

May 26, 2013

Michael Graham notices the differences in the way we hear about the president "being updated throughout the night."

What's the difference between keeping President Obama "updated throughout the night" on a deadly terrorist attack in Benghazi and keeping him "updated throughout the night" on a deadly tornado in Oklahoma?

The president could have actually done something about Benghazi.

Have you been watching the president the past 36 hours or so? Lots of photos of him calling officials in Oklahoma, offering federal help. Speeches in front of the camera expressing his condolences to the tornado victims and pledging to rebuild.

"Our prayers are with the people of Oklahoma today," Obama said yesterday, "and we'll back up those prayers with deeds for as long as it takes."

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So where was this guy the night of the pre-planned al-Qaeda attack in Benghazi that lasted seven hours and killed four Americans?

That's a "largely irrelevant fact," White House hack Dan Pfeiffer told Chris Wallace on Fox News Sunday. ...

Jonah Goldberg thinks the "idiot defense" is a good tactic.

Although there's still a great deal to be learned about the scandals and controversies swirling around the White House like so many ominous dorsal fins in the surf, the nature of President Obama's bind is becoming clear. The best defenses of his administration require undermining the rationale for his presidency.

"We're portrayed by Republicans as either being lying or idiots. It's actually closer to us being idiots." So far, this is the administration's best defense.

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Well-intentioned human error rarely gets the credit it deserves. ...

... Meanwhile, Obama insists that he is outraged. And, if sincere, that's nice. But so what? What the president seems to have never fully understood is that the Founders were smarter than he is or that the American people aren't as dumb as he thinks we are. His outrage is beside the point.

A free people will have legitimate differences on questions of policy. A government as vast as ours is — never mind as vast Obama wants it to be — is destined to abuse its power, particularly in a climate where a savior-president is incessantly delegitimizing dissent (and

journalistic scrutiny). Government officials will behave like idiots sometimes, not because they are individually dumb but because a government that takes on too much will make an idiot out of anyone who thinks there's no limit to what it can do. That alone is good reason to fear tyranny. Indeed, it would be idiotic not to.

Andrew Malcolm reminds us of some of the obama sleaze.

The standard rule for handling bad news in politics is to get it all out at once. Take your hits for a news cycle, two or three. And then try to move on.

The conventional wisdom has been that the worst thing to do is allow the bad news to dribble out, poison drop by poison drop, for days, weeks, even months.

Yet that is precisely what Barack Obama has done -- and continues to do in his current epidemic of embarrassments -- over a decade of controversies and scandals. The amazing thing is, so far, it's worked like a charm. So, why should he change?

Ignore it. Dismiss it. Dissemble it to death. Didn't know about it. Point at others. Have others point at others. Have others suggest the criticism is really racial. Stay aloof. Stretch the whole thing out as long as possible. Then call every ensuing question old news, that you've discussed it many times. Hope the problem goes away.

And, by golly, usually it has for Obama.

Whether that will work this time in the face of three major, simultaneous scandals and the independent investigations certain to grow from them remains an open question. Will the Chicago Democrat skate again? Or will the events, the lies, the half-truths, the cover-ups forever stain his once-historical presidential legacy?

Barack Obama is no stranger to scandal. Here's a recap of a few: ...

National Journal's Ron Fournier is having a hard time stomaching the administration lies.

"You and others have said that no one in the White House knew about IRS actions before getting the heads up on the inspector general's report last month," George Stephanopoulos told senior White House adviser Dan Pfeiffer on Sunday. "Are you absolutely sure of that?"

"Yes," Pfeiffer replied.

Do you believe him?

Knowing the consequences that would befall the Obama administration if the White House or Obama's reelection campaign knew in real time that the IRS was targeting conservatives, I desperately want to believe Pfeiffer. I've known him for years. I like him. He's never lied to me.

But Pfeiffer is part of an institution that has demonstrated an inability and/or unwillingness to tell the full truth about the IRS scandal and a spate of other controversies. The White House can't be trusted.

That depressing conclusion (not unique to the Obama White House, sadly) was driven home Monday when spokesman Jay Carney used his daily briefing to announce that presidential advisers knew more about the IRS scandal a bit sooner than previously disclosed. ...

Alan Dershowitz says Lois Lerner can be held in contempt. [NewsMax](#) has the story. *Lois Lerner, the Internal Revenue Service's embattled director of Exempt Organizations, could be held in contempt of court and jailed for refusing to testify before Congress, civil-rights lawyer Alan Dershowitz says.*

"She's in trouble. She can be held in contempt," Dershowitz told "the Steve Malzberg Show" on Newsmax TV.

"Congress . . . can actually hold you in contempt and put you in the Congressional jail."

