



## THE FBI'S BAD APPLES: THE BUREAU'S WORST DAYS ARE WORTH REMEMBERING

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## COMMENTARY

### The Bullying of Ben & Jerry

*By Sarah Lee*

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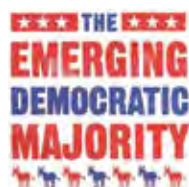
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CRC's Architects of Woke series takes aim at far-left post-modernist and Marxist thinkers and activists responsible for the spread of identity politics on college campuses and in society at large.

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**Watch the entire series at [DangerousDocumentaries.com](https://DangerousDocumentaries.com).**

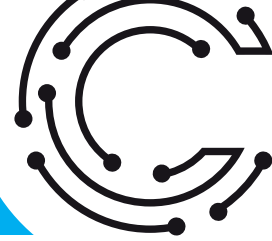


Howard Zinn, Hollywood, & the Fairy Tale of American Evil



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## THE BULLYING OF BEN & JERRY

By Sarah Lee

Ben & Jerry of ice cream fame are going to court to make sure their product is not sold in the West Bank in keeping with, they say, their ideological beliefs. But have the businessmen—both Jewish themselves—been bullied into their position by the leftist monolith pushing the boycott, divestment, and sanctions (BDS) philosophy, even as many “woke” boardrooms are walking away from these short-lived and extreme philosophies?

A writer at the *Jerusalem Post*, in a piece from 2021, offers some reason to believe Ben & Jerry’s lawsuit against parent company Unilever—which had recently announced an intent to begin selling the ice cream in the West Bank—is the product of the same bullying campaign that has characterized so much of the “woke” capitalism movement (see: Morton’s Steakhouse/Bret Kavanaugh). Alan Shatter at *Jerusalem Post* writes that Cohen’s and Greenfield’s (Ben & Jerry’s surnames) explanation that their decision is “pro peace” rings hollow.

[Their decision] was simply a cowardly surrender to almost ten years of pressure from a small group of obsessively anti-Israel-BDS campaigners, Vermonters for Justice in Palestine (VTJP), who at the time of this writing, have in total 334 followers on Twitter.

It looked for a minute like Unilever was moving the company away from the madness demanded by a movement that, as Shatter writes,

does not campaign for peace and promote reconciliation. It does not support or advocate a two-state solution to the Israeli/Palestinian conflict. It totally opposes normalizing social, economic, cultural and sporting engagements between Israelis and Palestinians. It is opposed to all the forms of positive engagement used in Ireland to construct



*Ben Cohen and Jerry Greenfield.*

the foundations required for ending 30 years of conflict and an enduring peace on our island. It is intent on Israel’s demonization, delegitimization and advocates Israel’s replacement by a Palestinian state “from the River to the Sea.” It does not advocate for an end to the conflict. It advocates for Israel’s end.

When Unilever announced their decision at the end of June, hopes were high. Arsen Ostrovsky, an Israeli human rights attorney with the International Legal Forum (ILF), applauded, calling the decision “principled” and “the most breathtaking and unequivocal defeat for the global BDS movement.”

*Sarah Lee is director of communications and external affairs at CRC.*



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*What's becoming increasingly clear, even while businesses walk away from woke, is that the Left will keep banging away at the weakest links to fulfill their long-term, poisonous goals.*

"The ILF was proud to have been one of the first organizations to initiate legal action against Unilever in the United States over Ben & Jerry's illegal and racist boycott, on behalf of a Palestinian claimant, who made the case that such boycotts only contribute to hatred and division, while Palestinians are the ones who lose out the most," Ostrovsky said. "A sweet victory indeed against the dark forces of hate, bigotry and antisemitism of the global BDS Movement."

But apparently a short-lived one, at least if the groups pushing the ice cream makers have their way.

And, it should be noted, despite the small reach of the Vermonters for Justice in Palestine, there are six degrees of separated weight behind them. They are an affiliate of the Peace and Justice Center, a group known for calls to abolish all forms of punishment and defund the police.

And the Peace and Justice Center has taken funding in the past from the AJ Muste Memorial Institute, a group that counted Heidi Boghosian as their executive director before she went on to the National Lawyers Guild for a time. And NLG's green hat shenanigans are evident nearly every time one sees a leftist protest.

What's becoming increasingly clear, even while businesses walk away from woke, is that the Left will keep banging away at the weakest links to fulfill their long-term, poisonous goals. Businesses like Ben & Jerry's, that have been bending the knee the longest, are very likely in for the most pain. ■

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*Read previous articles from the Commentary series online at <https://capitalresearch.org/category/commentary/>.*

# ORGANIZATION TRENDS



## THE THESIS THAT DROVE AMERICAN POLITICS CRAZY, 20 YEARS LATER

By Michael Watson

**Summary:** In 2002, President George W. Bush stood astride the post-September 11 political world and Republicans looked poised to do the unthinkable and strengthen their positions in Congress in a midterm year. Yet liberal scholars John Judis and Ruy Teixeira published a provocative thesis: A new Democratic majority would “emerge” by the end of the decade. Traditional middle-class and working-class Democrats would be joined by growing ethnic minority populations, especially Asians and Hispanics; by working, single, and highly educated women voters; and by a growing share of the professional class, paving the way for a new majority. After President Barack Obama’s re-election in 2012, the thesis seemed airtight and its guidance likely to live long after the decadal horizon its authors had adopted. Except, just after the majority “emerged,” it started to crack. Judis observed surprising resilience in the Republican coalition and Republican strength with middle-class voters in the 2014 midterm elections, presaging the shocking election of President Donald Trump in 2016. By 2022, Judis and Teixeira’s “emerging majority” appears tottering, with Teixeira himself, a self-described “social democrat,” departing the Democratic establishment-aligned Center for American Progress for the right-leaning American Enterprise Institute, in part because of institutional liberalism’s “relentless focus on race, gender, and identity.” But where stands The Emerging Democratic Majority at 20? How correct were its predictions, and can one find the seeds of the emerging majority’s demise in the book that declared it?



The year 2002 was not a good year to be a Democrat. George W. Bush had been elected president two years before and boasted stratospheric approval ratings thanks to the apparently successful military response to the terrorist attacks on September 11, 2001. Democrats had broken the Republican federal trifecta Bush carried into office—the first Republican federal trifecta since the Eisenhower administration—after the defection to the Democratic caucus of liberal ex-Republican Vermont Senator Jim Jeffords (I) but had to defend seats in states Bush had won. Making matters worse, charismatic left-progressive champion Sen. Paul Wellstone (D-MN) was killed in a plane crash while campaigning within two weeks of Election Day. And the midterm House elections were shaping up very differently than the usual

*In their imaginatively named The Emerging Democratic Majority, John Judis (top) and Ruy Teixeira (bottom) argued that the country was on the cusp of transition from an industrial economy focused on suburban-urban and black-white divides with residual Protestant values to a postindustrial economy focused on “ideopolises” with secular-progressive values and a commitment to racial equality.*

*Michael Watson is Capital Research Center’s research director and managing editor for InfluenceWatch.*

midterms in which the president's party typically loses seats: The GOP always looked likely to hold its majority with the potential to grow it.

These dynamics, and the hangover from their victory over Al Gore—popular President Bill Clinton's Vice President—had Republicans and conservative commentators like Bush's political consultant Karl Rove and *Almanac of American Politics* author Michael Barone speculating about the possibilities for a new, lasting Republican majority. Democrats had not won a majority of the national presidential vote since 1976, and in 1994, Republicans had broken the Democrats' 40-year hammerlock on the U.S. House of Representatives. The Grand Old Party was riding high.

But amid this Republican ascendancy, two liberal scholars—*New Republic* editor John Judis and Century Foundation fellow Ruy Teixeira—published a provocative thesis backed by data: A new majority was on the cusp of power, but it would be *Democratic*, not Republican. In their imaginatively named *The Emerging Democratic Majority*, Judis and Teixeira argued that the country was on the cusp of transition from an industrial economy focused on suburban-urban and black-white divides with residual Protestant values to a postindustrial economy focused on “ideopolises” with secular-progressive values and a commitment to racial equality. That transition would grow the numbers of single women, immigrants, and professionals in the economy and, tantalizingly for the down-on-their-luck Democrats, the electorate would swing left. The old Democrats in organized labor, the white working classes, and African American communities

would join with the “women's movement,” immigrants, and professional workers to advance a new “progressive centrism” of secular values, abortion access, regulation of business, and a stronger welfare state.

While Bush's Republicans won in 2002 (and 2004), the elections of 2006, 2008, and 2012 seemed to confirm Judis and Teixeira's thesis in the main. Barack Obama's Democrats dominated the Pacific Northwest, New England, the industrial Midwest, and the mid-Atlantic, as the “emerging majority” thesis predicted. Hispanic voters seemed to have moved Florida, Colorado, and Nevada firmly into the Democratic column while progressive professionals joined the traditional party base of liberal black Americans to turn Virginia blue and make North Carolina highly competitive.

While Texas, Arizona, and Georgia's turns to the left were a bit beyond the decadal time horizon that *The Emerging Democratic Majority* took, liberal commentators could not help but note the same demographic dynamics that delivered Virginia and Colorado to the “rising American electorate” would deliver them to Obama's successors. The GOP split harshly between a professional consultant-and-commentariat class that proposed liberal immigration reform as a desperate rearguard action to stem losses with Hispanic Americans and a populist activist-and-entertainer class that demanded the party double down on restrictionism. Liberals chortled at Republicans' apparent no-win scenario, and the Democracy Alliance funded ethnicity-based and other identity-based outreach efforts to the New American Majority to whom the future belonged.



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*In 2004, George W. Bush was re-elected with a majority mandate, which most observers credited to the apparent success of his foreign policy and the War on Terrorism.*

But even during the headiest days of the Obama era, there were skeptics of an emerging Democratic majority. Sean Trende, a political analyst with RealClearPolitics and the American Enterprise Institute, was perhaps the most prominent. His work, both at RCP and in his book *The Lost Majority*, questioned some of Judis and Teixeira's key implicit and explicit assumptions like time-cyclical realignment theory, a high floor for Democrats with white voters, and the primacy of liberal immigration as a motivation issue for Latino and Asian voters. Most important for this counterthesis is the idea that American elections are driven by *contingency*—that is, in the possibly apocryphal words of British Prime Minister Harold Macmillan, by “Events, my dear boy, events.”

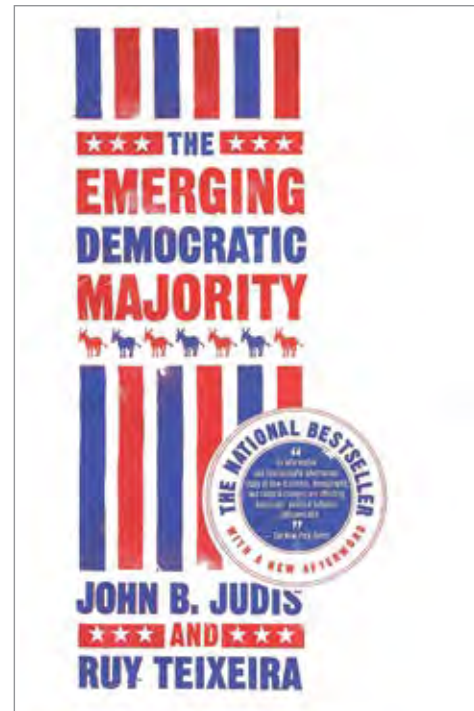
By 2015, the results of the midterm elections of Obama's presidency in 2010 and 2014 were impossible for Judis to ignore. Building off the unexpected election of Gov. Larry Hogan (R) in his home state of Maryland, he warned that, at least at the sub-presidential level, the "Democratic advantage of several years ago is gone."

Two years later, the country inaugurated a Republican president who had done almost everything the emerging majority thesis, even as modified by Judis in his 2015 writing, would suggest was *not* how to win a presidential election. Donald Trump ran a campaign based on his belligerent persona, celebrity appeal to the white middle and working classes, and populist opposition to liberal trade agreements and illegal immigration. Trende would be left to write a post-mortem, deeming the emerging Democratic majority a liberal "God That Failed," whose prescription of Clintonite progressive centrism had been superseded in political minds by a teleological assumption that capital-D Demographics would drive the Party of Jackson into near-permanent power.

In 2020, amid what may have been the worst political environment for an incumbent president since Herbert Hoover's landslide loss in 1932, President Donald Trump lost the Electoral College by a combined 43,000 or so votes in three states. But even in defeat, Trump buried the emerging Democratic majority, perhaps to an even greater degree than he had in victory. Hispanics, especially in the overwhelmingly Mexican American Rio Grande Valley and the largely Cuban- and South American-descended portions of South Florida, swung firmly to the Party of Lincoln. Two Asian American Republicans joined Congress from districts in heavily Asian American districts in Orange County, California. And the white working-class redoubt of Iowa, which Judis and Teixeira predicted would help anchor a Democratic majority, stayed staunchly Republican.

Whatever the new, likely fleeting, majority Joe Biden's Democrats enjoy is, it is not the one that Judis and Teixeira predicted would "become the majority party of the early twenty-first century." Emblematic of the Democratic Party's departure from the "progressive centrism" the book espoused is Teixeira's departure from the Democratic establishment-aligned Center for American Progress to the center-right American Enterprise Institute in July 2022 as he expressed increasing alarm at the Democratic Party's deteriorating position with working-class and middle-class ethnic minorities.

Nothing in the rise and fall of the emerging Democratic majority suggests a Republican majority is inevitable: As anyone who lived through 2020 should know, events prevail over all political theories. But it is a warning against both



Credit: Simon and Schuster

*The Emerging Democratic Majority is a book of two halves; a description of electoral trends that Judis and Teixeira argue favor the Democrats and a prescription for Democrats to adopt "progressive centrism," rather than fully committing to Old Left central-planning economics or New Left countercultural sensibilities.*

hubris in the certainty of future victory and against despair at the prospect of future defeats. The political future, like the future of all things, remains unwritten.

