

RECEIVED
FEDERAL ELECTION
COMMISSION

BEFORE THE
FEDERAL ELECTION COMMISSION

2010 JUN 24 PM 12:07

OFFICE OF GENERAL
COUNSEL

Jay S. Jacobs

Laurel Hollow NY 11791

Complainant,

v.

John Gomez
P.O. Box 787
Bayport, NY 11705,

Sean Hannity

Lloyd Harbor NY 11743,

Premier Radio Networks, Inc.
15268 Ventura Blvd. #400 Sherman Oaks
CA 91403, and

Clear Channel Communications, Inc.
200 East Basse Road
San Antonio, TX 78209,

MUR # 6320

Respondents.

COMPLAINT

Complainant files this complaint under 2 U.S.C. § 437g(a)(1) against John Gomez, Sean Hannity, Premier Radio Networks, Inc., and Clear Channel Communications, Inc. for multiple violations of the Federal Election Campaign Act, as described below.

A. FACTS

Clear Channel Communications, Inc. ("Clear Channel"), through its subsidiary Premier Radio Networks, Inc. ("Premier"), finances and maintains various commercial websites to promote radio programs produced by the company. Based on the available evidence, it can be presumed that the costs associated with operating each of these websites is borne by its corporate owners.

One of Clear Channel's websites, <http://www.hannity.com>, is dedicated to promoting the Hannity Show, a talk radio program hosted by Sean Hannity. As explained below, Clear Channel has permitted Mr. Hannity to use its website and other corporate resources to make and facilitate others in making contributions to John Gomez, a candidate for U.S. Congress from New York's Second Congressional District.

11044283696

According to recent news accounts, Mr. Hannity and Mr. Gomez are close childhood friends. Mr. Hannity has been actively promoting Mr. Gomez's candidacy -- and using Clear Channel's corporate resources to do so. See *New York Post*, 2/15/2010 (Attachment A); *New York Times*, 3/6/2010 (Attachment B). The most obvious and public example of the illegal use of corporate resources to promote Mr. Gomez's candidacy is the express advocacy and fundraising undertaken by Mr. Hannity on behalf of Mr. Gomez using e-mails addresses acquired, maintained and utilized with corporate resources.

At the Hannity Show website, users are encouraged to register and provide their e-mail addresses to receive "news, articles and announcements." Viewers are not told that Clear Channel permits the names and e-mail addresses acquired to be used by Clear Channel to solicit political contributions for Federal candidates preferred by Mr. Hannity. Nor are viewers informed that Clear Channel may provide their names and addresses to another party for purposes of raising contributions for Federal candidates.¹ Indeed the provision of the names and addresses to another for fundraising appears to be a clear violation of the privacy policy published on the website.²

There is no question that the website is owned and operated by Clear Channel. The copyright notice at the bottom of the Hannity.com website indicates that copyright to the website is owned by Premier, which identifies itself as a subsidiary of Clear Channel.³ The page containing the website's terms of use and legal policies states that the website is managed and owned by Clear Channel, and that use of the website is subject to Clear Channel's copyright and trademark and privacy policies and terms of use. Clear Channel expressly claims ownership of the Hannity.com email list.⁴

Clear Channel and Hannity send regular updates about Hannity's radio and television program to this list. These emails recap the topics discussed earlier in the day on the Hannity Show, and provide a preview the topics and speakers that Hannity will feature on his night-time television program. The emails contain a graphic header that states "Hannity's Headlines," and also contain paid advertising with hyperlinks to the sponsors' webpages. (See, e.g., Attachment C). These email messages from "The Sean Hannity Show, seanhannity@hannity.com, with the originating IP address 66.186.15.207, located in California. (See Attachment D). This IP address is issued to PressAff Interactive Revenue, which, according to its website, is a radio marketing company that helps to conduct email campaigns for radio stations.⁵

Multiple news sources have reported that Hannity has been actively promoting Gomez's candidacy. On February 15, 2010, the *New York Post* reported that Hannity was "helping push" to put his "long time friend" on the ballot. *New York Post*, 2/15/2010 (Attachment A). Hannity joined Gomez when Gomez met with the Suffolk County Conservative Party chairman, Ed Walsh, to help Gomez obtain the Conservative Party's endorsement. At that interview, Hannity

¹ See <http://www.hannity.com/pages/newsletter>.