Lerner, grilled Wednesday on the IRS' targeting of conservative organizations, invoked her Fifth Amendment right against self-incrimination — but not before insisting "I have done nothing wrong."

Her brief statement of innocence has opened a legal Pandora's Box, according to Dershowitz. ...

Paul Mirengoff at Power Line is not so sure.

... Lerner's denial of guilt was extremely general. It involved no statements about specific facts. In that sense, it seemed more analogous to a plea of "not guilty" (though there are no pleas at a congressional committee hearing) than to substantive testimony.

Does this mean that she didn't waive the Fifth Amendment after all? To me, it seems like a close question.

That's also the conclusion reached by [Orin Kerr](#) at the Volokh Conspiracy. Kerr contacted a list of criminal procedure professors that, he says, includes some serious Fifth Amendment experts. The result?

Opinions were somewhat mixed, but I think it's fair to say that the bulk of responders thought that Lerner had not actually testified because she gave no statements about the facts of what happened. If that view is right, Lerner successfully invoked her Fifth Amendment rights and cannot be called again. But this was not a unanimous view, it was not based on the full transcript, and there are no cases that seem to be directly on point.

Since the question is unsettled and probably close, it seems to me that Lerner was not well-served today by her counsel, however well-connected to the Obama administration it may be.

Breitbart notes this from Jay Leno.

... the White House has admitted that President Obama's chief of staff had advanced warning the IRS was targeting conservative groups but never told the president. Well, President Obama says the first time he heard about the IRS scandal and the AP phone records scandal, first time he heard about it was from the media. See, that's why President Obama holds press conferences: not to explain what's going on, to find out what's going on. ...

Boston Herald

President Obama twisted up over Benghazi

In charge on tornado, out of action in Libya attack

by Michael Graham

What's the difference between keeping President Obama "updated throughout the night" on a deadly terrorist attack in Benghazi and keeping him "updated throughout the night" on a deadly tornado in Oklahoma?

The president could have actually *done something* about Benghazi.

Have you been watching the president the past 36 hours or so? Lots of photos of him calling officials in Oklahoma, offering federal help. Speeches in front of the camera expressing his condolences to the tornado victims and pledging to rebuild.

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So where was this guy the night of the pre-planned al-Qaeda attack in Benghazi that lasted seven hours and killed four Americans?

That's a "largely irrelevant fact," White House hack Dan Pfeiffer told Chris Wallace on Fox News Sunday.

No — scratch that: It's actually "offensive" to even ask.

"The suggestion of your question, that somehow the president — the assertion from Republicans here that somehow the president allowed this to happen or didn't take action is offensive," Pfeiffer said. "It is absolutely an offensive premise."

"I'm simply asking a question," Wallace responded. "Where was he? What did he do? How did he respond? Who told him you can't deploy forces, and what was his response to that?"

Wallace couldn't get an answer. But he can expect to get named in a Justice Department subpoena any day now.

For the Obamafied media who still don't get why the president's behavior regarding Benghazi is such a scandal, just compare his performance then and now.

For example, who did President Obama talk to right after the killer storm crashed through the Oklahoma City suburbs?

"Obama spoke with Gov. Mary Fallin and Moore Mayor Glenn Lewis to make sure they have everything they need to carry out rescue and relief operations," Time magazine reported.

But who did President Obama speak to during those crucial hours as the attack unfolded and, according to State Department officials, military members requested permission to travel to Benghazi?

We don't know.

"He didn't talk to his secretary of state [after initially being informed of the attack], he didn't talk to his secretary of defense, he didn't talk to the chairman of the Joint Chiefs. Who did [Obama] talk to?" Wallace asked Pfeiffer on Sunday.

"He was talking to his national security staff," Pfeiffer told Wallace. No names. Just some "staff."

What orders did President Obama give after the tornadoes hit?

"Obama announced that, already, federal aid is flowing into the storm-ravaged area in the form of FEMA urban rescue teams and damage assessment teams," Time reported. "Obama issued a major disaster declaration for Oklahoma, paving the way for additional help and federal disaster relief funding."

But what orders did Obama issue as Glen Doherty and Tyrone Woods repeatedly requested military support in Benghazi?

Again, nobody knows.

OK, *somebody* knows — but they ain't talkin'.

Just as somebody knows who ordered the Justice Department to treat a Fox News reporter like a potential criminal so they could get a judge's permission to read his personal email. Just as somebody knows who oversaw the IRS's attack on citizens who opposed Obama policy. And somebody knows who wanted the records of more than 21 AP phone lines.

The one thing President Obama does want us to know — and he wants to be perfectly clear on this — is that whoever the guy is who knows what the hell is going on in the White House, it definitely isn't him.

