 going into the early part of 2008, did you -- do you
18 remember attending any fund-raisers for Governor
19 Blagojevich?
20 WITNESS A: Yes, I do. I don't remember
21 when, but I have attended a fund-raiser for Governor
22 Blagojevich.
23 MR. ASHMAWY: Do you remember roughly how
24 many?

1 WITNESS A: At least two or three.
2 MR. ASHMAWY: In 2008 specifically?
3 WITNESS A: No, not 2008. I said before
4 October 2008 I have attended two to three function --
5 fund-raisers for him.
6 MR. ASHMAWY: Do you remember what time you
7 arrived for the December 6th event, roughly?
8 WITNESS A: Between 7:00 and 8:00 p.m.
9 MR. ASHMAWY: And you said you left just as
10 Rajinder was --
11 WITNESS A: As Rajinder came to the
12 podium, I gave the check and I left.
13 MR. ASHMAWY: And you gave the check to
14 Mr. Patel?
15 WITNESS A: Babu Patel, that is correct.
16 MR. ASHMAWY: Was anyone speaking on stage in
17 that five to ten minutes you were there?
18 WITNESS A: No. I was there. I had a
19 snack. I was eating snack. I asked Babu, How much?
20 He said, $1,000.
21 I wrote a check and then Rajinder
22 took the podium and I walked out.
23 MR. ASHMAWY: Was the $1,000 the -- sort of
24 the ticket price, for lack of a better term?

1 WITNESS A: It was -- not for me. It was
2 just whatever, you know, he asked me to write, I
3 wrote a check for.
4 MR. ASHMAWY: What I want to understand is,
5 did everybody who attended probably write $1,000
6 or --
7 WITNESS A: I have no knowledge.
8 MR. ASHMAWY: But you asked him how much and
9 he said 1,000?
10 WITNESS A: Yes.
11 MR. ASHMAWY: If I can draw your memory to
12 the October 31st, 2008 lunch, other than the Governor
13 and Rajinder Bedi did anyone else give a speech or
14 talk at the event?
15 WITNESS A: Best of my knowledge, nobody.
16 MR. ASHMAWY: So then the -- the only
17 thing -- while you were there the only things that
18 happened was the Governor spoke and Rajinder Bedi
19 spoke?
20 WITNESS A: That is correct.
21 MR. ASHMAWY: After they spoke did the lunch
22 and the meeting end or did it continue?
23 WITNESS A: After the Governor's speech
24 the Governor left and then the lunch started. It was

1 a buffet lunch.
2 MR. ASHMAWY: And then at what point did
3 Mr. Bedi speak?
4 WITNESS A: I will say we were eating and
5 then Babu and I, we were talking, and then I
6 overheard, and then shortly I left because I was
7 attending the classes which I had to go back to. I
8 was taking hotel/motel management courses. I had
9 taken a break to come to this lunch, so I rushed out.
10 MR. ASHMAWY: Okay. So I understand, you
11 were eating, you spoke to Mr. Patel, and you
12 overheard the conversation?
13 WITNESS A: That is correct.
14 MR. ASHMAWY: And then you left to go to the
15 classes?
16 WITNESS A: That is correct.
17 MR. ASHMAWY: At what point did Rajinder Bedi
18 give the speech that you described earlier?
19 WITNESS A: As soon as Governor finished
20 his speech, Rajinder spoke. Rajinder or Jatinder
21 introduced Governor, then Governor spoke, and then as
22 soon as Governor finished Rajinder spoke.
23 MR. ASHMAWY: And then the luncheon began?
24 WITNESS A: And then the luncheon began.