## A Prescription or a Prophecy?

*The Emerging Democratic Majority* is a book of two halves; a description of electoral trends that Judis and Teixeira argue favor the Democrats and a prescription for Democrats to adopt "progressive centrism," rather than fully committing to Old Left central-planning economics or New Left countercultural sensibilities. While the book does not detail a "progressive centrist" policy program, it describes what a 2022 observer might call the "vibes" of the ideology. Judis and Teixeira write:

Today's Americans, whose attitudes have been nurtured by the transition to postindustrial capitalism, increasingly endorse the politics of this progressive centrism. They want government to play an active and responsible role in American life, guaranteeing a reasonable level of economic security to Americans rather than leaving them at the mercy of the market

and the business cycle. They want to preserve and strengthen social security and medicare, rather than privatize them. They want to modernize and upgrade public education, not abandon it. They want to exploit new biotechnologies and computer technologies to improve the quality of life. They do not want science held hostage to a religious or ideological agenda. And they want the social gains of the sixties consolidated, not rolled back; the wounds of race healed, not inflamed.

The book takes as read that liberal Democrats believe all these things and conservative Republicans do not. Based on that presumption, Democratic strength follows. But *The Emerging Democratic Majority* is not remembered for recommending that Democrats follow the path of “progressive centrism.” It is remembered for supposedly proclaiming something the text explicitly disclaims: that demographic change would lead to an inevitable, “permanent” majority for the Democratic Party. One Huffington Post article from shortly after President Barack Obama’s inauguration quoted Judis and Teixeira, among other political analysts and strategists, to support the headline: “Permanent Democratic Majority: New Study Says Yes.”

More accurately stated than in common misremembering, Judis and Teixeira’s thesis is that demographic changes would *benefit* Democrats and give them an *advantage* in elections. The most important groups would be economically liberal, immigration-expansionist, and civil rights–focused Hispanic and Asian immigrant and immigrant-descended communities; professional class members whose economic well-being was less tied to the expansion of business and the market economy than traditionally Republican managers and entrepreneurs; and women who defined themselves by career and work rather than motherhood and homemaking. Judis and Teixeira identified these groups as having supported the failed presidential candidacy of George McGovern in 1972. Democratic and liberal organizational activism would come to call these blocs the “Rising American Electorate” and “New American Majority,” symbolic of the teleological thinking the thesis inspired.



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*In 2008, the Democratic majority did emerge. Sen. Barack Obama (D-IL) won a comfortable victory over Sen. John McCain (R-AZ), sweeping the Northeast, mid-Atlantic, upper Midwest, Pacific Coast, and the Latino-heavy states of Florida, New Mexico, Colorado, and Nevada.*

But Judis and Teixeira considered a fourth group critical to the Democratic majority they thought might emerge: the white working class. Bill Clinton had won back a large share of white working-class voters who had supported Republicans Ronald Reagan and George H.W. Bush. Judis and Teixeira supposed that Republican threats to the entitlement state and Democratic moderation on cultural issues (relative to the Republican Christian-Right extremism they perceived) would keep a substantial bloc of these voters in the Democratic camp. For this reason, the authors projected that West Virginia would lean Democratic in the coming political alignment, as would Missouri.

## Barack Obama’s Elections: The Theory Vindicated, a Politics Driven Mad?

Drawing on classical realignment theory—the view that every 30 or so years changes in political coalitions congeal into a dominant “sun” party and a minority “moon” party whose relations define the political generation—Judis and Teixeira predicted that the Democratic majority they foresaw would emerge in 2004 or 2008.

In 2004, George W. Bush was re-elected with a majority mandate, which most observers credited to the apparent success of his foreign policy and the War on Terrorism. Judis and Teixeira had taken note of this possibility and cautioned

that the War on Terror could delay the Democratic majority's emergence until after the issue receded from the stage.

But by 2006, the war was going badly, and the Democrats were in ascendancy, with Congressional Democrats taking both houses of Congress in the midterm elections of that year. In Virginia, Democrat Jim Webb, a populist Vietnam War hero who had served in the Reagan administration, defeated Sen. George Allen, a southern patrician who had been tipped as future Republican presidential timber. Senate Democrats swept the Midwest except for Indiana, and House Republicans in New England were wiped out. The majority appeared to be emerging.

In 2008, it did emerge. Sen. Barack Obama (D-IL) won a comfortable victory over Sen. John McCain (R-AZ), sweeping the Northeast, mid-Atlantic, upper Midwest, Pacific Coast, and the Latino-heavy states of Florida, New Mexico, Colorado, and Nevada. But amid the Democratic victories were two warnings that even emerging majorities can be lost: Missouri and West Virginia—white working-class strongholds that Judis and Teixeira thought would return to the Democratic camp—remained Republican, despite the horrible political environment for the Party of Lincoln. That did not stop the Democratic triumphalism, immortalized by popular press headlines such as “Permanent Democratic Majority: New Study Says Yes” and “We Are All Socialists Now” and book titles like *40 More Years: How the Democrats Will Rule the Next Generation*.

Even defeats in the Virginia and New Jersey elections in 2009 and the House of Representatives elections in 2010 barely dampened the certainty of a lasting Democratic majority's emergence. At this time, RealClearPolitics analyst Sean Trende was probably the most prominent critic of the common interpretation of the emerging majority thesis, writing a book entitled *The Lost Majority: Why the Future of Government Is Up for Grabs—and Who Will Take It* that warned of ways the Obama coalition could fracture. Trende argued that the generational-realignment theory of American politics is fatally flawed, with contingent events rather than 30-year cycles deciding national elections. Further, apparent demographic certainties, especially the maximum Republican share of the working-class white vote and the likelihood of continued Republican declines in their share of the minority vote, were not certain and could scramble straight-line demographic projections.

But then Barack Obama was re-elected on the strength of what liberal operative Bill Vandenberg called “the demography, stupid.” (At the time, Vandenberg was the division director for Learning and Impact for Open Society-U.S. at George Soros's Open Society Foundations.) The white share

of the electorate continued to decline, ethnic minority voters came out strongly for President Obama, and women voted by a firm majority for Obama's re-election. Vandenberg concluded:

While 2012's election certainly doesn't disprove that maxim, it does cast in stark relief the reality that America's rapidly diversifying population increasingly sets the tone in our elections. For those who don't (or won't) recognize that—or who harken back to a 1950s vision of the U.S.—proceed at your peril.

Liberals like Vandenberg and the Democratic Party looked at the 2012 election results and sat comfortably, expecting the march of capital-H History and capital-D Demographics to carry the left-progressive movement onward and upward, as *The Emerging Democratic Majority* was remembered as having predicted.

On the other hand, the results divided the right harshly. The Republican National Committee, taking the admonition of the liberal press, the elite commentariat, and the business community to heart, produced the infamous “autopsy” that proposed acceding to liberal “comprehensive immigration reform” and cooling off on social issues in the name of being “inclusive and welcoming.”

But Republican activists and conservative commentators condemned the autopsy, especially its policy recommendation on immigration. They found an ally in a New York City real estate developer and television star, who called the document “Short on ideas. Just giving excuses to donors.” He asked on Twitter, “Does the [Republican National Committee] have a death wish?” As Dan McLaughlin wrote for *National Review*: “Fearful of post-2012 predictions of ‘replacement’ by Hispanic voters, the GOP's nativist corners fell to extremes of stridency embodied in Trump's campaign promises to wall off the entire Mexican border.” Democrats' demographic triumphalism and Republicans' demographic terror had met their Nemesis.

## From Leader McConnell to President Trump: The “Missing White Voters” Defrock “The God That Failed”

Republican leadership followed the “autopsy” plan. In 2013, a bipartisan “Gang of Eight” introduced a liberal-aligned comprehensive immigration reform plan; Sen. Marco Rubio (R-FL), a Cuban American elected in the 2010 “Tea Party” wave with aspirations to the presidential

nomination of a post-autopsy GOP, was its Republican face. The bill passed the Senate but died in the House of Representatives after Dave Brat, an obscure economics professor, defeated House Republican Leader Eric Cantor (R-VA) for renomination in a central Virginia congressional seat. Conservative commentators like Mark Levin and Laura Ingraham and immigration-restriction activists like Mickey Kaus had called for Republican base voters to make an example of Cantor for his support for the immigration liberalization. Autopsy-aligned commentators despaired. Surely, this fit of electoral pique would aid the continuance of the now-emerged Democratic majority.

But there was an alternate path that a Republican Party could take: that of the “missing white voters” in the words of analyst Sean Trende. (Trende did not advocate taking such a path; his writing was analytical, not prescriptive.) In 2013, as the Senate considered the Gang of Eight immigration bill, Trende reviewed the effect of demographics on the 2012 elections and the future GOP. Trende’s analysis showed that the most salient demographic change in the electorate from 2008 through 2012 was a drop-off in turnout among mostly white groups, especially along a geographic diagonal roughly covering Appalachia, upstate New York, and northern Maine. Trende noted that this was the geographic core of the Ross Perot movement of 1992, which advocated economic populism including tax hikes on the wealthy to cut the federal deficit, opposed illegal immigration, and campaigned against trade agreements like the then-in-negotiation North

American Free Trade Agreement (NAFTA). The campaign of Mitt Romney, targeted by Obama’s allies for Romney’s business activities, and Paul Ryan, whose aggressive entitlement reforms had been attacked by liberal groups before he joined the presidential ticket, was perhaps uniquely unsuited to appeal to these voters. Trende concluded that, while “missing white voters” could not alone win Republicans future elections, they could play an important role in a future Republican success.

Trende speculated that a Republican Party advancing the alternate approach “would have to be more ‘America first’ on trade, immigration and foreign policy; less pro-Wall Street and big business in its rhetoric; more Main Street/populist on economics.” Judis and Teixeira’s emerging Democratic majority analysis in part relied on Republican laissez-faire doctrine remaining a bright dividing line between the parties.

The emerging Democratic majority’s endurance also relied on the Democratic Party not going insane on cultural issues. Progressive centrism, the ideology Judis and Teixeira espoused, was based in broad strokes on the synthesis of New Left and Old Left forged by Bill Clinton, with a guiding but not oppressive regulatory hand, social freedom and scientific inquiry opposing religious strictures, and a welfare state that provided security and stability to the working and middle classes.

John Judis received a shocking alarm that the emerging majority might lack staying power when his home state of Maryland, a bulwark of the Democratic Party (the state has not elected a Republican state-legislative/gubernatorial “trifecta” since the turn of the 20<sup>th</sup> century), elected Republican Larry Hogan governor by a surprisingly large 5-point margin. Judis noted that Hogan took advantage of outgoing Democratic incumbent Gov. Martin O’Malley’s unpopular tax increases and avoided campaigning on social issues, giving him surging support among the white middle and working classes.

The 2014 Senate elections, in which Republicans took the majority, also showed Republican strength in places Judis and Teixeira had forecast Democratic dominance. West Virginia elected its first Republican to the U.S. Senate since 1956, choosing then-Rep. Shelley Moore Capito (R) over



Shutterstock. Credit: Evan El-Amin.

*Donald Trump ran a campaign based on his belligerent persona, celebrity appeal to the white middle and working classes, and populist opposition to liberal trade agreements and illegal immigration.*



*Under conditions of the emerging majority thesis, Trump's campaign—belligerent in personality, crude in language, and populist on policy—was the exact wrong thing.*

incumbent West Virginia Secretary of State Natalie Tennant (D) by a nearly 30-point margin. Iowa, expected to be “solid Democratic” in Judis and Teixeira’s analysis, sent conservative Republican Joni Ernst to replace outgoing Sen. Tom Harkin (D), a staunch liberal. Gubernatorial elections also showed Republican strength in the upper Midwest, with Wisconsin’s Scott Walker and Michigan’s Rick Snyder being re-elected.

As electoral evidence showed the white working class slipping away from Democrats, Republicans commenced a brutal presidential nominating contest featuring the autopsy-aligned ex-Florida Governor Jeb Bush, classical moderate Ohio Gov. John Kasich, the Gang of Eight’s Sen. Marco Rubio, staunch conservative Sen. Ted Cruz (R-TX), libertarian Sen. Rand Paul (R-KY), and social-conservative retired physician and author Ben Carson, among a litany of others. And Republican primary voters rejected them all, nominating a candidate who was explicitly “‘America first’ on trade, immigration and foreign policy; less pro-Wall Street and big business in its rhetoric; more Main Street/populist on economics,” to borrow Trende’s description of the anti-autopsy path: Donald Trump, the New York City real estate developer who had condemned the “autopsy” when the RNC issued it.

Under conditions of the emerging majority thesis, Trump’s campaign—belligerent in personality, crude in language, and populist on policy—was the exact *wrong* thing. Liberal commentators speculated that it could create “a generation-long disaster for the Republican Party” by permanently alienating Latino voters. Trende suggested that “we should expect any damage [to the GOP] caused by Trump to be fleeting.”

Liberal institutions doubled down on the “rising American electorate” that would create the “new American majority.” In a September blog post, then-Democracy Alliance president Gara LaMarche wrote:

There is one sure path to a progressive victory in the 2016 election, and that is to excite, mobilize, and turn out at the polls the communities of what have been called the “new American majority”—African-Americans, Latinos, Asian-Pacific Islanders and other communities of color, young people and women, as well as progressive white voters.

But it turned out that organized labor, which had fretted about the potential for a Trump campaign to make inroads among working-class voters early in 2016, was right to have done so. “The demographics, stupid” had given way to “The God that Failed.” Trump won on the anti-autopsy path.

As the world tried to make sense of how Donald Trump cobbled together an Electoral College majority despite the “rising American electorate” opposing him, Trende proposed one possible explanation for evangelical voters casting their ballots for a twice-divorced New Yorker with an at-best *complicated* relationship with “traditional values”: fear.

Trende wrote:

Consider that over the course of the past few years, Democrats and liberals have: booed the inclusion of God in their platform at the 2012 convention (this is disputed, but it is the perception); endorsed a regulation that would allow transgendered students to use the bathroom and locker room corresponding to their identity; attempted to force small businesses to cover drugs they believe induce abortions; attempted to force nuns to provide contraceptive coverage; forced Brendan Eich to step down as chief executive officer of Mozilla due to his opposition to marriage equality; fined a small Christian bakery over \$140,000 for refusing to bake a cake for a same-sex wedding; vigorously opposed a law in Indiana that would provide protections against similar regulations—despite having overwhelmingly supported similar laws when they protected Native American religious rights—and then scoured the Indiana countryside trying to find a business that would be affected by the law before settling upon a small pizza place in the middle of nowhere and harassing the owners. In 2015, the United States solicitor general suggested that churches might lose their tax exempt status if they refused to perform same-sex marriages. In 2016, the Democratic nominee endorsed repealing the Hyde Amendment, thereby endorsing federal funding for elective abortions.