² See <http://www.premiereinteractive.com/legal/>. Waiving its corporate privacy policy for the purpose of permitting a corporate asset to be used to raise political contribution is itself something of significant value and would independently constitute a violation of 2 U.S.C. § 441b.

³ See <http://www.premiereinteractive.com/copyright/copyright.html>.

⁴ See <http://www.premiereinteractive.com/legal/>

⁵ See <http://www.pressaff.com/>

11044283697

pledged to help Gomez raise money. After the interview Walsh told the Post that "[Hannity] would be active" in Gomez's campaign. Similarly, *Newsday* reported that Gomez brought Hannity to a meeting with the Suffolk County Republican Party, where Hannity "was [ad] 'to do all he could' to promote Gomez, help fundraise and bring in headlines for events." *Newsday*, 3/6/2010 (Attachment B).

On May 4, 2010, Gomez received the official endorsement of the conservative party. See Media Matters, 5/11/2010 (Attachment E). Shortly thereafter, at 8:15 am on Saturday, May 8, 2010, "The Sean Hannity Show" (headlines@hannity.com) sent an email to the Hannity.com list with the subject "A Message From The Great One." The email begins by saying

If you haven't seen this yet, you really need to take a look. This is a great American who's working hard for a Conservative Victory in 2010.

A Message from Mark Levin:

The email then presents a fundraising pitch in which Mark Levin, another radio talk show host, asks the recipient to contribute money to Gomez's campaign. The email states that Gomez's opponent is a "radical liberal and top general in Nancy Pelosi's inner circle," and urges viewers to contribute to John, noting that "John needs your financial support if he is going to defeat this leftist and help us win back our country." (Attachment E).

The email is not a newsletter. It does not contain the usual "Hannity's Headline's" header, or contain advertisements. Instead, at the bottom was a "DONATE NOW" button, which linked to a page where the contributor may contribute to Gomez's campaign. (Attachments E, F). The email was sent from IP address 66.186.15.207, the same IP address as the regular email updates sent by "The Sean Hannity Show." (Attachment G). According to the Hannity.com website, Hannity was attending a book signing in Virginia the morning the email was sent.

Shortly thereafter, Mark Levin boasted on his radio show that "John [Gomez] asked me to write an e-mail for him to help raise some money. Which I did." The Mark Levin Forum, 5/17/2010 (Attachment H).⁶ On information and belief, Levin is referring to the email sent to the Hannity.com list.

B. PREMIER, AND CLEAR CHANNEL MADE, AND GOMEZ RECEIVED, ILLEGAL CORPORATE CONTRIBUTIONS.

1. *Premier, and Clear Channel Made Illegal Corporate Contributions by Allowing Sean Hannity to Appropriate Corporate Resources to Make Contributions to Gomez.*

⁶ An audio recording of the show is available at [http://www.middlerivernews.com\(functional.asp?id=32830#](http://www.middlerivernews.com(functional.asp?id=32830#). The cited statement is approximately 12 minutes into the clip. A transcription of the relevant portion of the show is attached as Attachment H, and a DVD containing the relevant excerpt in electronic form is also attached.

11044283699

The Federal Election Campaign Act strictly prohibits corporations from making contributions in connection with a federal election. 2 U.S.C. § 441b(a). It also makes it illegal for any officer of a corporation to consent to a prohibited contribution, and for any candidate to accept such a prohibited contribution. *Id.*

For purposes of this rule, the term "contribution" is broader than that generally used in the Act, *id.* § 431(8) and includes any payment "in connection with" any federal election. *Id.* § 441b(b) (emphasis added). Implementing this prohibition, Commission rules prohibit corporations, and their officers, directors, and agents from using corporate resources to make or facilitate the making of contributions to candidates and political committees. 11 C.F.R. § 114.2(f)(1). Facilitation is defined as "using corporate . . . resources or facilities to engage in fundraising activities in connection with any federal election," *id.*, and includes, among other things, the use of corporate lists of customers, clients, vendors, or others who are not in the restricted class to solicit contributions (unless the corporation is reimbursed in advance). *Id.* § 114.2(f)(2)(i)(C). In addition, corporations are prohibited from making expenditures that expressly advocate the election or defeat of federal candidates outside of its restricted class. *Id.* § 114.2(b)(2)(ii).