1 MR. ASHMAWY: When -- was the lunch over when
2 you left or did you leave early?
3 WITNESS A: I just left. People were
4 still there.
5 MR. ASHMAWY: Had people left before you?
6 WITNESS A: Not to my knowledge.
7 MR. WISE: Other than your counsel, who I
8 don't want to hear about your conversations with,
9 have you talked with anyone about the October 31st
10 luncheon since the October 31st luncheon?
11 WITNESS A: Media people, FBI came, and
12 IRS came to my house. I would discuss with them.
13 Just general conversation. We talk about lunch or --
14 but not intentionally to expose anything, no.
15 MR. WISE: So just explain that, the last
16 part. Who did you have general conversation with?
17 WITNESS A: With friends. We talk. You
18 know, like after these things came out in the
19 newspaper, people called me and they asked me, you
20 know --
21 MR. WISE: Because they saw your name?
22 WITNESS A: -- about it, so that's all
23 the conversation, yes.
24 MR. WISE: Anyone else?

1 WITNESS A: No. And you -- and the
2 people, whoever called, I don't know who called me
3 and how many times I had the conversation.
4 MR. ASHMAWY: Were any of those general
5 conversations with Mr. Nayak or Rajinder or Jatinder
6 Bedi?
7 WITNESS A: Never.
8 MR. WISE: Have you spoken with Mr. Nayak
9 since the luncheon?
10 WITNESS A: Never. Except I say hello on
11 the December event. Rajinder came and shook hands.
12 MR. WISE: Did you two discuss anything else
13 other than saying hello?
14 WITNESS A: Nothing.
15 MR. LEVY: When?
16 MR. WISE: I'm talking about the 12/6 event.
17 MR. LEVY: Are you talking about after?
18 MR. WISE: No. I'm talking about the
19 December event, at the event.
20 WITNESS A: I understand the December
21 event.
22 MR. WISE: Yes.
23 MR. ASHMAWY: It's my practice to ask. It's
24 a question I ask everybody. I've been interviewed

1 before and sometimes sat across the table and said,
2 Gosh, they never asked me about this; I'm surprised;
3 I thought the whole conversation was going to be
4 about this fact.
5 Is there something that we haven't
6 asked you about that you think is important?
7 MR. LEVY: No. Don't ask him that question.
8 MR. ASHMAWY: I just --
9 MR. LEVY: This is not a --
10 MR. ASHMAWY: You like --
11 MR. LEVY: -- by a --
12 MR. ASHMAWY: You do that. You say don't ask
13 after I've asked.
14 MR. LEVY: What I'm saying --
15 MR. ASHMAWY: You might be able to advise
16 your client not to answer the question, but you can't
17 ask me not to ask it.
18 MR. LEVY: Well, I'm cautioning. I'm
19 cautioning you.
20 MR. ASHMAWY: Well, I'm asking the question.
21 I appreciate your caution.
22 MR. LEVY: That's a difficult question to
23 answer and it puts -- I would -- I would instruct him
24 not to answer that question.

1 MR. ASHMAWY: I'm asking the question. Sir,
2 if your client doesn't wish to answer it or if you
3 wish to advise your client not to answer it, that's
4 fine. But I'm asking the question.
5 Is there something we haven't asked
6 about that you think is important for us to know or
7 relevant to the topic?
8 MR. LEVY: I would instruct you not to answer
9 the question.
10 WITNESS A: There's nothing to discuss.
11 We have discussed everything.
12 MR. WISE: Thank you for your time. We
13 appreciate it.
14 MR. EPSTEIN: I would just ask one cleanup
15 question that I think was kind of left hanging
16 between the question and the answer about a half hour
17 ago.
18 One of the gentlemen described the
19 luncheon, the first luncheon, as -- or as maybe as a
20 planning meeting. Do you recall that description
21 being stated?
22 WITNESS A: Yes.
23 MR. EPSTEIN: Okay. To -- other than the
24 conversation that you overheard and have described

1 and other than the announcement that you described
2 that there was going to be a later fund-raising
3 function, did you at that -- at that occasion, did
4 you hear any other discussion that was about planning
5 for a later event?
6 WITNESS A: The October meeting was
7 planning?
8 MR. EPSTEIN: Well, that's my question. Did
9 you hear -- other than the conversations you've
10 already -- and the announcement that you've already
11 talked about today, other than that, did you hear
12 anybody planning a later event?
13 WITNESS A: No.
14 MR. EPSTEIN: Okay.
15 MR. WISE: Other than the planning, other
16 than the planning.
17 MR. EPSTEIN: No. No, I mean, because the
18 conversation was described as a planning session and
19 then we went on and there was no actual discussion of
20 any planning.
21 MR. WISE: Well, except to say that they're
22 going to do the Diwali and --
23 MR. EPSTEIN: Well, somebody had made an
24 announcement.