Trende then quoted from an ill-starred blog post written by Harvard Law School professor Mark Tushnet after Trump won the Republican nomination, when it appeared Hillary

Clinton would have the opportunity to nominate a decisive fifth justice to replace Antonin Scalia and end the Supreme Court's sometimes-conservative lean. Tushnet proposed that "the losers" of the culture wars, namely social conservatives, should suffer a hard line in the settlement, favorably remarking on the hard line taken against the defeated Axis Powers of World War II.

Whatever Tushnet was advocating, it was not the "progressive centrism" that Judis and Teixeira had written about in *The Emerging Democratic Majority*. Tendre argued that "if Democrats had stuck to the 'progressive centrism' playbook, they could have built a powerful coalition indeed."

Instead, Democrats and left-progressives got high on their own demographic supply, went hard left on cultural issues even as Trump triangulated toward the center on economic issues, and lost the Obama majority identified so closely with the emerging Democratic majority.

## Teixeira Exiled

The Democratic response to the Trump administration accelerated the burial of progressive centrism. The professional class hardened in its Democratic alignment as "wokeness"—the mix of Robin DiAngelo- and Ibram X. Kendi-style race theory and opposition to the gender binary—took hold. In 2018, Democrats rode a suburban wave to a House of Representatives majority, sweeping Republicans out of office in suburban New Jersey, suburban Virginia (where Rep. Brat, so consequential to the defeat of the Gang of Eight bill and the "GOP autopsy" faction, lost re-election), California's Orange County, and suburban Houston and Dallas. Also swept into office (in reliably Democratic constituencies) were the "Squad" of socialist and left-wing female representatives, most prominently Alexandria Ocasio-Cortez of New York.

By 2020, the emergence of a Democratic majority based on a "rising American electorate" looked certain. The COVID-19 pandemic and associated lockdowns had induced a sharp and severe economic contraction. President Trump's apparently aimless response harmed his approval ratings. He was too cautious for those who wanted a firm endorsement of "back to normal" in the mold of southern Republican-controlled states, yet too reckless for those who wanted harsh lockdowns



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*But unlike Franklin Roosevelt's, Joe Biden's majority would not be super, but bare. And voters who "should" have constituted the emerging Democratic majority were part of why Biden's majorities were so narrow.*

and mask mandates like those in California and New York. Vote-by-mail rules gave Democratic-leaning organizers an advantage over their Republican counterparts.

It was the worst political environment for an incumbent president since Herbert Hoover faced re-election in 1932. And in 2020 as in 1932, the challenger won. But unlike Franklin Roosevelt's, Joe Biden's majority would not be super, but bare. And voters who "should" have constituted the emerging Democratic majority were part of why Biden's majorities were so narrow.

In 2016, pundits had speculated about Donald Trump's anti-immigration rhetoric alienating Hispanics from the Republican Party for a generation. But in 2020, Hispanics swung right as the country leaned left. Florida remained in the Republican camp, powered by massive swings toward the GOP in heavily Hispanic Miami-Dade County. In *The Emerging Democratic Majority* Judis and Teixeira had predicted Florida would be safely Democratic, but Florida voters had subsequently elected GOP governors in 2002, 2006, 2010, 2014, and 2018. Florida had voted to the right of the national average in both 2008 and 2012 and had given its electoral votes to Donald Trump in 2016. "Blue Texas" was averted in part by swings toward the GOP in the Rio Grande Valley along the U.S.-Mexico border.

It was not only these populations. A *New York Times* analysis of electoral swings showed widespread Republican gains

with Latinos in major cities and gains with Asian immigrant groups as well. Far from engineering a permanent alienation, the outgoing President Trump had welcomed new nonwhite voters into the Republican camp.

That means that it was vote-switching and turnout differentials among *white* voters that elected President Biden. One commentator estimated the Democratic margin shift as “around the mid-single digits” even as Democratic margins in nonwhite communities narrowed.

That commentator was Ruy Teixeira, the one-time prophet of *The Emerging Democratic Majority*.

Even before Biden’s election, Teixeira disclaimed the *40 More Years*–style “permanent majority” affirmations that he and Judis never made in their book. In July 2020, Teixeira wrote:

After Obama’s historic victory, our theory morphed from provocative projection to sacred gospel. Instead of focusing on the fact that this emerging majority only gave Democrats tremendous potential if they played their cards right, many progressives started to interpret it as a description of an inevitable future. The new Democratic majority, they believed, had already arrived. All they had to do to win election after election was to mobilize the growing segments of the electorate, and the demographic changes that favored them would take care of the rest. Sometimes explicitly, sometimes implicitly, our thesis turned into the simplistic argument that “demographics are destiny.”

But our argument had been much more complicated than that. We had always envisaged the new Democratic majority as a coalition between growing segments of the population and the party’s traditional electorate. To be sure, this coalition would include a lot of the voters progressives now chose to focus on: minorities, professionals and the young, and unmarried and highly educated women. But in addition to this “rising American electorate,” it would also have to include a significant minority of the white working class, a group that—though its numbers were in decline—would continue to constitute a very large electoral block for the foreseeable future. (In 2008, 51 percent of eligible voters belonged to the white working class; in the 2020 elections, 44 percent will.)

He further warned that the confluence of intersectionality on the left and right-wing populism on the right had

induced liberal activists to disregard the white working class completely, while he praised Joe Biden’s campaign for advancing a “progressive centrist” agenda that was firmly liberal but not aligned with the most radical voices on the left.

In the year following President Biden’s inauguration, Teixeira became a sort of liberal Cassandra, warning of the tenuousness of the Biden coalition. In response to left-progressives’ triumphalism amid Census estimates of a decline in the proportion of Americans who are white, Teixeira warned that “since 2012, running against Trump twice, Democrats have lost 18 points off of their margin among nonwhite working class voters,” which “obviously undercuts the Democrat-friendly effects of rising racial diversity.” He cautioned his fellow liberals that Hispanic voters “are heavily oriented toward upward mobility and see themselves as being able to benefit from available opportunities to attain that” and opposed the radical edge of the Black Lives Matter movement.

Teixeira has disputed the implicit left-wing view that “the presumed way being ‘people of color’ welds [the nonwhite population] together into a voter group with unshakable loyalty to the Democratic party and loathing for the Republican party.” Further, he contested the view that “cultural leftism is central to consolidating the ‘rising American electorate’ that will power the Democratic party to dominance in an increasingly multicultural, multiracial America,” warning that “the median voter simply does not share the outlook embodied by cultural leftism.”

In June 2022, Teixeira endorsed the view that Democrats had a “progressive organization problem,” with the party’s “supportive ecosystem” having “become massively dysfunctional due to internal meltdowns, mission creep and maximalist goal-setting.” This is an odd position for a man who had worked at the Democratic establishment–aligned think tank Center for American Progress (CAP) and CAP Action Fund, its affiliated advocacy organization, since it was created in 2003.

And perhaps he could espouse it because he was not long for left-progressive institutions. In July, Teixeira dropped what passes for a bomb in DC think-tank world: He was leaving CAP for the American Enterprise Institute, the historically neoconservative, generally right-leaning, and often Trump-skeptical think tank with an operational tradition of freedom of inquiry. *Politico* reported:

To hear Teixeira tell it, CAP, and the rest of Washington’s institution-based left, stopped being a place where he could do the work he wanted.



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*The Emerging Democratic Majority, while not prophetic, was informative in projecting who would constitute Barack Obama's presidential majorities.*

The reason, he says, is that the relentless focus on race, gender, and identity in historically liberal foundations and think tanks has made it hard to do work that looks at society through other prisms. It also makes people nervous about projects that could be accused of giving short shrift to anti-racism efforts.

"I would say that anybody who has a fundamentally class-oriented perspective, who thinks that's a more important lens and doesn't assume that any disparity is automatically a lens of racism or sexism or what have you ... I think that perspective is not congenial in most left institutions," he says.

Like the Trotskyites who balk at the "1619 Project" for its elevation of racial conflict above class conflict, Teixeira—even back when he co-wrote *The Emerging Democratic Majority*—is and has been an old-fashioned economy-first New Deal/Great Society welfare statist. "Progressive centrism" in part relied on expansions and defenses of the welfare state to secure the loyalties of working-class whites and ethnic minorities alike.

And cultural leftism, about which the post-2020 Teixeira has warned, is not the social liberalism of the early 2000s era, which focused on gay and lesbian equality, safe-legal-and-probably-rare abortion, and scientific supremacy in debates over issues like teaching evolution or conducting embryonic stem-cell research. As Teixeira told *Politico*:

"I'd say they have been affected by the nature and inclination and preferences of their junior staff," he says. "It's just the case that at CAP, like almost any other left think tank you can think of, it's become very hard to have a conversation about race and gender and trans issues, even crime and immigration. You know, 'How should the left handle these?' There's a default assumption about how you're supposed to talk about these things, even the language. There's a real chilling effect on all of these organizations, and I think it's had an effect on CAP as well."

## Conclusion

There is profound irony in Ruy Teixeira, one of the architects of a thesis liberals ran with to justify a radical race-focused politics, being a class-focused Cassandra who feels freer to be himself while associated with a think tank on whose board sits former Vice President Dick Cheney than at the think tank founded by Democratic operative John Podesta. But the nature of politics and the people who play at it ensured Teixeira's thesis would lead where its author did not intend, as did the theses of his sometimes-critic and now-AEI colleague Sean Trende.

*The Emerging Democratic Majority*, while not prophetic, was informative in projecting *who* would constitute Barack Obama's presidential majorities. But its prescription, a "progressive centrism" focused on left-populist economic and welfare policies and a moderated social liberalism, was never going to satisfy the institutional Left's demand for permanent and ever-renewing revolution and advocacy groups' need for additional work. So enacting same-sex marriage gave way to demanding natal males in women's sports; equality of opportunity gave way to Ibram X. Kendi's "anti-racism"; and "safe, legal, and rare" gave way to "Shout Your Abortion."

One illustration of how the landscape shifted comes from Judis and Teixeira's discussion of the debates over education and curriculum in the early 2000s. They write:

In search of votes, the conservative Republicans of the 1980s made a devil's pact with religious fundamentalists that entailed their indulgence of crackpot religious notions. While Democrats have opposed the imposition of sectarian religious standards on science and public education, the Republicans have tried to make science and science education conform to Protestant fundamentalism.

Replace "religious" with "ideological," flip references to "Democrats" and "Republicans," change the year, and switch "conservative" and "Protestant" to "cultural-left," and the description of the debate over teaching Creationism in

schools by a 2000s liberal could be a protest of the teaching of critical race theory or gender theory by a 2020s conservative.

The problem with *The Emerging Democratic Majority* was not so much its predictive force, though its expectation that Democrats could hold a high “floor” with the white working class was not borne out by results, foreshadowing the shifts in the nonwhite working and middle classes that occurred in 2020 that may be continuing. The problem was that its projections were taken as a teleology, an unspooling of the End to which capital-H History was directed.

To left-wing progressives, the “strong form” of the thesis that the inevitable progression of demographics meant that Democrats and progressives would prevail regardless of political environments or progressive positioning was catnip. They thought that they could do whatever they wanted on cultural matters without electoral consequences; a “national California” was inevitable. That Judis and Teixeira expressly disclaimed that interpretation mattered not. Trende’s analysis of the “missing white voters” would provide similar catnip to right-of-center populists, despite Trende not intending it to be prescriptive.

In his retrospective on the “emerging Democratic majority” after the 2016 election, Trende outlined how all coalitions, including the one Judis and Teixeira described, live beyond their means:

The major theme of my book is that all party coalitions fall apart because, well, governing is hard and it inevitably forces parties to choose among members of their coalition. More importantly – and this is where I think realignment theory isn’t just wrong but also counterproductive – parties see their wins as a sign that they’ve finally “won” at politics. But this hubristic take is always wrong, and usually destructive. Such hubris destroyed the Republican coalition in 1910 when they thought they had won a mandate to pass the self-serving Payne-Aldrich tariff. It weakened the Democratic coalition in 1937 when FDR believed he had a mandate to pack the

Supreme Court and pass the Third New Deal. It destroyed the Republican coalition in 2005 when George W. Bush famously quipped that he had earned political capital and intended to spend it.

I have little doubt that a belief that demographics would save them at the presidential level led Democrats to take a number of steps that they will soon regret, from going nuclear on the filibuster to aggressive uses of executive authority. But one thing deserves special attention. A good deal of e-ink has been spilled describing the ways in which the culturally superior attitudes of the left drove Trumpism. This too, I think, derived from a belief that history had a side and that progressives were on it, combined with a lack of appreciation of just how many culturally traditionalist voters there are in this country.

It would be trite to end the discussion of *The Emerging Democratic Majority* by dryly noting that Judis and Teixeira are reportedly working on a new book, titled *Where Have All the Democrats Gone?* There was nothing inevitable in 2002 that dictated a coalition that looked somewhat like the coalition outlined in *The Emerging Democratic Majority* would elect Barack Obama to the presidency in 2008. An Iraq War gone badly and the most severe financial crisis since 1929 had something to do with that. There was nothing inevitable in 2013 that dictated “missing white voters” would power Donald Trump to the presidency in 2016. The fallout from the Syrian Civil War surely propelled international migration to the top of the electorate’s mind. Just about everyone admits Joe Biden’s majority was contingent on the chaos of 2020 and his promise of a return toward a version of Obama-era normalcy.