Here, the facts establish that Respondents clearly crossed the line and violated the law. The fundraising email was sent to the Hannity Show's email list – a list owned by Clear Channel.⁷ And it was sent from an IP address owned by a public relations firm that provides, among other things, email PR services to radio stations. Thus, Clear Channel and Premier were paying a professional consultant to help send the fundraising email.⁸ And other paid staff may have worked on writing or sending the solicitation email. Thus Hannity, Premier, and Clear Channel used corporate lists and other corporate resources to facilitate the making of contributions to Gomez.

2. *Hannity, Premier, and Clear Channel Made an Illegal Contribution by Providing Free Advertising to Gomez*

Under Commission rules, the provision of free or discounted advertising services may be regarded as an in-kind contribution. See 11 C.F.R. § 100.52(d). The Commission has found that the provision of a hyperlink from a website free of charge may result in an in-kind contribution if the website owner ordinarily charges others for such services. See FEC Adv. Op. No. 1999-17, at 7.⁹

⁷ Further, as noted above, Clear Channel's privacy policy and terms of use appear to prohibit it from providing its email list to another for political fundraising purposes. Here Clear Channel permitted Hannity to use its list to fundraise for Gomez, at Gomez's behest. Waiving its corporate privacy policy to permit the list to be used to benefit Gomez is itself something of significant value, and is an additional illegal corporate contribution violation. 2 U.S.C. § 441b; 11 C.F.R. § 100.52(d)(1).

⁸ For the same reasons, Hannity was not acting as an individual volunteer engaging in "uncompensated Internet activity" when the email was sent. See 11 C.F.R. § 100.94. The email was sent by a public relations consultant from an IP address in California – and at a time when Hannity states that he was at a book signing in Virginia. And the email was clearly sent to a corporate-owned list.

⁹ This portion of the Advisory Opinion was not superseded by the Commission's subsequent Internet rulemaking. See 71 Fed. Reg. 18589, 18604 n.46 (Apr. 12, 2006).

As described above, the emails typically sent to the Clear Channel's list contain paid commercial advertisements with hyperlinks to the sponsors' websites. The fundraising solicitation email, by contrast, contained no commercial advertisements and, in lieu of them, included a large "DONATE NOW" button with a hyperlink to Gomez's contribution page. Because Hannity, Premier and Clear Channel normally charge for this advertising space and hyperlink but, in the case of the fundraising email, provided it to free to Gomez (and because, as described below in Section B.4, Gomez requested the email), the provision of the free hyperlink is an illegal corporate contribution to Gomez.

3. *Hannity, Premier, and Clear Channel Made an Illegal Contribution By Sending the Email.*

The email itself was also an illegal contribution. Commission rules treat communications made by a non-party, non-candidate sponsor as in-kind contributions to the candidate or political party with whom they were coordinated. *See generally* 11 C.F.R. § 109.21(b). In particular, the financing of the dissemination of any communication or material prepared by a candidate or the candidate's agent is considered a contribution by the person making the contribution. *Id.* § 109.23(a). Here, Gomez requested that Levin write a fundraising email for his campaign, making Levin an agent of the campaign. Hannity, Premier, and Clear Channel then disseminated the communication, thus making yet another illegal corporate contribution to Gomez.

4. *Gomez Received Illegal Contributions.*

Because Hannity, Premier, and Clear Channel's conduct was at the request of, and in full coordination with Gomez, Gomez also received illegal corporate contributions.

Under the Act, an expenditure that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate is an in-kind contribution to that candidate. 2 U.S.C. § 441a(a)(7)(B)(i); *see also* 11 C.F.R. § 109.20. Here, it is clear that the use of the Premier/Clear Channel list was made at Gomez's direct request; Mark Levin stated on his show that Gomez requested that he send out the fundraising email for Gomez.

There is ample additional evidence of coordination between Gomez and the other respondents. As news reports make clear, Gomez and Hannity are close friends, and Hannity has been intimately involved in Gomez's campaign from the very start. He helped to secure Gomez's nomination, accompanying Gomez to Gomez's interviews with Republican and Conservative Party chairs, and "vow[ing]" to the chairs that he would do all he could to promote Gomez's campaign. *New York Post*, 2/15/2010; *Newsday*, 3/6/2010. And no sooner did Gomez receive the Conservative Party endorsement than Respondents sent the fundraising email to the Hannity.com list. The timing of the email suggests that Hannity sent the email once he had the go-ahead from party officials.¹⁰ And the central role Hannity has played in the campaign is further evidence of coordination.