1 MR. WISE: Yes.
2 MR. EPSTEIN: That's an announcement. To me
3 that's not planning. That may mean somebody else had
4 already planned, but it doesn't mean that he heard
5 anybody planning.
6 MR. WISE: Except you did hear that
7 announcement?
8 MR. EPSTEIN: He heard the announcement.
9 WITNESS A: That is correct.
10 MR. WISE: Right.
11 MR. EPSTEIN: Yeah. No, I just was trying to
12 make -- just want to make clear that there's nothing
13 in between.
14 MR. LEVY: That's the whole deal.
15 MR. WISE: Thank you very much.
16 WITNESS A: My pleasure.
17 (WHEREUPON, the interview was
18 concluded at 11:17 a.m.)
19
20
21
22
23
24

1 CERTIFICATE
2 OF
3 CERTIFIED SHORTHAND REPORTER
4
5 I, THERESA M. LAZZARO, a Certified
6 Shorthand Reporter of the State of Illinois,
7 CSR No. 84-004629, do hereby certify that I
8 stenographically reported the proceedings had at the
9 interview aforesaid, and that the foregoing
10 transcript is a true and accurate record of the
11 proceedings had therein.
12 IN WITNESS WHEREOF, I do hereunto set my
13 hand at Chicago, Illinois, this 25th day of June
14 2009.
15
16 _____
17 THERESA M. LAZZARO, CSR
18 CSR License No. 84-004629
19
20
21
22
23
24

EXHIBIT 11

OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF REPRESENTATIVES

Memorandum of Interview

In Re:	Family Member A
Review #:	09-9812
Date:	June 4, 2009
Location:	Law Office of James D. Montgomery One North LaSalle Street Chicago, IL 60602
Time:	2:15 PM – 2:40 PM CDT (approximately)
Participants:	Leo Wise Omar Ashmawy

Summary: Family Member A is the brother of Representative Jesse Jackson Jr., who is a Member of the United States House of Representatives representing the Second District of Illinois. He was interviewed pursuant to Review 09-9812. We requested an interview with Family Member A and he consented to an interview. Family Member A made the following statements in response to our questioning:

1. Family Member A was given an 18 U.S.C. § 1001 warning, signed a written acknowledgement of the warning and consented to an interview.

2. Family Member A became aware of Representative Jesse Jackson's interest in being appointed to the open Senate seat sometime after November 4th, 2009, when Rep. Jackson made public statements to that effect.

3. Rep. Jackson never asked for Family Member A's help, support, or to take any actions to assist Rep. Jackson in seeking appointment to the Senate seat. Family Member A stated that Rep. Jackson already knew that he had Family Member A's support.

4. While other individuals may have expressed excitement about Rep. Jackson's potential appointment to fill the Senate seat, Family Member A never had any conversations with anyone regarding the appointment process.

5. With regard to his relationship with businessman Raghuveer Nayak, Family Member A described their relationship as a friendship or social relationship. They first worked together with regard to the development of a south-side bank building.

6. In a conversation with Raghuveer Nayak, Family Member A recalled that Nayak told him that he would like to see Rep. Jackson appointed to the Senate seat. He recalled that Nayak wanted him to be as vocal as possible in supporting Rep. Jackson's potential appointment. He also recalled that Nayak wanted to see the Indian community support Rep. Jackson's potential appointment.

7. Family Member A stated that he has not had any contact with Raghuveer Nayak after Sunday, December 7, 2008, the morning after the December 6, 2008 event. He has never talked to Nayak about the ensuing controversy over the Senate seat.