The next majority is unknowable, and its contours unknown because American political history, like History itself, has no sides. ■

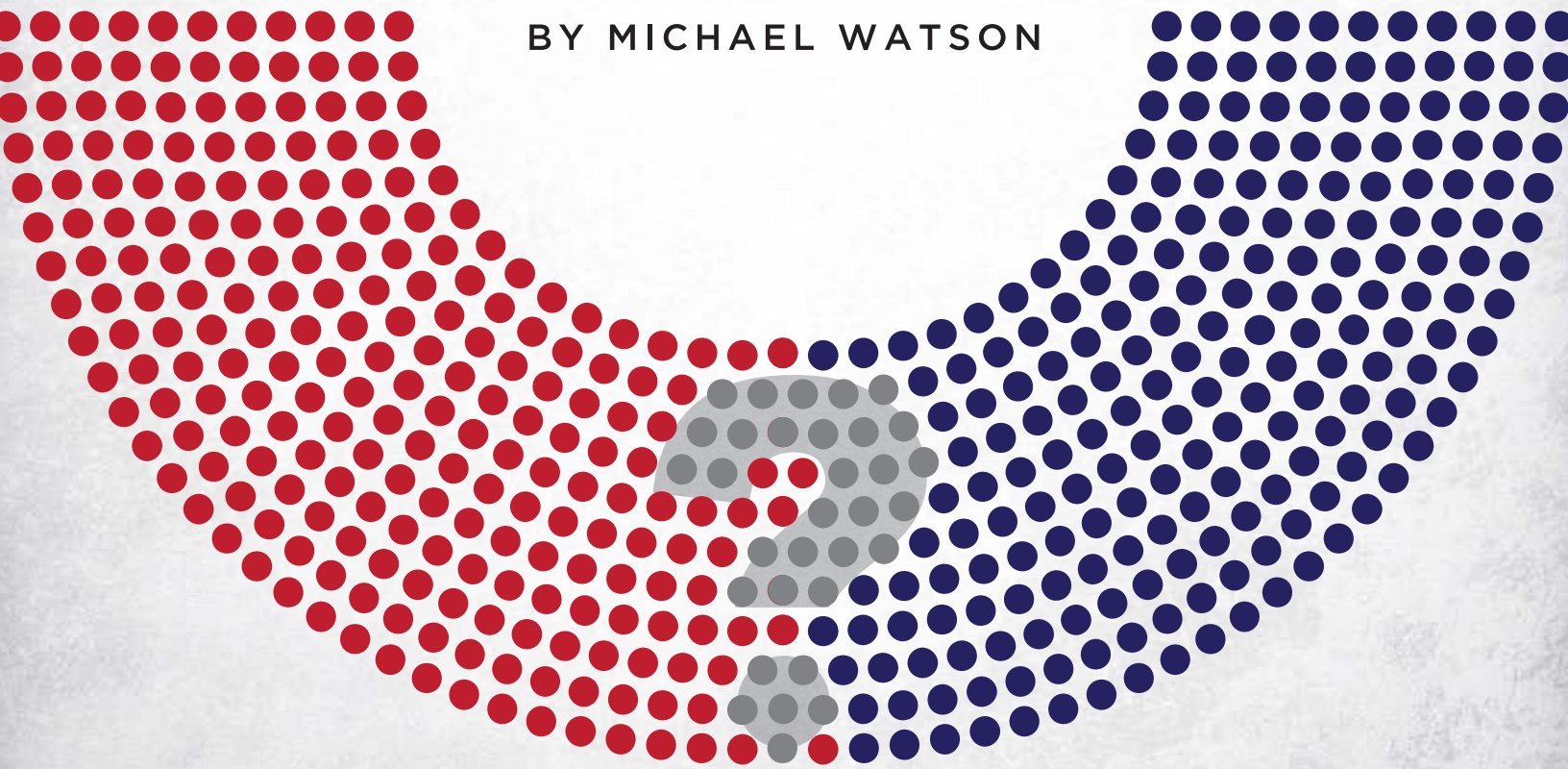
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# THE MYTH OF NON-PARTISAN DISTRICTS:

AN EXPERIMENT IN REDISTRICTING REFORM

BY MICHAEL WATSON



**CAPITAL RESEARCH CENTER**  
AMERICA'S INVESTIGATIVE THINK TANK



## THE FBI'S BAD APPLES: THE BUREAU'S WORST DAYS ARE WORTH REMEMBERING

By Ken Braun

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**Summary:** For most of the 20th century the FBI has owned the reputation of being America's police force. The list of the FBI's "good apple" accomplishments includes crippling Soviet espionage during the Cold War, putting mob bosses in prison, busting thieving politicians, and capturing terrorists. They are doing important work every day. But the FBI has also been deeply involved in many recent abuses of power that recall the days of Director J. Edgar Hoover, when the FBI was serially perverted into a domestic political weapon.

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For most of the 20th century the FBI has owned the reputation of being America's police force. Flexing this prestige, the Bureau has exerted influence far beyond crime policy—influence that digs deep into politics and is inseparable from the nation's cultural identity.

Too much of the influence fits the punchline to a Chris Rock joke about police misconduct:

I know it's hard being a cop.... But some jobs can't have bad apples. Some jobs, everybody gotta be good. Like, pilots. American Airlines can't be like, "You know, most of our pilots like to land, we just got a few bad apples that like to crash into mountains."

The list of the FBI's "good apple" accomplishments includes crippling Soviet espionage during the Cold War, putting mob bosses in prison, busting thieving politicians, and capturing terrorists. They are doing important work every day.

But even a competency rate of even 99.9 percent isn't good enough for an armed bureaucracy with immense and dangerous authority over the liberty of Americans. The FBI is never far removed from metaphorically flying a plane into a mountain. The most recent summit struck was the Trump-Russia collusion hoax.



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*The list of the FBI's "good apple" accomplishments includes crippling Soviet espionage during the Cold War, putting mob bosses in prison, busting thieving politicians, and capturing terrorists. They are doing important work every day.*

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### Trump-Russia Collusion Hoax

The extent of the wreckage was demonstrated in an April 2020 Harvard-Harris poll that asked:

Do you think that the Steele dossier, with its accusations of Trump's relationships to Moscow, was real in its findings of Trump colluding with the Russians or was the Steele dossier just campaign opposition research documents fueled by a Russian disinformation campaign?

Seven months before the presidential election, 53 percent answered that the "Steele dossier was real."

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*Ken Braun is CRC's senior investigative researcher and authors profiles for [InfluenceWatch.org](https://www.influencewatch.org) and the *Capital Research magazine*.*

The dirty dossier had already been exposed as a ludicrous partisan hoax. But with the help of the FBI, the ruse worked, paralyzed the White House, and imperiled the safety of the nation.

A December 2019 report from the Department of Justice Office of Inspector General (IG) revealed that Igor Danchenko, Christopher Steele's primary researcher, told the FBI way back in May 2017 there was "zero" corroboration for the information provided.

**FISA Warrants.** The IG investigation was severely critical of the FBI for using Steele fantasies to repeatedly obtain Foreign Intelligence Surveillance Act (FISA) warrants against Trump advisor Carter Page—the only person put under such scrutiny during the FBI's Trump-Russia collusion probe. A *New York Times* account of Inspector General Michael Horowitz's presentation of the report to the Senate Judiciary Committee stated Horowitz had "painted a bleak portrait of the F.B.I. as a dysfunctional agency that severely mishandled its surveillance powers."

Horowitz said the Bureau had behaved with "gross incompetence and negligence"

Beginning in October 2016 and continuing through June 2017 the FBI asked for and received four FISA warrants targeting Page.

The investigation produced zero evidence of wrongdoing by Page and ended without any charges filed. The misconduct was committed by the FBI, which fed the FISA court a pernicious pile of half-truths and distortions to obtain the warrants.

Defining FISA surveillance as one of the "most sensitive and intrusive investigative techniques" available to the government, the IG report concluded in the Page matter, "FBI personnel fell far short of the requirement in FBI policy" that FISA applications contain only "scrupulously accurate" information.

The scrupulously accurate information was this: Page was an officially approved "operational contact" for the Central Intelligence Agency, beginning in 2008 and continuing through 2013. During that period, he made business trips to Russia and occasionally interacted with Russian intelligence officers of interest to the CIA. The IG found that the CIA officer receiving his reports gave a "positive assessment of Page's candor."

The FBI learned all this from the CIA in August 2016. But two months later, the FBI's first FISA application

targeting Page told the court all about his connections to Russian spies and left out Page's positive cooperation with the CIA.

According to the excuses told the IG investigators, this damning half-truth told against an innocent man was just a crazy series of accidents. The accident happened again ... and again ... *and again*, in three warrant renewal requests filed through June 2017.

Just before the last application, the Bureau asked the CIA *once again* about the status of its relationship with Page. The CIA confirmed *again* that Page was a CIA source.

An FBI attorney named Kevin Clinesmith changed this message to read that Page was "**not** a source" [emphasis added] and sent it careening recklessly through the careless bureaucracy. (In August 2020 Clinesmith pleaded guilty to making a false statement.)

The Inspector General discovered 17 "significant inaccuracies and omissions" in the four Page FISA applications. But as awful as they were, the deceptions regarding Page's CIA affiliation comprised only two of the Bureau's misdeeds.

Of the offenses, 13 related to the FBI's reliance on the discredited Steele dossier. The report found the "Steele reporting" to have "played a central and essential role" in the FBI's decision to pursue the Page warrants.

After obtaining the first warrant against Page, the Bureau learned that the Steele dossier was a political opposition research project paid for by the Democratic National Committee, Steele was being paid to speak about it to the media, and Steele had openly stated his desire to prevent Trump from winning.

The FISA court wasn't informed of this important evidence of clear political motivation and bias.

When the FBI discovered Steele had produced witless gossip, that too should have been sent to the FISA judge. It wasn't.

According to the IG report, the Bureau did exactly the opposite:

Instead, the second and third renewal applications provided no substantive information concerning [Danchenko's] interview, and offered only a brief conclusory statement that the FBI met with [Danchenko] "[i]n an effort to further corroborate Steele's reporting" and found the [Danchenko] to be "truthful and cooperative." We believe that

including this statement, without also informing OI [Office of Intelligence] and the court that [Danchenko's] account of events contradicted key assertions in Steele's reporting, left a misimpression that [Danchenko] had corroborated the Steele reporting. Indeed, in a letter to the FISC [Foreign Intelligence Surveillance Court] in July 2018, before learning of these inconsistencies from us during this review, the Department defended the reliability of Steele's reporting and the FISA applications by citing, in part, to [Danchenko's] interview as "additional information corroborating [Steele's] reporting" and noting the FBI's determination that [he] was "truthful and cooperative."

**Championing the Dirty Dossier.** The Inspector General found the omission of this information to be "among the most serious" errors in the FISA renewals. While the investigation did not reveal "evidence of intentional misconduct," the IG observed that "we also did not receive satisfactory explanations for the errors or missing information."

In truth, the highest levels of the FBI had something of a love affair with the Steele canard.

According to the IG, "the FBI believed the information in Steele's reports to be credible" and "disseminated" his work to the other branches of U.S. intelligence. The FBI leadership—including then-FBI Director James Comey—wanted Steele's stories included in the main body of the January 2017 Intelligence Community Assessment of Russian election interference.



Credit: Brookings Institution. License: <https://bit.ly/3p7Wdmc>.

*And the ousted James Comey was getting ready to deliberately bend the rules. In the words of another critical report from the DOJ Office of the Inspector General, the recently fired FBI director "improperly disclosed FBI documents and information" to the New York Times.*

But the CIA saw through Steele. The IG found that CIA analysts swiftly concluded the Steele dossier was full of internet rumors and didn't want Steele dossier material befouling the main narrative in the Intelligence Community Assessment that would be sent to President Barack Obama.

The CIA prevailed, and the Steele information was relegated to an appendix of the report. But victory occurred despite strident objections from senior FBI staff, including FBI Director James Comey and his deputy, Andrew McCabe.

In a late December 2016 memo regarding the controversy sent to the Office of the Director of National Intelligence, McCabe wrote: "We oppose CIA's current plan to include it as an appendix; there are a number of reasons why I feel strongly that it needs to appear in some fashion in the main body of the reporting."

One FBI analyst sent a warning memo: "The minute we put the [Steele election reporting] in there, it goes from what you would expect the FBI to be collecting in a counterintelligence context to direct allegations about collusion with the Trump campaign."

That wise counsel didn't persuade the Bureau's big bosses.

On the same day he fired Comey in May 2017, President Trump met with McCabe, who had been promoted to the Bureau's acting director.

As if he were plagiarizing Steele, McCabe later characterized the discussion with the president as "speaking to the man who had just run for the presidency, and won the election for the presidency, and who might have done so with the aid of the government of Russia, our most formidable adversary on the world stage and that was something that troubled me greatly."

The following day, McCabe said he "met with the team investigating the Russia cases, and I asked the team to go back and conduct an assessment to determine where are we with these efforts and what steps do we need to take going forward." He said his goal was to put the Trump-Russia collusion investigation on "absolutely solid ground in an indelible fashion" so that it would be more difficult to shut down.

And the ousted Comey was getting ready to deliberately bend the rules. In the words of another critical report from the IG, the recently fired FBI director "improperly disclosed FBI documents and information" to the *New York Times*. Comey said the objective of the leak was to pressure the Justice Department into appointing a special counsel to investigate Trump.

In his memoir *A Higher Loyalty: Truth, Lies and Leadership*, published a year after his dismissal, Comey unironically recounts a private discussion with Trump in which FBI leaks were the topic: “I don’t do sneaky things, I told him. I don’t leak.” Elsewhere in the memoir he writes this: “The stuff that gets me the most is the claim that I am in love with my own righteousness, my own virtue.”

The IG concluded that Comey’s leaky behavior had set “a dangerous example for the over 35,000 current FBI employees.”

But Comey and McCabe got their indestructible and damaging special counsel investigation. Mission accomplished.

Otherwise, Christopher Steele, their favorite Russian novelist, was exposed as a partisan hack working on the Clinton campaign payroll. Their FISA warrants against Carter Page tarnished the FBI as a grossly incompetent menace to civil liberties. And President Trump, while admittedly mangling the precise facts and engaging in his typical hyperbole, was vaguely accurate with his claim that the FBI had been “spying on my campaign.”

Yes, as is frequently asserted by corporate media and Trump critics, Page had technically ended his role as an advisor sometime prior to the FBI snooping. On this tiniest of technicalities hangs the credibility of the assertion that the FBI didn’t spy on the campaign.

At best, gullibility and indifference to the Bill of Rights turned the Bureau into a partisan propaganda organ that paralyzed American politics for years. At worst, this mission may have been done with malicious intent.



*(Christopher Steele) Seven months before the presidential election, 53 percent answered that the “Steele dossier was real.” The dirty dossier had already been exposed as a ludicrous partisan hoax. But with the help of the FBI, the ruse worked, paralyzed the White House, and imperiled the safety of the nation.*

America’s top lawmen had accomplished pro bono the damage they claimed to be investigating.

## The Federal Bureau of False Accusations

This was far from the first time the FBI harassed innocent as targets of terrorism probes.

In July 1996 Eric Rudolph killed one and injured more than 100 by setting off a bomb at Atlanta’s Centennial Olympic Park during an event connected to the Summer Olympics. Through 1998 he set off two more bombs, inflicting additional injuries and killing a police officer. He was captured in 2003.

The pursuit and capture of Rudolph rates seven separate pages on the FBI’s online history of its most famous cases. But to find the name “Richard Jewell” a reader must navigate to a small statement on the history of the FBI’s Atlanta field office:

Richard Jewell, a security guard, had noticed a backpack left unattended and had started to move people out of the area. Still, several people were hurt and one died as the bomb exploded. The resulting investigation was swift and exhaustive but failed to identify the person behind the bombing. Jewel [sic]—an early suspect—was cleared, but the media frenzy kept his name in the news.