Real Clear Politics

Obama's "Idiot" Defense

by Jonah Goldberg

Although there's still a great deal to be learned about the scandals and controversies swirling around the White House like so many ominous dorsal fins in the surf, the nature of President Obama's bind is becoming clear. The best defenses of his administration require undermining the rationale for his presidency.

"We're portrayed by Republicans as either being lying or idiots. It's actually closer to us being idiots." So far, this is the administration's best defense.

It was offered to CBS News' Sharyl Attkisson by an anonymous aide involved in the White House's disastrous response to the attacks in Benghazi, Libya.

Well-intentioned human error rarely gets the credit it deserves. People want to connect the dots, but that's only possible when you assume that all events were deliberately orchestrated by human will. This is the delusion at the heart of all conspiracy theorists, from Kennedy assassination crackpots to 9/11 "truthers."

Behind all such delusions is the assumption that government officials we don't like are omniscient and entirely malevolent. The truth is closer to the opposite. They mean well but can't do very much very well.

This brings us to the flip side of the conspiracy theory — call it the redeemer fantasy: If only we had the right kind of government with the right kind of leaders, there'd be nothing we couldn't do.

It's been a while since we had a self-styled redeemer president. John F. Kennedy surely dabbled in the myth that experts could solve all of our problems, though much of JFK's messianic status was imposed on him posthumously by the media and intellectuals. You really have to go back to Franklin D. Roosevelt or Woodrow Wilson to find a president who pushed the salvific powers of politics as much as Barack Obama.

His presidency has been grounded in the fantasy that there's "nothing we can't do" through government action if we just put all our faith in it — and, by extension, in him. We are the ones we've been waiting for, he tells us, and if we just give over to a post-political spirit, where we put aside our differences, the way America (allegedly) did during other "Sputnik moments" (one of his favorite phrases), we can give "jobs to the jobless," heal the planet, even "create a kingdom [of heaven] right here on Earth."

For Obama, the only things separating America from redemption are politics, specifically obstruction from unhinged Republicans and others clinging to outdated and vaguely illegitimate motives. Opposition to gun control is irrational because the "government is us." Reject warnings "that tyranny is always lurking," he told the graduating class at Ohio State, because a self-governing people cannot tyrannize themselves.

But, suddenly, when the administration finds itself ensnared by errors of its own making, the curtain is drawn back on the cult of expertise and the fantasy of statist redemption. Early on in

the IRS scandal, before the agency's initial lies were exposed, David Axelrod defended the administration on the grounds that the "government is so vast" the president "can't know" what's going on "underneath" him. Of course, it was Obama who once said, "I know more about policies on any particular issue than my policy directors."

That is, when things are going relatively well. When scandal hits the fan, he goes from the "government is us" to talking of his own agencies the way a czar might dismiss an injustice in some Siberian backwater. The hubris of omniscience gives way to "lighten up, we're idiots."

Many of his defenders now rush to insist that it's unfair to hold him to too high a standard. He's just a man, just a politician. Well, duh.

Meanwhile, Obama insists that he is outraged. And, if sincere, that's nice. But so what? What the president seems to have never fully understood is that the Founders were smarter than he is or that the American people aren't as dumb as he thinks we are. His outrage is beside the point.

A free people will have legitimate differences on questions of policy. A government as vast as ours is — never mind as vast Obama wants it to be — is destined to abuse its power, particularly in a climate where a savior-president is incessantly delegitimizing dissent (and journalistic scrutiny). Government officials will behave like idiots sometimes, not because they are individually dumb but because a government that takes on too much will make an idiot out of anyone who thinks there's no limit to what it can do. That alone is good reason to fear tyranny. Indeed, it would be idiotic not to.

Investor's.com

[Obama's long history of scandals--and escapes](#)

by Andrew Malcolm



The Obama house and vacant lot.

The standard rule for handling bad news in politics is to get it all out at once. Take your hits for a news cycle, two or three. And then try to move on.

The conventional wisdom has been that the worst thing to do is allow the bad news to dribble out, poison drop by poison drop, for days, weeks, even months.

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Whether that will work this time in the face of three major, simultaneous scandals and the independent investigations certain to grow from them remains an open question. Will the Chicago Democrat skate again? Or will the events, the lies, the half-truths, the cover-ups forever stain his once-historical presidential legacy?

Barack Obama is no stranger to scandal. Here's a recap of a few:

-- Benghazi should be the most serious scandal since it involved the deaths of four Americans from unpreparedness and inaction in the face of violent attacks and misleading ensuing excuses devised and spoken by the president and those around him.