8. When asked what he knew about the relationship between Raghuveer Nayak and Governor Blagojevich, Family Member A said that he knew that Nayak was supportive of Governor Blagojevich, had held fundraising events for Blagojevich at his home, had a friendship with Blagojevich, and personally liked Blagojevich.

9. When asked whether he had attended any of Nayak's fundraisers for Governor Blagojevich, Family Member A stated that had been invited to and attended several such fundraisers, but had never made a donation at such a fundraiser, and never organized or had control over such a fundraiser.

10. When asked about his knowledge of the relationship between Raghuveer Nayak and Rep. Jackson, Family Member A said that he knew that Nayak was friendly with and interested in Rep. Jackson, but did not know anything about their political relationship.

11. When asked if he had ever attended a fundraiser for Rep. Jackson, Family Member A said that he had attended approximately 15 fundraisers. Family Member A said that he has donated to his brother's campaigns in the past, and on approximately three occasions had fundraised on Rep. Jackson's behalf by asking people he knew to donate to Rep. Jackson's campaigns.

12. Family Member A knows Rajindar and Jatinder Bedi, but does not have a personal relationship with either of them. He did not recall having a conversation about the Senate seat with either Rajindar or Jatindar Bedi, and said that he did not have a conversation about the appointment process with them. Family Member A is not aware of any relationship between Rajindar and Jatinder Bedi and Governor Blagojevich. He was also not aware of a meeting between Raghuveer Nayak and Rajindar and Jatinder Bedi.

13. Family Member A does not have a relationship with Governor Blagojevich. They did not discuss the Senate seat.

14. Family Member A does not know Satish "Sunny" Gabhawala.

15. Family Member A was not aware of and knows nothing about an alleged October 31, 2008 meeting.

16. With regard to the December 6, 2008 event, Family Member A stated that the event was the Diwali Festival of Lights, and it consisted of speeches and dancing. Family Member A attended the event on behalf of his father, Jesse Jackson. He arrived late, stayed for two to three hours, and presented awards with Governor Blagojevich. Family Member A does not recall seeing the invitation for the event, and said that (1) he did not know that the event was a fundraiser, (2) he saw no reference to fundraising at the event, (3) he did not recall seeing a sign for the event, and (4) he did not retain a copy of the event program. At the event, Family Member A recalls shaking hands and taking pictures with Governor Blagojevich. They did not discuss the Senate seat or fundraising. Family Member A recalls Governor Blagojevich telling him, "You're my favorite Jackson."

17. With regard to conversations between Family Member A and his father, Jesse Jackson, about the Senate seat, Family Member A recalls that they discussed their hope that Rep. Jackson would be appointed, but they did not discuss the appointment process. They did not speculate on who may be the candidates and supporters referred to in the federal indictment of Governor Blagojevich. Family Member A does not recall participating in a phone conversation with Rep. Jackson and his father, Jesse Jackson.

18. According to Family Member A, Jesse Jackson had helped fundraise for Rep. Jackson, but Family Member A did not know whether Jesse Jackson had donated to Rep. Jackson's campaigns.

Omar S. Ashmawy
Investigative Counsel

EXHIBIT 12

Edmonds, Kenneth

From: Jackson, Jesse
Sent: Wednesday, October 22, 2008 8:58 AM
To: Edmonds, Kenneth; Bryant, Rick

17739090309 rhagu wants to get all Indian organizations heads to sign a ltr to Blago on our behalf. He wants our office to draft it

---

Sent from my BlackBerry Wireless Handheld

EXHIBIT 13

Edmonds, Kenneth

From: Edmonds, Kenneth
Sent: Friday, October 24, 2008 11:34 AM
To: [redacted]@aol.com'
Subject: Draft letter
Attachments: SENATE.doc

Raghu,

I've attached a draft letter (in plain text as well as a word document) in support of Congressman Jackson being appointed to succeed Barack Obama in the U.S. Senate. Please feel free to make any revisions to the letter.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you in advance for your support, efforts and generosity.