Honesty should have compelled the FBI to credit Jewell as a hero who saved lives in those moments before the bomb exploded. The media initially and justifiably found the “Jewell is a hero” story irresistible.

But when the FBI turned on Jewell, so did the press. In 2019, Clint Eastwood released a film telling the tale of Jewell’s ordeal, leading the *New York Times* to recount how the “media frenzy” got going:

Jewell’s life turned upside down after *The Journal* named him as the focus of the F.B.I.’s investigation. ...

Government officials and news organizations descended on the apartment Jewell shared with his mother. Dozens of F.B.I. agents scoured the home and towed away Jewell’s truck. In an apartment complex overlooking his building, four stations—ABC, CBS, CNN and NBC—paid a tenant \$1,000 a day to set up a command post in her unit.

Credit: Coda Story. License: <https://bit.ly/3SEufAo>.



Credit: C-SPAN. License: <https://bit.ly/3P&U95c>.

## More Jewells

In the days and weeks after the September 11, 2001, terrorist attacks, letters containing deadly anthrax bacteria were sent to congressional and media offices, killing five. Almost seven years later, a bioweapons researcher named Bruce Ivins committed suicide after learning the FBI might charge him in the case.

But beginning in 2011 and continuing through the end of 2014, reports from the National Academy of Sciences, the U.S. Government Accountability Office and a team of independent media researchers showed multiple deficiencies in the Bureau's investigation.

Was Ivins innocent? And if so, why did he commit suicide?

**Steven Hatfill.** Steven Hatfill was the FBI's first suspect in the anthrax investigation. Hatfill had previously worked as a bioweapons researcher at the U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID).

Hatfill's ordeal as a suspect began in 2002 when the FBI's anthrax case investigators showed up to interview him. When the agents asked to search his home, Hatfill consented. He assumed anyone associated with USAMRIID during the era was being questioned.

The search of Hatfill's home became a spectacle with media helicopters circling over the residence. FBI sources were talking to the press (an offense that would eventually cost the taxpayers millions in a lawsuit settlement). From a nearby hotel, Hatfill watched helplessly as he became notorious on live national television.

The Bureau found nothing.

More than month later the FBI returned with bloodhounds supposedly trained to connect the scent on the anthrax letters to a suspect.

In February 1999, the magic dogs had been exposed by *60 Minutes* for false accusations in rape and murder cases. Although inept, the pooches were friendly. Hatfill innocently petted one. The dog acted like a dog and returned the affection. The dog's handler deemed this to be proof of a positive identification of Hatfill with the anthrax letters.

Hatfill became a "person of interest" in the criminal investigation. He lost his job when the Justice Department told the university he was working for that Hatfill could not be used on any project using federal grants. He endured two years of wiretaps, intrusive physical surveillance, and property searches that even targeted friends and family.

*Honesty should have compelled the FBI to credit Richard Jewell as a hero who saved lives in those moments before the bomb exploded. But to find the name "Richard Jewell" a reader must navigate to a small statement on the history of the FBI's Atlanta field office.*

Yet he was never charged. Inside, Jewell watched TV. He read. He played video games. He couldn't go outside—not without setting off a high-speed car chase of government vehicles and media vans, anyway.

Thus was the FBI's supposedly "swift and exhaustive" investigation.

A 1997 Department of Justice investigation recounted the deceitful and inept pursuit of the wrong man and concluded the FBI had engaged in "constitutionally suspect" behavior and committed "a major error in judgment" in its handling of Jewell.

FBI agents serially lied to Jewell to get him to start talking. They told him their interrogation was part of a training video to instruct "first responders" at crime scenes.

Initially the Bureau did not even advise Jewell of his constitutional rights. After directly ordered to do so, the agents told him his Miranda warning was merely part of the playacting for the supposed training video. America's cops didn't tell the innocent hero that he was being legitimately interrogated in connection with the murder and mayhem he tried to prevent, and they insincerely advised him of his basic civil rights.

Two FBI agents received five-day unpaid suspensions because of their treatment of Jewell. They were back on the job well before yet another infamous targeting of the wrong man in a major terrorism case.



Credit: C-SPAN. License: <https://bit.ly/3BTU05n>.

*The search of Steven Hatfill's home became a spectacle with media helicopters circling over the residence. FBI sources were talking to the press (an offense that would eventually cost the taxpayers millions in a lawsuit settlement). From a nearby hotel, Steven Hatfill watched helplessly as he became notorious on live national television.*

Affection from the dog remained the only “evidence” ever found.

One agent was skeptical, pointing out that pooches are best in bomb and drug cases, not so much scents off of letters. She derided the reliance on “dog technology” as surprising for “an organization where we don’t use psychics.”

The top man at the FBI thought otherwise.

David Willman, a Pulitzer Prize–awarded investigative journalist who wrote a book about the Hatfill case, reported that then-FBI Director Robert Mueller personally briefed U.S. Sen. Patrick Leahy (D-VT) on the reliability of the hounds.

Willman also wrote that future FBI Director James Comey participated in the dog show:

Deputy Defense Secretary Paul Wolfowitz prodded the Justice Department’s number two official, Deputy Attorney General James B. Comey: Was Hatfill another Richard Jewell—an innocent man wrongly implicated? Citing the evidence provided by the bloodhounds, Comey was “absolutely certain that it was Hatfill,” Wolfowitz recalled.

The negative media attention made Hatfill a recognizable celebrity for all the wrong reasons. Some friends stopped speaking to him. He didn’t go out and became depressed.

In 2010, Hatfill was asked if the abuse ever led him to consider suicide. He responded: “If I would’ve killed myself, I would’ve been automatically judged by the press and the FBI to be guilty.”

**Bruce Ivins.** Bruce Ivins, the next man up in the FBI’s accusatory crosshairs, had a history of mental illness. We will likely never know if he committed the anthrax murders. The FBI’s version of the story, the skepticism of same, and the presumption of innocence will never do battle in court. But it’s a safer bet that the emotionally unstable Ivins probably wasn’t ready to endure the white-hot public scrutiny he had just watched Hatfill and Jewell survive.

“I only wish we could have had a trial,” Ivins’s lawyer said to PBS in December 2014. “They never had any evidence he prepared the anthrax.”

**Brandon Mayfield.** In 2004, yet another innocent man wandered into the crosshairs of the Mueller-led FBI’s search for terrorists.

In March 2004, coordinated bombings of commuter trains in Madrid, Spain, killed 191 people. Spanish investigators lifted a fingerprint from a bag of detonators used in the attack and sent a digital copy to INTERPOL, which forward it to the FBI.

The Bureau supposedly found a match to an Oregon lawyer and honorably discharged former U.S. Army officer named Brandon Mayfield. FBI agents learned Mayfield was a convert to Islam, had married an Egyptian woman, and had represented a terrorism suspect in a child custody dispute as part of his law practice.

Within a week of the presumed fingerprint match, the Bureau convinced a FISA court to allow secret electronic and physical surveillance of Mayfield.

Soon afterward the Spanish told the FBI they were skeptical of the match to Mayfield. But the FBI kept this fact from interfering with the hunt, and in May 2004, Mayfield was arrested on a material witness warrant.

The Bureau also obtained a criminal search warrant for Mayfield’s home, office, and computers. These warrants were based on the FBI telling the court it had a “100% positive identification” of Mayfield. The Spanish weren’t even close to 100 percent sure, the FBI knew it, and the court was kept in the dark.

Two weeks later the Spanish tied the print to an Algerian man who was arrested while in possession of detonators similar to those identified with the attack. Mayfield was released following an ordeal in which he said he was “subject to lockdown, strip searches, sleep deprivation, unsanitary living conditions, shackles and chains, threats, physical pain and humiliation.”

The FBI has denied that religious bias played any part in its botching of the fingerprint evidence. Maybe so, but can we be “100 percent positive” that they would have ignored the Spanish fingerprint concerns if Mayfield had been just a Baptist pipe fitter from Nebraska?

## Mueller and Mistakes

One year later in May 2005 Robert Mueller visited Madrid and held a joint news conference with the Spanish interior minister. The FBI director was asked about the Mayfield incident and replied as if he had been late for church:

In the course of investigations, there will always be those occasions where something has not gone the way you anticipated. We together move on through those instances and continue the close coordination and cooperation.

In November 2006, the Justice Department paid \$2 million to Mayfield as settlement of a lawsuit filed against the FBI for its serial insults to civil liberties. The agreement included an official apology from the “United States of America” for the FBI’s mistakes.

But apologies were apparently off the table at an August 2008 news conference when Mueller addressed the Bureau’s pursuit of Steven Hatfill in the anthrax probe.

I am unapologetic. I do not apologize for any aspect of the investigation that was undertaken over the years. And I think it was erroneous to say there were mistakes.



Credit: Medill DC. License: <https://bit.ly/3P6V47c>

*Robert Mueller was permitted to stay for 12 years. As his legally restricted 10-year term was about to end, President Obama asked him to stay on for an additional two years. The Senate approved the highly unusual request with a 100-0 vote.*

As he said this, Mueller knew that six weeks earlier the Justice Department had announced it would pay \$4.6 million to settle Hatfill’s lawsuit against the Bureau.

One day *after* Mueller gave the statement, the Justice Department formally exonerated Hatfill with a letter stating “we have concluded, based on laboratory access records, witness accounts and other information, that Dr. Hatfill did not have access to the particular anthrax used in the attacks, and that he was not involved in the anthrax mailings.”

It’s difficult to believe the FBI director didn’t know that letter was on the way when he personally refused to apologize or admit that mistakes had happened.

J. Edgar Hoover was the leader of the FBI for nearly 48 years. As a result of his long and highly controversial stay on the job, a 1976 law limited FBI directors to a 10-year term. Until December 2010 just one person other than Hoover had come remotely close to holding the job for a full decade: William Webster, at 9 years and three months.

Robert Mueller was permitted to stay for 12 years. He started the job on September 4, 2001, one week before the terrorist assault of September 11. As his legally restricted 10-year term was about to end, President Obama asked him to stay on for an additional two years. The Senate approved the highly unusual request with a 100-0 vote.

Like all else in the American security state, the FBI and its mission was transformed after 9/11. The entire American political establishment allowed Robert Mueller to stamp his leadership image on the FBI more profoundly than any director since J. Edgar Hoover, and arguably just as much.

A little-noticed yet implicitly nasty professional criticism of Mueller’s FBI came from the man who replaced him: James Comey.

Comey’s memoir, *A Higher Loyalty: Truth, Lies and Leadership*, aptly conveys the author’s reverence for his leadership knowledge. Ten pages into the narrative readers receive a warning of the many lessons yet to come. “Although I am no expert,” wrote Comey, “I have studied, read, and thought about ethical leadership since I was a college student and struggled for decades with how to practice it.”

When he took command of the Bureau he found trouble: “My travels around the country and the world taught me something else: The FBI’s leaders weren’t good enough.”



*James Comey wrote that the best of the business world had taught him to “obsess over leadership talent” and “treat leadership talent like money.”*

Comey wrote that the best of the business world had taught him to “obsess over leadership talent” and “treat leadership talent like money.” But at the FBI he discovered that “leadership was largely an afterthought” where supervisory positions were too often seized by those most likely to volunteer. He said this was “a recipe for people becoming leaders to escape a job they weren’t doing well or people being promoted by their bosses to get rid of them.”

Even though Comey wrote that he “admired” Mueller’s work, he clearly faults him for the deficient leadership culture. Before taking over, Comey met with the supervisors of each of the FBI’s major divisions. He claims Mueller promised to tell him “what’s really going on” after each discussion.

Comey was deeply concerned:

That comment rocked me. The FBI is an institution devoted to finding the truth. Why would the director need to tell me “what’s really going on” after each meeting? The assumption in Bob’s comment was that senior officials either weren’t aware of what was happening at the FBI or weren’t going to be truthful to me, their new boss, about it. My guess was the latter.

A place where “leadership was largely an afterthought” is a place where big-ticket terrorism investigations end up chasing innocent people.

## A Pattern, Not a Coincidence

But the place was a mess before Mueller got there.

Richard Jewell was the wrong man in a domestic terrorism plot before Mueller was running the Bureau. The incompetence that led to Brandon Mayfield and Steven Hatfill to become major terrorism suspects during the Mueller era wasn’t an unpleasant coincidence. It was a problem that hadn’t been fixed.

And incompetence isn’t the only misbehavior pattern.

In 2002, Boston mobster James “Whitey” Bulger ranked second behind only Osama bin Laden on the FBI’s Most Wanted list. At the same time, John Connolly, a former

agent at the FBI Boston field office, was on his way to prison for racketeering, obstruction of justice, and lying to an FBI agent. Starting in 1975, Connolly struck up a corrupt confidential informant relationship with Bulger. With the complicity of FBI supervisor John Morris, the pair helped the murderous Bulger commit felonies and avoid capture.

Granted immunity from prosecution after confessing his own misdeeds, Morris became a federal witness against Connolly. The 2002 federal jury failed to convict Connolly on additional charges that he had helped Bulger kill police informants. But the accusation caught up to Connolly in 2008 when a Florida jury convicted him of second degree murder for plotting with Bulger to murder a government informant in 1982.

**Weaver Cabin Standoff.** In 1992, two years after Connolly retired from his corrupt career, a sniper from the Bureau’s Hostage Rescue Team (HRT) fatally shot Vicki Weaver, an unarmed mother holding an infant. The incident occurred during an armed standoff at the remote Idaho cabin she shared with her family and husband, Randy Weaver, then a federal fugitive. Randy Weaver was subsequently acquitted of all serious charges.

FBI supervisors had authorized rules of engagement whereby the HRT snipers in Idaho were told that until a surrender occurred, they “could and should shoot all armed adult males appearing outside the cabin.” A 1994 Department of Justice IG report found that the rules of engagement used at the Weaver cabin “contravened the Constitution of the United States.”

The Justice Department agreed to pay Weaver and his family \$3.1 million to settle their lawsuit over the FBI’s behavior.

An after-action report from the Bureau’s Violent Crimes and Major Offenders Section also criticized the alteration of the rules of engagement. An FBI supervisor ordered the report destroyed to prevent Weaver’s criminal defense team from using it as evidence. That supervisor later pleaded guilty to obstruction of justice and received an 18-month prison sentence.

In 1995, FBI Director Louis Freeh disciplined 12 FBI officials for their behavior in the Randy Weaver standoff.