When Osama bin Laden was whacked by SEALs, we got a minute-by-minute account of what Obama was doing, as if watching on Dronecam from a secure White House basement bunker was some kind of feat.

Truthless TV talking points aside, on Benghazi we still don't know A) where [Obama was throughout the violent night of 9/11](#), possibly packing for another fundraising foray in Las Vegas, B) Who forbid prepared Special Ops forces from racing to the rescue or C) Why Benghazi consulate security had been reduced despite pleas for more in preceding weeks.

The commander-in-chief has even [professed ignorance of eyewitness accounts being muzzled](#) by State Department officials.

-- Probably the most serious scandal for Obama, however, is the selective targeting of conservative political groups by the Internal Revenue Service, whose coercive tentacles touch virtually every American.



Picnic pals Obama and Blagojevich pre-prison

Typically, Obama says he knew nothing about it. He didn't even know there was a bombshell investigation about to come out because -- wait for it -- his chief attorney and chief of staff didn't think to tell him about the approaching political IED in the weeks before.

This disdain for detail from the man who meticulously designs his own NCAA brackets for a sports special each March.

He has now succeeded in focusing the public discussion on when someone else knew and why she didn't tell him.

-- Obama's so-called press secretary claims the chief executive has the highest regard for freedom of the press -- as in the very *First* Amendment. However, Obama does not regard as a scandal or violation the FBI naming a reporter professionally pursuing information as a criminal conspirator in order to access his private email account and his parents' to identify a State Department leaker.

Nor is Obama concerned over the FBI pursuing phone records of AP journalists without even seeking their help. Safe to bet, however, that this administration does not mind the aura of intimidation that hangs over would-be whistle-blowers and their potential press contacts.

The Justice probers, however, have not shown similar diligence in tracking leakers of information that made Obama look good in the war on terror, which he doesn't like to call a war on terror.

-- The Fast and Furious scandal offered Atty. Gen. Eric Holder the opportunity to claim ignorance of the gun-running operation by agents within his department. They successfully helped drug dealers smuggle hundreds of weapons from the United States into Mexico, resulting in the deaths of scores.

So eager were Obama and Holder to get to the bottom of this lethal mess that when congressional investigators sought internal messages and memos, Obama refused, claiming executive privilege. This claim is now being litigated, which conveniently stretches out the incident.

-- Solyndra was a solar-panel company that received more than a half-billion taxpayer dollars before going bankrupt. But it's just one of dozens of such so-called green energy projects that

received billions of dollars in Obama administration subsidies before going belly-up and/or being sold to China. It is perhaps an amazing coincidence that many of these defunct firms had connections to Obama campaign fundraisers.

-- Remember the Rev. Jeremiah Wright? He was the Chicago pastor who over 20 years married the Obamas, baptized their children and somehow delivered his startlingly racist, anti-Semitic, anti-American sermons only on Sundays when Obama was absent.

Back in 2008 Obama said he had no recollection of such videotaped outrages and could no more renounce the reverend than his white grandmother -- until six weeks later in his bitter primary contest with Hillary Clinton, Obama did renounce Wright. Wright later told Edward Klein, author of "The Amateur," that he'd been offered a large sum of money to stay quiet about his close relationship with Obama.

-- During Obama's presidential transition in late 2008, suspicions arose that his team had been in contact with Illinois' governor over which Democrat should be named to fill Obama's vacant Senate seat. The governor was later convicted of trying to sell the nomination.

Obama named his own lawyer to investigate his own team and you might not be surprised to learn [that Obama's lawyer completely exonerated Obama's team.](#)

-- The grease of Chicago's machine politics is a bevy of shadowy, unelected men who fundraise, broker deals and otherwise assist Democrat pols so their hands can look clean. Tony Rezko was one.

We say "was," because the Syrian-born Rezko now resides in federal prison. But beginning in the 1990s he was a close friend of Obama and Rod Blagojevich, a congressman who would go on with the help of Obama and Rezko to become governor and, now, also a resident of federal prison.

Here's how it works in the Windy City: After Obama's Senate election in 2004, he wanted a nicer house. He found one on the South Side but could not afford the asking price, which was enlarged because the seller wanted to include a vacant lot next door.

Obama went to his "friend" Tony for "advice." Then, here's what happened: On the very same day that Barack and Michelle closed on the house at a reduced price, Tony Rezko's wife, who had no visible means of income, purchased the vacant lot at full price. She then peeled off a strip of it to sell to the Obamas.

This made the lot remainder too small for any development, which was OK because it guaranteed the Obamas no close neighbor on that side.

In 2008 the future president dismissed most questions on this as old news. He has never really offered full explanations of the amazing coincidences that benefited him in those deals, though he did once confess poor judgment dealing with Rezko, even as the those nosy feds were investigating him.