- Ken

DRAFT LETTER

[Date]

Governor Rod Blagojevich
The State of Illinois
100 West Randolph Street, 16th Floor
Chicago, Illinois 60601

Dear Governor Blagojevich:

We write to respectfully encourage you to appoint Congressman Jesse L. Jackson, Jr. to the U.S. Senate if -- as we sincerely hope -- Barack Obama is elected President of the United States on November 4th. We believe that Congressman Jackson is the very best candidate to complete Senator Obama's term and represent our state in the U.S. Senate.

Since his election to Congress in 1995, Congressman Jackson has been a passionate and progressive voice in the U.S. House of Representatives. Like Senator Obama, he is an inspiring, effective and dedicated public servant from Chicago's South Side, who is committed to providing the change we need here at home and abroad.

During the past 13 years, Congressman Jackson has become a seasoned and skilled legislator, who has worked effectively with both Democrats and Republicans in Congress on behalf of the state. He is a proven vote-getter and coalition-builder, generating support across political and demographic lines among Blacks, Whites, Hispanics and Asians; Christians, Jews and Muslims; city folks and farmers; business and labor; gay and straight; and young and old. As diligent as he is determined, he has compiled one of the best voting records in the House, missing only two votes throughout his entire career.

As a member of the powerful House Appropriations Committee, Congressman Jackson has fought to increase investments in health care, education, infrastructure and national security. In fact, he has brought back hundreds of millions of dollars to his district and this state. These funds have been a

catalyst for change, growth and development, often in communities suffering from neglect and disinvestment.

In addition, Congressman Jackson has gained invaluable international experience and insight as a senior member of the congressional committee responsible for foreign aid. A staunch and early opponent of the Iraq War, he believes in direct, principled and tough diplomacy, knowing that military force should always be used as a last resort. He has traveled extensively throughout the world, highlighting the need for American leadership and engagement in promoting sustainable peace, development and democracies.

At 43, Congressman Jackson would be the youngest member of the U.S. Senate, able to serve long enough to acquire the seniority and influence necessary to truly benefit the state. In light of his experience and qualifications, he certainly is prepared to hit the ground running and immediately take on the critical challenges facing our nation as well as the world.

We believe that Congressman Jackson would be an outstanding U.S. Senator, able to serve our state with integrity, dignity and honor. If the opportunity arises, we hope that you will appoint him to the U.S. Senate.

Sincerely,

Kenneth Edmonds
Chief of Staff
Office of Congressman Jesse L. Jackson, Jr.
2419 Rayburn House Office Building
202-225-0773
kenneth.edmonds@mail.house.gov

EXHIBIT 14

Bryant, Rick

From:	Bryant, Rick
Sent:	Wednesday, November 12, 2008 12:09 PM
To:	Bryant, Rick
Subject:	Southtown: Survey shows Jackson best choice for Obama seat 11-12-2008

Survey: Jackson best choice to replace Obama

(http://www.southtownstar.com/news/1274266,111208jacksonsidebar.article)

November 12, 2008

BY WILLIAM LEE, Staff writer

U.S. Rep. Jesse Jackson Jr. (D-2nd) is favored among a crowded field of possible replacements for President-elect Barack Obama's vacant U.S. Senate seat, a new poll suggests.

The Zogby International poll conducted after Election Day says 21 percent of likely Illinois voters want Gov. Rod Blagojevich to appoint Jackson to Obama's seat, which expires in January 2011. His nearest competitor is Tammy Duckworth, director of the Illinois Department of Vet erans Affairs, who was supported by 14 percent of those responding to the poll.

Jackson, of Chicago, the son of civil rights icon the Rev. Jesse Jackson, is preferred over Duckworth by voters who consider themselves "strong Democrats" as well as Republicans and independent voters, according to the poll.

As for support for other possible candidates to succeed Obama, the poll found 6 percent support for U.S. Rep. Jan Schakowsky (D-9th) and 4 percent for U.S. Rep. Danny Davis (D-7th), of Chicago, and state Sen. James Meeks (D-Chicago).

Jackson also sported higher favorability ratings over his competition, the poll says.