One of the most severely reprimanded was Richard Rogers, commander of the FBI's Hostage Rescue Team. But before Rogers was disciplined, he commanded the HRT's disastrous 1993 siege at the Branch Davidian compound in Waco, Texas.

**Branch Davidian Compound.** Despite the lives of more than two dozen minors hanging in the balance, the leadership of the Bureau's Hostage Rescue Team seemed to believe that barricaded followers of an Armageddon-curious cult leader still needed more assistance to reach their crazy-making potential.

According to a *Texas Monthly* report:

[T]he HRT cut off power to the compound; threw flashbang grenades at Branch Davidians who stepped outside the building; mooned and flipped off members of the sect; and engaged in psychological warfare by blasting loud noises during the night, among them the sound of rabbits being slaughtered, the chanting of Tibetan monks (until the Dalai Lama himself heard about it and registered a complaint), and Nancy Sinatra singing "These Boots Are Made for Walkin'."

An inferno, almost certainly started by the Davidians, engulfed their building soon after the HRT assaulted it with armored vehicles firing tear gas. Among the 75 fatalities were 25 children.

**Other Messes.** The mishaps described to this point occurred in high-profile cases under strong media attention. It was comparatively difficult to hide the evidence from public scrutiny (though, as noted for the Randy Weaver case, internal cover-ups have been attempted).

Not every FBI suspect draws the white-hot glare of press scrutiny. If there have been other messes made in the shadows, then those would have been easier to keep under wraps.

Mueller, the most influential and longest-serving FBI director in the modern era was willing to claim he had no apologies and that there were no mistakes when asked about an investigation where his agents let a major terrorism probe get lost on the wrong track because of the comically inept "dog technology."

What might Mueller have done in situations where the media didn't get a chance to notice the embarrassment or maybe he wasn't told by his underlings what had happened?

Defenders of the Bureau might point to solutions and reforms implemented after each of these scandals. They would be correct. As one example, the FBI's hostage nego-

tiators disagreed sharply with the behavior of the Hostage Rescue Team during the Waco siege. Afterward, seeking to create stronger working relationships, the Bureau merged the negotiators and the tactical team into a single command. The HRT has been, in a good way, not as newsworthy since then.

But while it's true reform efforts are implemented (at least in the situations that we know about), this has perversely become evidence of the problem. To say the FBI doesn't make the same tragic mistake twice is not reassuring when they continue to creatively make new ones.

## Hoover's Return

One of those reform eras should have begun after the December 2019 report from the Justice Department Inspector General shredded the Bureau's behavior during the Trump-Russia collusion hoax. That has not happened.

As previously noted, most Americans still believed the hoax as recently as seven months before the 2020 election, and the fable has altered our politics for the worse. Much of the fault lies with the FBI's credulous treatment of the Steele dossier and careless FISA spying.

If this had been any of those previous FBI scandals, the political establishment and corporate media would have excoriated James Comey and demanded major reforms. Comey was the pilot of the plane when—to use Chris Rock's metaphor—it smashed into mountain after mountain after mountain.

Days after the IG report was released, the *Washington Post* gave Comey space on its opinion page to respond. The former director had just read that he and his team were guilty of "extensive compliance failures" that put the civil liberties of Americans at risk and that "three separate, hand-picked teams, on one of the most sensitive FBI investigations" committed "many basic and fundamental errors" in the FISA process.

One might have expected an apology.

Instead, Comey declared victory and demanded atonement from others: "The FBI fulfilled its mission—protecting the American people and upholding the U.S. Constitution. Now those who attacked the FBI for two years should admit they were wrong."

He spent exactly one paragraph of 13 answering for the abuses in the FISA applications, the IG report's titular concern (literally, the title of the report is *Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation*).

Comey brushed off the FISA concern as just routine error:

[N]ot surprisingly, the inspector general found mistakes, 17 of them, things the FBI should have done differently, or better. That's always unfortunate, but human beings make mistakes.

Six of 13 paragraphs, half the essay, were defenses of Comey's reputation and attacks on former Attorney General William "Bill" Barr or Trump.

And the big takeaway, he wrote, was this:

But most important, Horowitz's report found that the investigation was opened and conducted according to the rules, finding no "evidence that political bias or improper motivation influenced [the] decision" to start it or how to run it.

What the IG report *really* said of how the probe was run was this:

We also found the quantity of omissions and inaccuracies in the applications and the obvious errors in the Woods Procedures deeply concerning. Although we did not find documentary or testimonial evidence of intentional misconduct on the part of the case agents who assisted in preparing the applications, or the agents and supervisors who performed the Woods Procedures, we also did not receive satisfactory explanations for the errors or missing information.

A non-lawyerly version might read like this: *It is deeply concerning that once these bozos got rolling, they repeatedly gave awful information to swindle warrants out of the FISA judge, and while we couldn't find concrete proof that they did it on purpose, they also didn't give us a reasonable alternative explanation.*

Two weeks before the 2016 presidential inauguration Comey met Trump for the first time and briefed him on the most salacious rumor in the Steele dossier—that Russian intelligence had video of Trump cavorting with prostitutes. Trump strongly denied the outlandish tale.

Unsurprisingly, the very peculiar details of this first-ever meeting with the FBI director were top of mind a few days later when *Buzzfeed* published the Steele dossier and the whole world heard the hooker rumor. But Comey wrote that he considered a follow up call from Trump on the topic as somehow outrageous: "I stared out at the monuments and wondered what had happened to me and our country that the FBI director was talking about this with our incoming president."

Well, Jimmy, it was you who brought it up, what did you expect?

As the media seized tenaciously on the dossier in early 2017, Comey claimed Trump raised the prostitute rumor in other discussions and even asked Comey if the FBI could investigate it to disprove it. Referencing one incident, Comey implies this was due to a guilty conscience: "I'm almost certain the president is unfamiliar with the proverb 'The wicked flee when no man pursueth.'"

Not mentioned in Comey's narrative was that he was feigning mystification at Trump's concern over the prostitute story. He had already approved a FISA warrant targeting Carter Page that had used the Steele dossier reports as justification.

Neither Carter Page nor references to him appear in Comey's memoir.

In his December 2019 essay analyzing the IG report, the former FBI director doesn't mention the Steele dossier at all and the "central and essential role" the IG said it played in starting the FISA process targeting Page. Of Page, Comey writes only:

The investigation included electronic surveillance of one person, Carter Page, a former Trump campaign adviser with a long relationship with Russia and a history of contacts with Russian intelligence. The surveillance began with a court order shortly before the election. The order was renewed three times by federal judges. And the FBI kept it secret. Nothing was leaked to damage the Trump campaign.

With the IG report giving him the gift of perfect hindsight, Comey still mentioned only the Russian intelligence figures and left out that Page was a confirmed "operational source" giving information to the CIA regarding those very people. The IG criticized the FBI for repeatedly making this same mistake in the FISA applications.

It's no longer a mistake when you've been specifically warned. It's a lie.

But unlike most of the FBI's scandals, it's a lie Comey has been encouraged to maintain, and not just in his mendacious December 2019 essay for the *Post*.

His 2018 memoir was a #1 bestseller, so much so that he wrote another book (released in January 2021) with a similarly sanctimonious title: *Saving Justice: Truth, Transparency, and Trust*.



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*Showtime turned Comey's first book into  
The Comey Rule, released in September 2020, not  
subtly coinciding with the presidential election.*

Showtime turned his first book into *The Comey Rule*, a two-part miniseries starring Jeff Daniels as Comey. It was released in September 2020, not subtly coinciding with the presidential election, and it set viewership records for the network.

There were no splashy TV dramas for the IG's report.

In *Higher Loyalty*, Comey states that he kept on his desk at the FBI a copy of the 1963 memo from J. Edgar Hoover to Robert Kennedy, signed by Kennedy, that authorized FBI surveillance of Martin Luther King Jr.

This was one of the most infamous abuses committed by Hoover's FBI. At one point a blackmail letter was sent to King by the Bureau that encouraged him to kill himself. Comey portrayed this in his memoir as a "legitimate counterintelligence mission against Communist infiltration of our government" that became an "unchecked, vicious campaign of harassment."

Comey wrote that he kept a copy of the 1963 memo on his desk as a moral guidepost because the desk is where he "reviewed applications by the FBI and the Department of Justice to conduct national security electronic surveillance in the United States."

## Bad Apples

Government is inherently inefficient and messy. The Post Office certainly has the "bad apples" from Chris Rock's joke (Google the words "postal" and "sentenced" for overwhelming evidence). But nobody dies or has their civil rights severely violated when the mail gets lost or stolen.

Throughout its history the FBI has had too many "bad apples" for a government agency that controls immense and dangerous power. Not enough has been done to fix this systemic problem, but there has at least been some reckon-

ing for the most high-profile abuses. The wrongly accused and abused have received multi-million-dollar lawsuit settlements. Procedural changes have been enacted, such as merging the commands of the Hostage Rescue Team and hostage negotiators. Sometimes, the bad apples have been fired or even sent to prison.

The Bureau's very worst days occurred under Hoover, specifically when the FBI's "legitimate counterintelligence mission"—its role in protecting national security—was serially perverted into a domestic political weapon. But even that had a reckoning in the late 1970s, after Hoover's death, when laws were passed to curtail the FBI's power and keep it far from politics.

Those reforms mostly succeeded, until recently. Summarizing just one awful fact of many from the Trump-Russia collusion hoax: The FBI used a fabricated opposition research document smearing a Republican presidential candidate was paid for by the Democratic candidate's campaign to justify counterintelligence surveillance on the Republican's allies during the campaign.

There has been little accountability for the FBI director who signed those FISA applications and oversaw the investigation. His dismissal from the job he deserved to lose enhanced his reputation. As it stands right now, that's the lesson being learned by whatever bad apples remain or will soon be sworn in as agents at the FBI.

James Comey's legacy has been the resurrection of Hoover's. Counterintelligence was brought back as a political weapon. The self-anointed leadership guru is responsible for a leadership disaster, and he's being celebrated for it. ■

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*Read previous articles from the Deception and Misdirection series online at [CapitalResearch.org/category/deception-and-misdirection/](https://CapitalResearch.org/category/deception-and-misdirection/).*



# BIG MONEY IN DARK SHADOWS

Arabella Advisors' Half-billion-dollar  
"Dark Money" Network

Hayden R. Ludwig

According to media personalities and politicians, nameless, faceless donors wield outsized influence over the American political process due to the so-called "dark money" they use to fund think tanks and advocacy groups. But that's far from the whole story. "Dark money" exists on both sides of the aisle. In fact, the Left seems to have deeper and darker pockets of cash than anyone suspected.

Learn more about liberal "dark money" in CRC's original report.



**CAPITAL RESEARCH CENTER**  
AMERICA'S INVESTIGATIVE THINK TANK



## NONPROFIT POLITICAL ACTIVITIES: ANSWERS FOR THE RECORD

By Scott Walter and Bradley A. Smith

**Summary:** On May 4, 2022, a subcommittee of the U.S. Senate Committee on Finance held a hearing on “Laws and Enforcement Governing the Political Activities of Tax Exempt Entities.” Scott Walter, president of Capital Research Center, and Bradley A. Smith, chairman and founder of the Institute for Free Speech, testified in person. After the hearing, some of the senators submitted additional questions for the record. The following is a selection of their answers.

**Senator John Thune (R-SD):** Can you explain your claim that 501(c)(4) organizations are not the most significant concern in regard to the political activity of tax-exempt organizations?

**Scott Walter:** Groups exempt under 501(c)(4) of the tax code, also known as “social welfare organizations,” receive attention from many politicians that is grossly disproportionate to their significance in American politics. These groups, many of which are well known to Americans, such as Planned Parenthood and the National Rifle Association, receive far less funding than is given either directly to political parties and campaigns—so-called “hard” dollar giving—or to 501(c)(3) groups that actively engage public policy. My colleagues at the Capital Research Center examined giving to all three of these “rivers” of money influencing our politics in the 2018 election cycle. The 501(c)(4) river was more of a creek at roughly \$123 million, compared to about \$5 billion taken in by “hard” dollar political groups and about \$20 billion raised by 501(c)(3) groups that engage political issues (think tanks, advocacy groups, and the like).

In addition to the very limited wealth of 501(c)(4) groups, there is also the fact that Americans have no trouble understanding many of those groups’ political slant, whether it is support for abortion, or for Second Amendment rights, and so on. But few Americans have any idea of the extent of 501(c)(3) groups’ subtle, often hidden work to influence who actually votes in elections. While some Senators known as “dark money hawks” complain that (c)(4) groups criticize them and their allies, the same politicians never mention how left-wing (c)(3) private foundations such as Ford and Open Society fund—and left-wing (c)(3) public charities



Credit: C-SPAN. License: <https://bit.ly/3QC4u4F>

*Groups exempt under 501(c)(4) of the tax code, also known as “social welfare organizations,” receive attention from many politicians that is grossly disproportionate to their significance in American politics. —Scott Walter*

such as the Voter Participation Center execute—voter registration and get-out-the-vote campaigns that actually drive election results, apparently flouting strict IRS rules that require (c)(3) groups never to intend, or even to “have the effect” of favoring a candidate or group of candidates.

Compare the IRS’s direct legal prohibition with this language, from a Democratic-aligned super PAC, which in 2020 wrote left-wing donors that in the 2020 election cycle, the “single most effective tactic for ensuring Democratic victories—[is] 501(c)(3) voter registration focused on underrepresented groups in the electorate.” The super PAC even explains the tax advantages: “Well-designed” (c)(3) voter registration is, on a pre-tax basis, “2 to 5 times more cost-effective at netting additional

*Scott Walter is president of Capital Research Center. Bradley A. Smith is chairman and founder of the Institute for Free Speech.*



*Even the brazen efforts to use (c)(3) groups to influence elections pale in comparison to the so-called Zuck Bucks operation in 2020.*

Democratic votes than the tactics that campaigns will invest in. ... Because 90 percent of the contributions we are recommending for voter registration and GOTV efforts will go to 501(c)(3) organizations and hence are tax-deductible,” after taxes, “such programs are closer to 4 to 10 times more cost-effective. ... They are also eligible recipients of donations from donor-advised funds and private foundations.”

The 501(c)(3) group Voter Participation Center was one of this memo’s three recommended recipients of dollars aimed at “ensuring Democratic victories,” which is no surprise, given that liberal reporter Sasha Issenberg in his well-received book *The Victory Lab: The Secret Science of Winning Campaigns* had already said the group (then operating under a different name) was a partisan operation despite legal prohibitions: “Even though the group was officially nonpartisan, for tax purposes, there was no secret that the goal of all its efforts was to generate new votes for Democrats.”