Oh, by the way, the real estate agent collecting the commission for that land deal was Patti Blagojevich, the then-governor's wife. So, as usual in Chicago, it was win-win-win financially -- except, of course, for the prison sentences.

National Journal

[Why You Can't Trust the White House \(Even If Nobody's Lying\)](#)

Shifting stories cast doubts on answer to core question: Did Team Obama know about IRS abuse in real time?

by Ron Fournier

"You and others have said that no one in the White House knew about IRS actions before getting the heads up on the inspector general's report last month," George Stephanopoulos told senior White House adviser Dan Pfeiffer on Sunday. "Are you absolutely sure of that?"

"Yes," [Pfeiffer replied](#).

Do you believe him?

Knowing the consequences that would befall the Obama administration if the White House or Obama's reelection campaign knew in real time that the IRS was targeting conservatives, I desperately want to believe Pfeiffer. I've known him for years. I like him. He's never lied to me.

But Pfeiffer is part of an institution that has demonstrated an inability and/or unwillingness to tell the full truth about the IRS scandal and a spate of other controversies. The White House can't be trusted.

That depressing conclusion (not unique to the Obama White House, sadly) was driven home Monday when spokesman Jay Carney used his daily briefing to announce that presidential advisers knew more about the IRS scandal a bit sooner than previously disclosed.

He said the West Wing's top lawyer, Kathryn Ruemmler, told White House Chief of Staff Denis McDonough and other senior advisers on April 16 about an internal audit of Internal Revenue Service's scrutiny of conservative groups. The White House discussed the potential findings with the Treasury Department but did not inform Obama, Carney said.

That contradicts earlier White House claims. The April 16 notification date is a week earlier than previously disclosed by the White House.

Pfeiffer said in television interviews Sunday that the White House did not know the results of the probe until last week, when the inspector general's report was released. Carney had previously said the White House lawyer was told "only about the fact that the IG was finishing a review" of the IRS's actions, and he cast it as a "normal sort of heads-up."

Reporting on Monday's briefing, [The New York Times](#) said "the details released by Mr. Carney on Monday went beyond a previous White House account."

[The Washington Post](#) reported, "The administration's accounts of what it knew about the IRS inquiry have shifted markedly over the past week. Officials initially maintained that the administration knew of an inspector general's report was forthcoming but suggested that they did not know about its findings."

Discussions between officials at the Treasury Department, which oversees the IRS, and their bosses in the West Wing were more extensive than initially acknowledged.

To be fair, these are not blockbuster developments. The White House pushed back its timeline by six or seven days and added some details about the inquiry notification.

Given the thousands of e-mails, hundreds of conversations, and dozens of people involved, it is possible that the White House innocently determined Monday that it had erred last week, and moved quickly to clear up the record.

The new media environment demands immediate and accurate answers. Journalists know more than most that being fast and accurate isn't easy.

And yet the revelations cost the Obama White House some measure of credibility. In politics, as in life, when you constantly change your story, even on small matters, you sow doubt about your credibility and competence.

In different ways, each of the so-called Obama scandals revolve around the issue of trust (as I wrote [here](#), [here](#), [here](#), [here](#), and [here](#)). The president's greatest asset is his credibility. If this pattern of spinning and shifting stories continues, it could become a liability.

The central question of the IRS scandal is whether Obama advisers at the White House or within the reelection campaign orchestrated or knew about the targeting of conservative groups.

Pfeiffer and his colleagues say the answer is no. I have no reason to think they are lying. I also have no confidence that they know.

NewsMax

[Alan Dershowitz: IRS Chief Lerner 'Can Be Held in Contempt'](#)

by Bill Hoffman

Lois Lerner, the Internal Revenue Service's embattled director of Exempt Organizations, could be held in contempt of court and jailed for refusing to testify before Congress, civil-rights lawyer Alan Dershowitz says.

"She's in trouble. She can be held in contempt," Dershowitz told "the Steve Malzberg Show" on Newsmax TV.

"Congress . . . can actually hold you in contempt and put you in the Congressional jail."

Lerner, grilled Wednesday on the IRS' targeting of conservative organizations, invoked her Fifth Amendment right against self-incrimination — but not before insisting "I have done nothing

wrong."

Her brief statement of innocence has opened a legal Pandora's Box, according to Dershowitz.

"You can't simply make statements about a subject and then plead the Fifth in response to questions about the very same subject," the renowned Harvard Law professor said.

"Once you open the door to an area of inquiry, you have waived your Fifth Amendment right . . . you've waived your self-incrimination right on that subject matter."