The poll, taken on Nov. 5 and 6, also suggests that Jackson would defeat prominent Republicans who could challenge him in the 2010 election, including U.S. Reps. Ray LaHood (R-18th), of Peoria, and Mark Kirk (R-10th), of Highland Park.

The Senate seat will need to be filled as of Jan. 20, when Obama is sworn in as president.

William Lee can be reached at wlee@southtownstar.com or (708) 633-6747.

EXHIBIT 15

TIMELINE OF EVENTS

Oct. 22 -- Cong. Jackson sends e-mail to staff about support letter.

Oct. 24 -- I send support letter to Raghu Nayak.

Oct. 24 -- *Chicago Defender* publishes editorial endorsement of Cong. Jackson for Senate.

Nov. 4 -- Barack Obama is elected the 44th President of the United States of America.

Nov. 9 -- Cong. Jackson sends e-mail to staff about seeking a meeting with Gov. Blagojevich.

Nov. 10 -- *SouthtownStar* publishes editorial endorsement of Cong. Jackson for Senate.

Nov. 19 -- Capitol Hill reporters -- from *Roll Call* and *The Hill* -- call about whether Cong. Jackson has met with or been contacted by Gov. Blagojevich.

Nov. 20 -- I continue to receive calls from reporters -- from *AP* and *Daily Southtown* -- about whether Cong. Jackson has met with or received a call from Gov. Blagojevich.

Nov. 24 (approx.) -- Cong. Jackson reaches out to Gov.'s aides and unofficial advisors -- Victor Roberson and Michael Rumman -- about whether he will be given fair and serious consideration during the selection process. So far, Cong. Jackson has been unable to get a meeting or call.

Nov. 25 -- Gov.'s office contacts our office about meeting. [according to April 7th *Sun-Times* article]

Nov. 28 -- *Sun-Times* reports joint visit of Gov. Blagojevich and Cong. Davis to the Chicago Christian Industrial League's Thanksgiving event, where he praises Davis and refers to him as "Senator Davis."

Dec. 1 -- *Sun-Times* publishes editorial endorsement of Cong. Jackson for Senate.

Dec. 1 -- *Sun-Times* columnist Laura Washington writes that Cong. Jackson "can't even get a meeting with his old bud."

Dec. 2 -- Cong. Jackson meets with John Wyma about the selection process. Will Cong. Jackson be given the opportunity to meet with Gov. Blagojevich? Is Cong. Jackson being seriously considered? What is the Gov.'s criteria and timeline?

Dec. 3 -- *Politico* publishes this update: "...despite Jackson's energetic self-advocacy, the governor has not yet invited him in for a meeting about the vacancy, as he has with every other member of the delegation who has expressed interest."

Dec. 3 (approx.) -- Gov. Blagojevich invites Congressman Jackson to make brief remarks at a Poverty Summit at Northwestern University between 12:00 Noon on Dec. 9th. I respond to e-mail invitation from Louanner Peters and Matthew Summy, confirming Cong. Jackson's participation.

Dec. 3 -- Sun-Times columnist Lynn Sweet writes: "The governor, I learned, is trying to set up an interview with Jackson to discuss the vacancy. He's already talked to Dem Representatives Jan Schakowsky; Danny Davis, who is becoming more vocal about wanting the seat, and Luis Gutierrez. Former state Senate President Emil Jones, Veterans Affairs chief Tammy Duckworth, and Attorney General Lisa Madigan are near the top of what the governor said was a long list."

Dec. 4 -- Mary Stewart calls to schedule meeting between Gov. Blagojevich and Cong. Jackson on December 8th. I'm reached at home.

Dec. 8 -- Cong. Jackson meets for about 90 minutes with Gov. Blagojevich, providing him with a notebook of his public record and credentials for the Senate.

Dec. 9 -- F.B.I. arrests Gov. Blagojevich. The U.S. Attorney's office publicizes the criminal complaint against the Gov.

Dec. 10 -- Cong. Jackson holds press conference. Victor Roberson calls the office, says "please tell the Congressman that I'm sorry things turned out the way they did."

NOTE: The dates in bold above denote the occasions on which I had direct contact with the parties of interest.