The same super PAC memo also urges mega-donors to direct cash to “Everybody Votes,” which is an even larger 501(c)(3) operation that works to microtarget registration and get-out-the-vote aimed at “ensuring Democratic victories.” Everybody Votes is a multi-year, \$100+ million project, designed originally by Democratic party operatives and conducted via the almost-unknown 501(c)(3) Voter Registration Project. As the super PAC’s secret memo explains to donors, “Everybody Votes is a national organization that funds and trains a consortium of 50+ local community groups across the country that do the actual registration work,” which means that dozens of other charities are involved in this scheme and deserve investigation for possible illegal partisanship.

Of course, even these brazen efforts to use (c)(3) groups to influence elections pale in comparison to the so-called Zuck Bucks operation in 2020. That involved the family of Facebook/Meta billionaire Mark Zuckerberg, as well as the “dark money” empire connected to Arabella Advisors, passing hundreds of millions of dollars through two 501(c)(3) groups and into actual government election offices at the state and local levels. Capital Research Center has conducted extensive investigations into the way that this money had a disproportionately partisan effect in every battleground state. That partisan effect was to be expected, given that the leaders of those two (c)(3) groups have par-

tisan backgrounds. One group’s founder worked at People for the American Way, a 501(c)(4) notorious for creating the multimillion-dollar political battles over Supreme Court nominations in 1987, when it spent millions on ads that smeared the Republican nominee Judge Robert Bork. The other group was founded by alumni from a 501(c)(4) group described by the *Washington Post* as, “The Democratic Party’s Hogwarts for Digital Wizardry.”

The abuses involved in Zuck Bucks have led twenty states, at this writing, to restrict such private funding of their election offices. Anyone who doubts the partisan nature of this problem can consider how another half-dozen states’ legislatures have passed such restrictions, only to have them vetoed by governors—every one of whom is a member of one political party.

In sum, the biggest offenses are committed by 501(c)(3) groups, not 501(c)(4)s. I am honored to have appeared before this subcommittee, and I look forward to coming back whenever this much more critical concern is addressed.

**Elizabeth Warren (D-MA):** *Your organization—the Capital Research Center (CRC)—has criticized the role of dark money on the left and opposed any and all IRS reporting requirements which would eliminate this problem. In your testimony before this subcommittee, you reiterated those views.*

*Is Capital Research Center a recipient of any dark money? If so, please provide information on the identity of your dark money donors, and the amount they have contributed in each of the last five calendar years.*

**Walter:** With all due respect, Senator Warren, your question is problematic for several reasons. You say my group “has criticized the role of dark money on the left,” but that criticism appears in neither of the two citations you give. The first citation is to an article of ours that opposes IRS reporting requirements for “dark money” groups, but the article does not criticize such giving by any part of the political spectrum. Your second citation is not to my own testimony but to Brad Smith’s written testimony at this hearing, in which he does not criticize left-wing “dark money.” As for my testimony, written and oral, I defy you to quote a single instance of my criticizing “the role of dark money on the left.” Instead, I make several quite different points about “dark money”:

- I insist that 501(c)(4) groups—the nonprofit type most often called “dark money”—are not very important or dangerous on either side (see also my response, above, to Senator Thune’s first question in these Questions For the Record).
- I note that numerous *left-leaning* outlets have criticized the role of “dark money” on the left, including OpenSecrets, the *New York Times*,<sup>16</sup> Politico, the *Washington Post*, and the *Atlantic*,<sup>19</sup> to name but a few. (I could have added the OpenSecrets report, “ProWarren super PAC tops outside spenders — and Super Tuesday voters don’t know its donors.”<sup>20</sup>)
- While mocking the idea that 501(c)(4) funding is a serious problem, I observe that there is far more “dark money” on the left, a fact so obvious even the *New York Times* felt obliged to acknowledge it in a news report entitled, “Democrats Decried Dark Money. Then They Won With It in 2020.” I defy you to cite any source that claims the Left has had less “dark money” than the Right in the 2018, 2020, and 2022 election cycles, and I ask why, if you truly believe this money harms America, you aren’t demanding your party stop taking it at *three-and-a-half times* the rate of the other side?
- I defended Chairman Whitehouse by insisting that, although he, like yourself, is a recipient of considerable “dark money” funding, “I don’t think” a penny of it has “captured” him.

Your question also displays one of the largest challenges posed by the phrase “dark money,” namely, that there is no clear definition of it. Because of the way politicians like you and Chairman Whitehouse use the term, with no legal precision but only as an insult, I testified to Senator Whitehouse last year in the Judiciary Committee that perhaps the best definition is “*support for speech the Left wants to silence.*”

In the same testimony, I noted that Chairman Whitehouse and some colleagues had just published a report, *Captured Courts*, that had no fewer than 18 uses of this term, yet never gave a legal definition of it: Is it money in 501(c)(3) nonprofits? in (c)(4) nonprofits? (c)(6)s? in donor-advised funds? All these and more meet the report’s sole criterion of “funding for organizations and political activities that cannot be traced to actual donors.”

In this current hearing, held in the subcommittee responsible for oversight of the IRS, one would expect you and Chairman Whitehouse to give a clear definition of “dark money” with references to the relevant sections of the tax code—if, in fact, you were raising the issue in good faith, rather than invoking it as a vague insult that drives attention

away from the substance of public policy debates like, say, the proper judicial philosophy for a judge.

As for the question you raise on efforts to have government force the disclosure of nonprofit donors, you are correct that the Capital Research Center has criticized those efforts, and I would add that the U.S. Supreme Court has recently affirmed in *Americans for Prosperity v. Bonta* that California’s donor disclosure requirement burdened donors’ First Amendment rights without being narrowly tailored to an important government interest. As your fellow advocates for such disclosure have made clear, they believe donor disclosure will harm both the donors and the grantees forced to disclose—a fact that reveals the central disagreement over forced government disclosure: As a defender of citizens’ privacy, **I do not wish to harm donors and groups I disagree with, and I respectfully urge you and Chairman Whitehouse to end your campaign to harm donors and groups you disagree with.**

This problem—your and others’ desire to squelch speech and intimidate donors—brings us to your final questions: whether Capital Research Center has received any “dark money” and if so, from whom and in what amounts. In addition to the issue that you have failed to define your central term, there is also the fact that Capital Research Center will not violate our donors’ privacy. This, too, was made clear in my written testimony to you and the committee:

“The practical reason for opposing disclosure arises from the very real threats, felt across the political spectrum, of mob harassment and worse. And Mr. Chairman, just as your side has more groups, active for more years, and possessed of far more ‘dark money,’ so does your side have more mobs.” I prefer to “stand with the NAACP of Bull Connor’s Alabama, and with the NAACP of today, and with the ACLU and the Human Rights Campaign, in opposition to government schemes to force private citizens to disclose their donations.”<sup>28</sup>

But let me thank you, Senator Warren, for honoring me with two questions. I was disappointed that neither you, nor Chairman Whitehouse, nor any other Member of your party asked me a single question at the hearing itself, where we could have had a respectful public dialogue. The failure to engage in such dialogue is but another reason to conclude that you invoke the bogeyman of “dark money” to prevent substantive exchanges in public. I note that the Ranking Member, by contrast, asked questions of both parties’ witnesses.

**Sen. Warren:** *CRC has denied the existence of climate change and praised the oil industry as one of “American’s most generous industries.”*

*Has CRC received funding from any fossil fuel company in any of the last five years? If so, please provide the name of the company, the amount provided to CRC, and the terms and conditions of these contributions.*

**Walter:** Respectfully, the footnote you provided to assert your first claim is perplexing. The first of the two articles it cites is an article by Dr. Steven Allen involving deception in politics and policy that barely references climate issues, and the second, incomplete citation is to something called “Capital Research Service” by an author who died a decade ago.

If you care to read an article by Dr. Allen that deals extensively with the science of climate issues, there are many better ones to choose from. We also have articles that document the connections between strains of environmentalism and eugenics, which were supported by philanthropies funded by Rockefellers, Carnegies, Kelloggs, and others. But while our researchers express their opinions on many matters, including climate science, Capital Research Center as an organization takes no position on climate change.

As for your question on whether “fossil fuel” companies have supported us in the last five years, we will not, of



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*Recognizing the inextricable link between privacy, freedom of association, and free speech, the Court unanimously ruled that the government could not force groups to surrender their member lists. —Bradley A. Smith.*

course, as explained in the previous question, violate our donors’ privacy, guaranteed by *NAACP v. Alabama*. But knowing that you, Chairman Whitehouse, and others often use a group’s donors to dismiss your responsibility to address the substance of your opponents’ views, I had our development staff analyze our donations in recent years. They found donations from corporations made up only a few percent of our revenues, and the corporations represented were small- to medium-sized.

In addition, while we do not violate our donors’ privacy, those donors have the right to choose to disclose their donations publicly. One major corporation, ExxonMobil, did so in 2008 at the behest of its CEO, Rex Tillerson, the future Secretary of State under President Donald Trump. At that point, a decade and a half ago, ExxonMobil announced it would no longer fund Capital Research Center. Please note that this funding change made no difference whatsoever in our research or views.

**Senator John Thune (R-SD):** *What do you find to be the greatest dangers of donor disclosure for 501(c)(3) and 501(c)(4) organizations and their donors? What historical examples of harm do you find most disturbing?*

**Bradley A. Smith:** To take the second part of the question first, the story of the harms of donor disclosure in the modern era must highlight harassment of the NAACP. In the 1950s, Alabama attempted to force the NAACP to provide state authorities with a list of the names and home addresses of all of the group’s members in the state. The NAACP was highly controversial at the time and seen by southern state governments as the enemy. If its individual members were identified to state officials at the height of Jim Crow, the risk of harassment and intimidation—or worse—was self-evident.

The state’s demand for donor information was clearly meant to intimidate supporters of the organization. By exposing large supporters to the NAACP, Alabama could then use the other levers of regulatory power at its disposal to inflict economic harm as reprisal for supporting the NAACP, or count on private action—including possibly illegal actions—to accomplish the same. Had the state succeeded in obtaining a list of NAACP supporters, efforts to secure civil rights in Alabama and all across America would have faced yet another huge hurdle.

But in its 1958 decision in *NAACP v. Alabama*, the Supreme Court saved the nation from that fate. Recognizing the inextricable link between privacy, freedom of association, and free speech, the Court unanimously ruled that the government could not force groups to surrender their member



## *Hackers leaked information about Tammy Giuliani's donation to the Canadian trucker's convoy, leading to widespread threats and harassment.*

lists. Such “exposure,” as the High Court termed it, would greatly damage organizations’ ability to fulfill their missions. In the words of the Court, Alabama’s demand restricted free association rights because it “may induce members to withdraw from the Association and dissuade others from joining it because of fear of exposure of their beliefs...”

The harms that the segregationist South could inflict on an organization like the NAACP represent the most severe danger that can come from disclosure laws. But it is neither the only risk, nor the only time that courts have recognized that disclosure laws cause harm. In the campaign finance context, the court recognized in 1976’s *Buckley v. Valeo* that:

compelled disclosure, in itself, can seriously infringe on privacy of association and belief guaranteed by the First Amendment ... significant encroachments on First Amendment rights or the sort that compelled disclosure imposes cannot be justified by a mere showing of some legitimate governmental interest.

The Court has ruled that the harm of disclosure laws outweighed the benefit in other contexts, too. *Brown v. Socialist Workers '74 Campaign Committee* upheld the rights of an unpopular minority party to keep the names of its members, donors, and vendees private in order to avoid both “governmental and private hostility.” In *McIntyre v. Ohio Elections Commission*, the Court struck down an Ohio statute requiring political handbills advocating the passage or defeat of a school tax to list the names of those “responsible therefor.” We should note that in both of these instances, the speech at issue was directly related to campaigns, elections and politics, and yet, even in such circumstances, the Court saw the harms of disclosure as too high.

Just last year, in *Americans for Prosperity Foundation v. Bonta*, the Court ruled that 501(c)(3) charities have the right to keep their major supporters private from state governments. The Court ruled that California’s attempt to mandate donor reporting was not narrowly tailored to an important government interest for the state. It also found that the threats of reprisal and harassment presented at trial against AFPF were real.

There are, of course, other cases where disclosure rules have been upheld, typically relating to public reporting of large

donations to candidates, political parties, and groups with a major purpose of supporting or opposing candidates in elections. But the Court has deeply scrutinized efforts to expand disclosure laws beyond their current bounds and has long recognized that any disclosure rule brings with it real harms to First Amendment rights.

Critics respond that we are not living in 1950’s Alabama anymore, so why worry? Perhaps the best way to see the threat is to look at specific examples of harm caused by a) legally allowable disclosures, or b) illegal disclosures of donations to nonprofit organizations (through either outside hacking or government malfeasance). Any law that extends disclosure rules would increase the likelihood of events like these.

In 2022, Tammy Giuliani made a lawful \$250 donation to the Canadian trucker’s convoy, the movement that briefly paralyzed Canada’s capital and garnered international attention for its protest against COVID-19 mandates. Hackers leaked information about her donation and thousands of others, leading to widespread threats and harassment against the donors. The threats forced her café to close.

In 2021, Sgt. William Kelly, a police officer in Virginia, and Craig Shepherd, a paramedic in Utah, made lawful \$25 and \$10 donations, respectively, to the legal defense fund of Kyle Rittenhouse, who was on trial for homicide after fatally shooting two men and wounding another during a night of riots and unrest in Kenosha, Wisconsin. Both Kelly and Shepherd became targets for harassment after hackers exposed donations to Rittenhouse’s legal fund and additional details were published in *The Guardian*. Kelly was fired from his job as a Virginia police officer. An *ABC News* reporter showed up at Shepherd’s house with a camera in tow to harass him in the name of “reporting.” In both cases, the donors had done nothing illegal and were targeted simply for exercising their First Amendment rights.

In 2021, Cara Dumaplin, a registered neo-natal nurse, created a successful internet business helping parents of newborns with parenting and childrearing advice. A business competitor shared screenshots of Dumaplin’s political contributions showing that she had made donations to the re-election campaign of Donald Trump. Dumaplin made 36 donations between \$25 and \$35 to the Trump campaign—not exactly huge money. The screenshots of the Federal

Election Commission report were widely shared across social media platforms. Given the vast unpopularity of Dumaplin's political association among her clientele, the result was no surprise: Boycotts of her website, merchandise, and consulting services ensued.