He said the fact that Lerner went ahead with her proclamation of could be considered malpractice on the part of her attorney — although it's possible she overruled the advice she received.

"It should never have been allowed. She should have been told by her attorney that the law is clear, that once you open up an area of inquiry for interrogation, you have to respond," he said.

"Now she may have made a political decision that it's worth it to take the risk . . . That's just not the way the law works. It may be the way politics works . . . but she can't invoke the Fifth."

He said the issue goes back to the "bad old days" of McCarthyism, during hearings in which suspected Communists were grilled by the House on American Activities Committee and Senate committees.

"[They] tried to trap people by saying, look, you're a Fifth Amendment communist, you won't answer any questions," he said.

"And the people would say we'd love to answer your questions but we can't because if we do, we waive [our rights] and then you'll ask us who our friends are and who else was a member of the Communist Party . . .

"The law is as clear as could be, that once you open up an area of inquiry, you can't shut off the spigot – that's the metaphor that the Supreme Court has used."

Power Line

[Did Lois Lerner waive her Fifth Amendment protection?](#)

by Paul Mirengoff

William Taylor III, the lawyer Lois Lerner selected to represent her before the House Oversight & Government Reform Committee, is part of a firm that's about as [tight with the Obama administration](#) as it could be. According to Washingtonian Magazine, the firm, a boutique litigation shop called Zuckerman Spaeder, has sent a higher percentage of partners into the Obama administration than any other law firm.

But did Lerner's lawyer do her a disservice today by having her make an opening statement in which she denied all wrongdoing? Rep. Trey Gowdy certainly thought so. He argued that, by denying any wrongdoing, Lerner waived her right to assert the Fifth Amendment. The theory is

that a witness cannot affirmatively assert her innocence and then dodge examination about that assertion through a privilege claim.

Committee chairman Issa says he's looking into the question of whether Lerner's assertion of her innocence, coupled with her authentication of certain documents, constitutes a waiver. If Issa and committee counsel conclude that it does, he presumably will recall Lerner as a witness.

But Lerner's denial of guilt was extremely general. It involved no statements about specific facts. In that sense, it seemed more analogous to a plea of "not guilty" (though there are no pleas at a congressional committee hearing) than to substantive testimony.

Does this mean that she didn't waive the Fifth Amendment after all? To me, it seems like a close question.

That's also the conclusion reached by [Orin Kerr](#) at the Volokh Conspiracy. Kerr contacted a list of criminal procedure professors that, he says, includes some serious Fifth Amendment experts. The result?

Opinions were somewhat mixed, but I think it's fair to say that the bulk of responders thought that Lerner had not actually testified because she gave no statements about the facts of what happened. If that view is right, Lerner successfully invoked her Fifth Amendment rights and cannot be called again. But this was not a unanimous view, it was not based on the full transcript, and there are no cases that seem to be directly on point.

Since the question is unsettled and probably close, it seems to me that Lerner was not well-served today by her counsel, however well-connected to the Obama administration it may be.

Breitbart News

[Jay Leno Unloads on Obama in Devastating 'Tonight Show' Monologue](#)

by Christian Toto

President Barack Obama is a nightmare for political comedians. He's too cool, too smart, too ... good at this whole leadership thing.

That was the bill of goods comedians sold us five years ago, an excuse which prevented them from mocking Obama as they did every previous Commander in Chief.

Jay Leno wasn't buying that pile of horse manure.

Leno has consistently tweaked Obama in his *Tonight Show* monologues since the early days of the president's administration, the same way Leno handled President George W. Bush and President Bill Clinton.

This week, Leno [turned up the heat](#) to scorching levels while some of his [peers](#) resorted to full spin mode regarding Obama's cascade of scandals. Tuesday night, Leno mocked Obama's commencement address at Morehouse College as well as the president's claim that he learned about the latest scandals hitting his administration from watching news reports.