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EXHIBIT 16

MEMORANDUM

TO: Dr. BILL COSBY

RE: JESSE JACKSON JR. APPOINTMENT TO U.S. SENATE SEAT (Barack Obama vacancy)

DATE: October 16, 2008

Please find below talking points for Dr. Bill Cosby's phone call to Illinois Governor Rod Blagojevich about appointing Congressman Jackson to complete the unexpired term of Senator Barack Obama in the event that Obama wins the presidency. Governor Blagojevich can be reached at (office) (312) 814-2121 or (home) (773) 509-1744.

I. JESSE JACKSON JR. IS THE BEST CANDIDATE TO FILL SEN. OBAMA'S SEAT

- U.S. Congressman Jesse Jackson Jr. is a natural choice to fill Barack Obama's U.S. Senate seat.

- Like Barack, Jesse Jr. is a young, progressive, African-American from Chicago's South Side. Like Barack, he would be the only African-American in the Senate. In short, there are generational, political, geographical, racial and philosophical similarities between them.

- During his 13 years as a Member of Congress, Jesse Jr. has become a seasoned legislator and an experienced member of the powerful House Appropriations Committee – which funds virtually all domestic and international programs. This gives him enormous insight into US and world affairs.

- In fact, Congressman Jackson has brought back more than $600 million to his district and the State of Illinois, increasing investment in healthcare, education, infrastructure and national security.

- He has been a diligent and committed legislator, missing only two votes in 13 years in Washington, amassing one of the best voting records in Congress.

- Like Barack, Jesse Jr. has put together a broad-based coalition of support among Illinois voters – including Democrats and Republicans; blacks, whites and Hispanics; business and labor; young and old; Christians, Jews and Muslims. He has been endorsed every election by every Chicago area newspaper.

- Congressman Jackson has proven that he can work with leaders in both parties and can assemble bipartisan coalitions to refine and advance legislation that is good for all Americans.

- Jesse Jr. also has co-authored several books, including *A More Perfect Union: Advancing New American Rights* (2001); *Legal Lynching I* (1996); *Legal Lynching II* (2001); and *It's About the Money* (1999).

- Like Barack, Jesse Jr. also would be one of the youngest members of the US Senate, meaning he is young enough to serve long enough to build up seniority in the Senate, which over time would be beneficial to Illinois residents. (Jesse Jr. would be the youngest member of the Senate.)

- Overall, Congressman Jackson is viewed as one of the most progressive leaders in Congress. He annually receives top ratings from environmentalists, human rights groups, teachers, organized labor, healthcare providers, anti-war activists and women's group.

- With an appointment to the U.S. Senate, Jesse Jr. will have the power of incumbency, enhancing his ability to raise the necessary money (an estimated $18 million) to run for re-election in 2010.

II. BACKGROUND NOTES on GOV. BLAGOJEVICH AND HIS RE-ELECTION

- *Pronounced "Blah-goy-a-vitch"*

- (Background) Governor Blagojevich is extremely unpopular with the voters. The latest polls show his approval rating somewhere around 20 percent among Illinois voters – lower even than President Bush's approval rating.

- (Background) The Governor is also under federal investigation for "pay-to-play" scandals for allegedly selling state jobs and contracts to his top campaign contributors. His former top aide was recently convicted of 18 counts in federal court for pay-to-play violations and is now cooperating with prosecutors.

- (Background) Despite the Governor's lack of popularity and ongoing investigation, he plans to run for a third term in 2010. His strongest base of support – really his only base of support – is the African-American community.

- One way Blagojevich will likely attempt to curry favor with black voters is appointing an African-American to Obama's Senate seat. Of all the African-American candidates, Jesse Jr. Is the most well known; has the best reputation based on opinion polls; and has the most successful political organization in Illinois. Jesse Jr. also would have the support of his father, Rev. Jackson.

- In short, to win re-election, Blagojevich needs to consolidate and energize his black base for the 2010 election. His best bet to shore up his black base is to appoint Jesse Jr. to Barack's seat.

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