In 2019, Congressman Joaquin Castro tweeted out the names of 44 of his constituents in San Antonio who made lawful contributions to Donald Trump's re-election, accusing them of "fueling a campaign of hate." Donors immediately began receiving threatening phone calls, boycotts of the businesses where they worked, and a pressure campaign to ostracize them for donating to a candidate their congressman disagreed with. A similar story occurred in New York, where Congressman Tom Suozzi threatened to name and shame donors who gave to candidates that had a position different from his own on the SALT tax deduction.

Stories like this are too numerous to catalogue. Yet many never come to light because the harassment is carried out privately and has its desired effect: the person stops supporting or associating with the group and stops speaking out about the issue. Given the ease of finding and spreading donor information on the internet, disclosure-fueled harassment is likely to become more, not less, common



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*The IRS under Lois Lerner targeted conservative and Tea Party groups specifically because they were conservative and Tea Party groups.*

over time. If politicians are ready to threaten donors over differences in tax policy, and if people are organizing boycotts and threatening individuals and businesses over \$25 donations to candidates they don't like, then imagine the harms inflicted if every Planned Parenthood donor, every National Rifle Association member, and every Black Lives Matter supporter were forcibly published on a government website. That is the danger of creating new, more expansive disclosure laws.

**Sen. Thune:** *Is it correct that Lois Lerner was exonerated in the later investigations of the targeting controversy?*

**Bradley A. Smith:** No, that is incorrect.

Final investigations by the Treasury Inspector General for Tax Administration (TIGTA) and the Senate Finance Committee both concluded that the initial assessments of political targeting by the IRS were, in fact, correct. The IRS under Lois Lerner targeted conservative and Tea Party groups specifically because they were conservative and Tea Party groups.

A counter-narrative has emerged that downplays the IRS scandal by claiming that because a few progressive groups also had their applications for tax-exempt status flagged and delayed, it is wrong to say the IRS was targeting based on the political speech of the groups. This narrative ignores the evidence about both the scale and the severity of the targeting against groups on the right as opposed to groups the left.

First, this counternarrative relies on a 2017 TIGTA audit report that indicated IRS review of applications for tax exemption included other types of suspected political activity besides conservative. But that report covered a time period that began in 2004, six years before the 2010 inception of the "tea party cases" activity by the IRS. The Treasury press release accompanying the 2017 report noted numerous problems associated with attempting to compare the 2017 TIGTA audit report with the seminal 2013 TIGTA audit report. Citing this report to argue that the IRS did not disproportionately target conservative groups starting in 2010 is a bit like arguing that the United States was not a major world power after World War II because its economy was in a depression in the 1930s.

The numbers for the actual period of the scandal are what count—not the numbers for the period before the IRS began targeting conservative groups. And what are those numbers? The IRS itself found that among those groups targeted by the IRS starting in 2010:

Of the 84 (c)(3) cases, slightly over half appear to be conservative-leaning groups based solely on the name. The remainder do not obviously lean to either side of the political spectrum. Of the 199 (c)(4) cases, approximately three-fourths appear to be conservative leaning, while fewer than 10 appear to be liberal/progressive leaning groups based solely on the name.

Thus, while it is true that IRS screening to detect political activity (including the infamous BOLO list) did occasionally capture non-conservative groups, the large majority – and clear purpose – of the program was the targeting of conservatives. Hundreds of right-leaning groups were affected compared to fewer than 10 left-leaning groups.

That alone should settle the debate, and yet it still does not capture the full extent of the IRS's mistreatment of conservative groups. The initial targeting, after all, was only the first step. The real damage done was in the lengthy delays in approving groups' tax-exempt status. Here, too, the IRS found that liberally-coded groups and conservative-coded groups received vastly different treatment. The 2017 TIGTA report found that most groups on the left who were "targeted" still had their tax-exempt status approved within two years, and the majority were approved in the first year. The opposite was true for groups on the right: the overwhelming majority were not approved in two years, according to the 2013 TIGTA report.

As the Sixth Circuit Court of Appeals put it, "the IRS used political criteria to round up applications for tax-exempt sta-

tus filed by so-called tea-party groups; ... the IRS often took four times as long to process tea-party applications as other applications; ... the IRS served tea-party applicants with crushing demands for what the Inspector General called 'unnecessary information.'"

Lois Lerner herself admitted the IRS's behavior was inappropriate, both in the question she planted at a public tax forum in an attempt to get ahead of the IRS audit, and in her statement to Congress before invoking her Fifth Amendment right against self-incrimination. Lerner, of course, was found guilty of contempt of Congress. While the Department of Justice declined to prosecute Ms. Lerner in 2015, the evidence is overwhelming that the IRS Exempt Organizations Unit purposefully discriminated against conservative groups while she was director. ■

## Documentation

Full documentation with endnotes is available online at <https://capitalresearch.org/article/nonprofit-political-activities-part-1/>.

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*Read previous articles from the Special Reports series online at [CapitalResearch.org/category/special-report/](https://capitalresearch.org/category/special-report/).*



**JULY 2021**

**EDITED BY  
HAYDEN LUDWIG**

# **RISE OF THE ECO-RIGHT**

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A few dozen lobbying, litigation, and activist nonprofits that identify themselves as free market or broadly right-of-center are attempting to rebrand environmentalism and global warming ideology as conservative values. The Capital Research Center broke the news that these “eco-Right” groups also are secretly bankrolled by liberal mega-donors.



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## BOOK REVIEW: *FOSSIL FUTURE* BY ALEX EPSTEIN

By Hayden Ludwig

Environmentalism has always offered a dark vision of our future—either return to the Stone Age or go extinct—but many Americans are only now wising up to its anti-human streak, thanks to record-shattering prices at the pump. Judging by their reaction, they don't like what they see.

Do so-called fossil fuels make human life better or worse? Is carbon dioxide (CO<sub>2</sub>) a building block for life or a pollutant to get rid of? If the latter, how much CO<sub>2</sub> *should* the earth have? A few years ago, these questions would've hooked few people; now we're all forced to answer them.

So there's never been a better time for “fossil fuel” advocates like Alex Epstein to offer Americans a sunnier vision of the future—one not despoiled by a radical climate agenda. He does just that in his book *Fossil Future: Why Global Human Flourishing Requires More Oil, Coal, and Natural Gas—Not Less* (Portfolio/Penguin, 2022, 480 pages).

### Environmentalists' Apocalyptic Future

Since challenging the Left's war on hydrocarbons (coal, oil, and gas) in his first book, *The Moral Case for Fossil Fuels* (2014), Epstein has doubled down. Not only are these resources *not* destructive, he argues, they're absolutely essential to future human flourishing. You aren't crazy for counting your car's gasoline as a blessing. Worse, only someone with an immoral, anti-human axe to grind would want to rob Mankind of cheap and abundant energy.

That picture is grim. Epstein records the avoidable tragedy of a Gambian baby suffocating to death in utero because doctors didn't have enough electricity to run the ultrasound machine for each pregnancy. If its mother had delivered her child in the United States—or anywhere powered by dirty “fossil fuels”—doctors would've known weeks in advance to order a caesarian section.

At the same time, he observes that deaths from climate disasters have shrunked by an astonishing 98 percent in the last century, even as greenhouse gas emissions have risen



*Fossil Future: Why Global Human Flourishing Requires More Oil, Coal, and Natural Gas—Not Less* by Alex Epstein (Portfolio/Penguin, 2022, 480 pages).

substantially. Despite the media's constant warning of ever-worse hurricanes and floods, a person in the 1920s was 50 times *more* likely to die from a climate-related cause than today. It's no mystery why: Gas, coal, and oil have helped humans build sturdier buildings and keep them warm or cool, something our ancestors would've killed for.

Beyond that, “fossil fuels” help us pump and purify water, manufacture versatile plastics, create steel and asphalt, and haul more food than we could ever eat from foreign continents to the local supermarket. With them, factories can run on natural gas—not child labor. Without them, people burn dung and cut down whole forests to fuel their stoves.

*Hayden Ludwig is a senior research analyst at CRC.*



*The “designated experts” consistently choose the most apocalyptic, giving the distorted impression that modest warming trends will lead to human extinction.*

Epstein is a self-described philosopher, not a scientist, and he writes for the layman. He likes to describe scientific concepts in useful ways (e.g., energy as “machine calories”) that transform an opaque topic into something tangible.

But not ranking among the “designated experts” is cause for many of his opponents—such as then-Sen. Barbara Boxer (D-CA) in a 2016 congressional hearing—to dismiss his formidable knowledge on energy and climate science. Epstein expertly uses this point of authority to reveal modern America’s deference to this high priestly caste that speaks on behalf of the entire field of climatology, when in fact they represent a narrow, politically motivated few. Politics, not climate science, is driving the anti-“fossil fuel” campaign.

For example, models of the impact of rising global temperatures project multiple scenarios, but the “designated experts”

and their media allies consistently choose the most apocalyptic, giving the distorted impression that modest warming trends will lead to human extinction. The giveaway, Epstein writes, is a phrase like “listen to the scientists.” Science is never built on consensus. Those arguments are meant to silence critical thinking and debate.

## The Human Cost

That might matter less if the stakes weren’t so high. But today’s environmental activists uniformly demand the rapid decarbonization of the global economy, whatever the cost—a fringe policy that became the Democratic Party’s official position under President Joe Biden. As Epstein explains:

Net-zero policy, if actually implemented, would certainly be the most significant act of mass murder since the killings of one hundred million people by communist regimes in the twentieth century—and it would likely be far greater.

Yet the eco-Left’s luminaries seem completely disinterested in the human cost of their policies. The mad rush to abolish cost-effective energy sources overrides every other concern, yet Epstein points out that these “designated experts” are often *wildly* wrong.

James Hansen, called the “father of climate change awareness,” served in NASA during the Obama administration and has been showered in accolades. (Notably, Hansen is also one of the few climate activists who supports nuclear energy production.) In 1986, Hansen predicted global temperature would rise 1–2° C in the first decade of the 2000s, justifying a strict regime to lower greenhouse gas emissions. In fact, it only rose by 0.19° C—a massive difference. That did little to damage his credibility, though, with Hansen warning in 2015 that Paris Climate Accord was a “fraud” for not going far enough and poor countries would soon be underwater.

Similarly, global cooling theory was never the consensus of climate scientists in the 1970s, but it was presented as such by luminaries like Stephen Schneider, quoted in 1976 in the *New York Times*: “The climate is going to get unreliable. It is going to get cold. Harvest failure and regional famines will be more frequent.”



Public domain

Paul Ehrlich predicted the “utter breakdown” of the planet by 1985 due to overpopulation (a “near certainty”).

Other global coolers included Paul Ehrlich and John Holdren, both infamous doomsayers: Ehrlich predicted the “utter breakdown” of the planet by 1985 due to overpopulation (a “near certainty”) while Holdren authored a textbook advising compulsory abortion as a response to global population growth. (That didn’t stop President Obama from appointing Holdren to the White House Office of Science and Technology Policy, however.)

Like weathermen, no amount of bad predictions will cost them airtime from a fawning media. In fact, their mistakes only prove that things were even worse than they had originally anticipated. Take Holdren’s “confession” of failed prophecies in the *Washington Post* in 2012: “I have a confession to make: I was too optimistic.”

## A Flourishing Fossil Future

*Fossil Future* comes at a turning point in the environmental movement. It’s breaking down. One of the “green” movement’s favored sons, Michael Shellenberger, now leads a counterrevolution against the far Left’s climate alarmism. Fearmongering activists are facing pushback from climate scientists tired of the fanatical doom-and-gloom messaging strategy. Even Michael Moore, the Left’s favorite documentarian, took aim at the movement in *Planet of the Humans* (2020) for pretending that wind turbines and solar panels will “save” civilization from climate change when they only provide 3 percent of the world’s energy output—and that only after decades of mandates and government subsidies. (Moore prefers depopulation to renewables.)

At a deeper level, the pushback is really against the environmental movement’s hatred of humanity, the newest expression of an age-old antipathy seen in the “scientific” push for eugenics and forced sterilization in the *last* century. Just as Epstein and his allies support the widest possible human flourishing, their opponents demand the opposite—a return to primitivism—on moral grounds. (This writer would observe that, even more fundamentally, theirs is cosmic rebellion intended to give the earth dominion over Man, rather than the opposite.)



Credit: TED Conference. License: <https://bit.ly/3C11xPY>.

*One of the “green” movement’s favored sons, Michael Shellenberger, now leads a counterrevolution against the far Left’s climate alarmism.*

Ultimately, Epstein thinks we’ll win that battle—despite the activist Left’s incredible wealth and drive to eliminate “fossil fuels”—because of advocates like Bjorn Lomborg, Michael Shellenberger, and Robert Bryce, who are racking up wins with a fraction of the wealth and no legion of activists at their command. But there’s still a long way to go, he writes. “I hope that the prospect of a flourishing fossil future, achieved through the expansion of energy freedom around the world, inspires you as it does me.” ■

*Read previous articles from the Green Watch series online at [CapitalResearch.org/category/green-watch/](https://CapitalResearch.org/category/green-watch/).*



# THE LEFT'S VOTING MACHINE



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Left-wing activists understand the power of nonprofit advocacy groups as agents of social change. To empower the Left, its donors and activists have quietly built a vast network of allied PACs, voter registration nonprofits, litigation organizations, and Census “get out the count” groups to win battleground states. If successful, this will help the movement implement many of its socialist policies—from the Green New Deal to Medicare for All to the union-backed PRO Act.

This report examines the ways in which the Left, armed with torrents of mostly 501(c)(3) cash, has increased the Census count of traditionally left-leaning constituencies, attempted to win left-wing majorities in state legislatures, and tried to control the 2021 redistricting process to draw congressional maps favoring the Left.

Read The Left's Voting Machine at <https://capitalresearch.org/publication/the-lefts-voting-machine/>.



# BLACK LIVES MATTER AFTERMATH



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In perhaps one of the greatest messaging coups of all time, the Black Lives Movement Global Network Foundation (BLMGNF)—an international effort funded by some of the most powerful and wealthy leftists admittedly steeped in the Marxist playbook—took the true statement that black lives matter and used it to create chaos and destroy the livelihoods of the very people it was professing to help.

In a new video series, sponsored by Capital Research Center and filmed and produced by No Filters Media, we look at Minneapolis one year after the protests following the death of George Floyd.

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