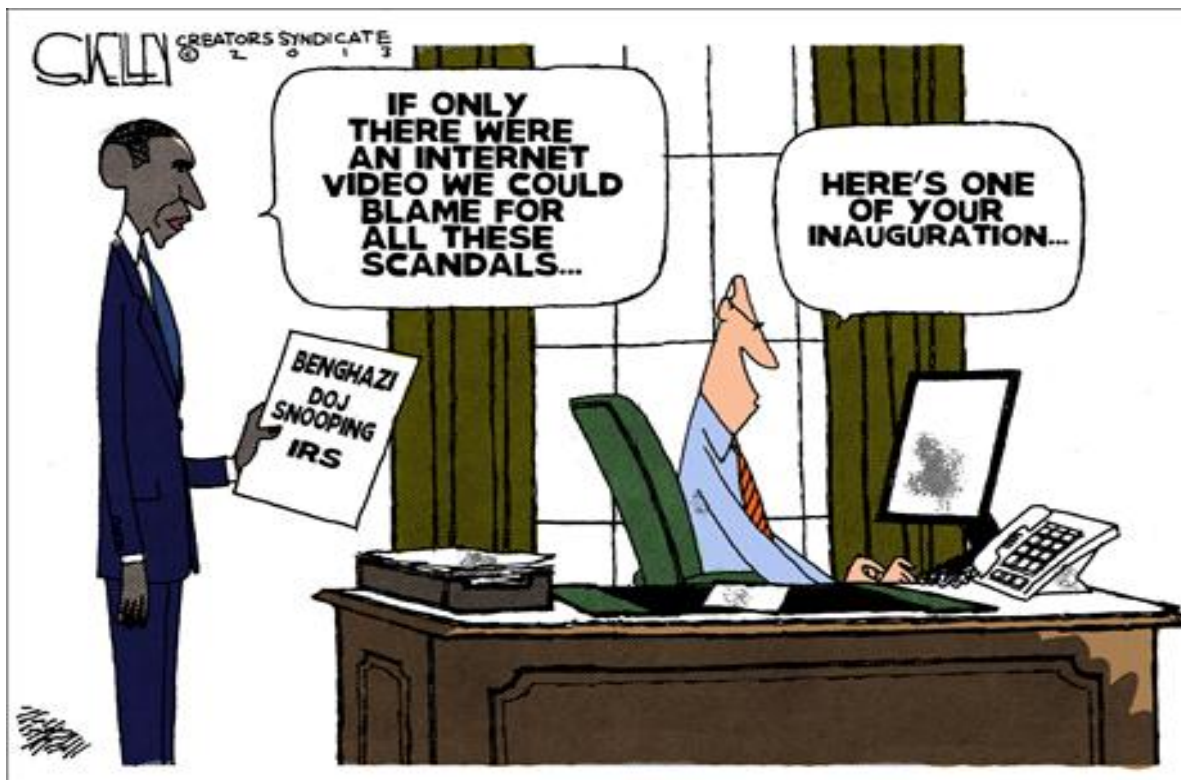
And a Chicago man has set a new Guinness Book world record for the longest ferris wheel ride. He went 48 hours, 48 hours straight riding the ferris wheel in Chicago's Navy pier. In fact, the only way to go around and around in circles that many times is to read the official report on Benghazi. That's about the only way to go around and around.

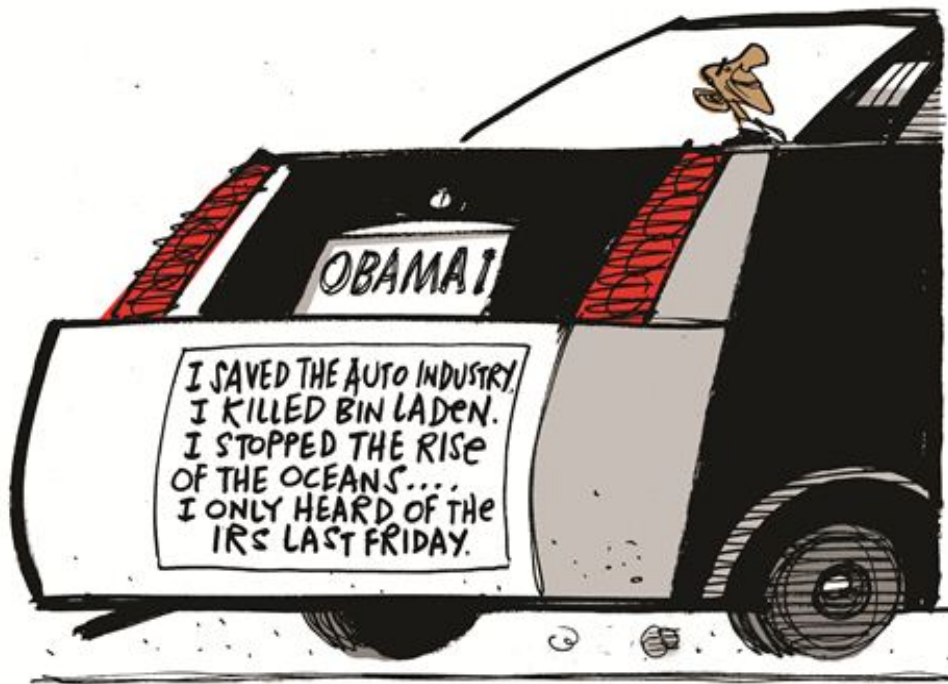
Well, look at this. The White House, the White House has admitted that President Obama's chief of staff had advanced warning the IRS was targeting conservative groups but never told the president. Well, President Obama says the first time he heard about the IRS scandal and the AP phone records scandal, first time he heard about it was from the media. See, that's why President Obama holds press conferences: not to explain what's going on, to find out what's going on. To find out what – oh, of course.

And wouldn't you know it, Leno's [ratings are on the rise](#) these days.

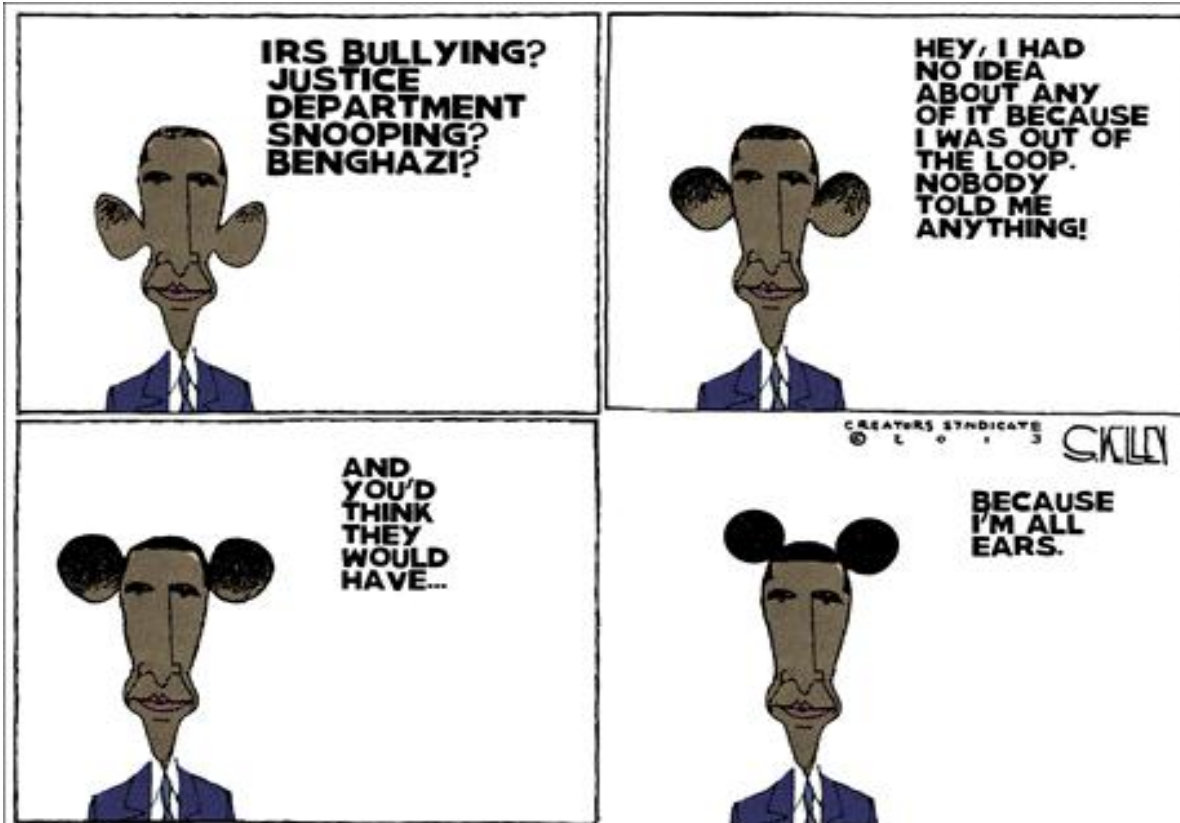
The ratings leader in his time slot, Leno positively crushed Letterman and ABC's Jimmy Kimmel in the just-released early May sweeps ratings.

It's too late for Leno to save his job, which will fall to Obama sycophant Jimmy Fallon next year. Leno will go out the same way he served late night viewers for the past 20-plus years, poking fun at the president in true satirist fashion.





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IN THE ONGOING WAR TO PROTECT OUR WAY OF LIFE, WE'VE TARGETED AMERICAN CITIZENS WHO POSE AN IMMINENT THREAT.



WE CALL THEM CONSERVATIVES.



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THIS JUST IN, ... KERMIT GOSNELL HAS BEEN CONVICTED OF INFANTICIDE FOR MURDERING ABORTION SURVIVORS.



HOWEVER, HIS ACCOMPLICE WHO VOTED FOUR TIMES TO LEGALIZE THIS TYPE OF THING IS STILL AT LARGE.



Stevie
McGee
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NOW, WHICH ONE DID YOU
WITNESS COMMITTING
ACTS OF JOURNALISM?