¹⁰ For the same reason, Respondents' activities are not protected by the Supreme Court's recent decision in *Citizens United v. Federal Election Commission*. — U.S. — (2010). In that case, the Supreme Court struck down the federal campaign finance prohibition on corporations making independent expenditure advertisements to influence federal elections. While corporations are now permitted to make independent expenditure in connection with federal elections, they are not permitted to make contributions directly to federal candidates or coordinated with

Thus, it is clear that all of the above-described activity – the use of the corporate lists and resources to facilitate contributions, the provision of free advertising, and the sending of the email – were done in complete coordination with Gomez. Gomez knowingly received illegal corporate contributions.

5. The "Press Exemption" Does Not Apply.

Though Hannity is a media personality, and Premier and Clear Channel are media companies, this does not give them license to make illegal corporate contributions.

Congressional acts, implementing the Act, provide that neither a contribution nor an expenditure results from "any cost incurred in covering or carrying a news story, commentary, or editorial by any broadcasting station, Web site, newspaper, magazine, or other periodical publication." 11 C.F.R. §§ 100.73, 100.132. This provision is commonly known as the "press exemption." See *FEC v. Mass. Citizens for Life, Inc.*, 479 U.S. 238, 250 (1986) ("MCFL"). The purpose of the exemption is to ensure the right of "newspapers, TV networks, and other media to cover and comment on political campaigns." H.R. Rep. No. 93-1239, 93d Cong., 2d Sess. at 4 (1974). However, the Supreme Court has cautioned that the exemption "does not afford *carte blanche* to media companies generally to ignore FECA's provisions." *McCormell v. FEC*, 340 U.S. 93, 238 (2003). If the exemption was extended to cover campaign pamphlets or other campaign materials sponsored by a corporation that also sponsors newsletters or other press activities, it would "vitiolate[s]" the Act's prohibition on corporate contributions. See *MCFL*, 479 U.S. at 251.

Heeding this mandate, to determine whether the exemption applies, the Commission determines whether the entity engaging in the activity is a press entity. The Commission then asks (1) whether the press entity is owned or controlled by a political party, political committee, or candidate; and (2) "whether the press entity is acting as a press entity in conducting the activity at issue" – that is, whether the entity is acting in its "legitimate press function." See *Reader's Digest Ass'n v. FEC*, 509 F. Supp. 1210, 1215 (S.D.N.Y. 1981); *FEC v. Phillips Publishing*, 517 F. Supp. 1302, 1312-1313 (D.D.C. 1981); see, e.g., FEC Adv. Op. Nos. 2005-16, 2004-07. In applying this second prong, the Commission considers, *inter alia*, whether the entity's materials are made available to the general public and whether they are comparable in form to those ordinarily issued by the entity. See *MCFL*, 479 U.S. at 251; FEC Adv. Op. No. 2005-16.

For example, in *MCFL*, the Supreme Court found that MCFL's "Special Edition" newsletter containing candidate endorsements did not qualify for the press exemption because it was different in form from organization's usual publication. Among other things, it did not contain the newsletter's usual masthead, and was prepared by a different set of staff. See *MCFL*, 479 U.S. at 251.

conducting to facilitate the making of contributions to candidates. Here, respondents' activities were done in full coordination; and, by hyperlinking to Gomez's contribution page, their activities went beyond mere corporate speech to facilitation.

11044283701

Similarly, in Advisory Opinion 2008-14 (Melothe), the Commission specifically considered whether a website with a hyperlink to a fundraising page fell within the media exemption. The Commission ruled that an occasional solicitation might be permissible but only if "it was made within the larger context of an endorsement contained in commentary regularly featured in the publication." FEC Adv. Op. No. 2008-14, at 6.

The solicitation email does not meet these criteria. The email does not purport to be a news story, a commentary or an editorial endorsement. Cf. 11 C.F.R. § 100.73. To the contrary, it is in form, substance and tone a standard political fundraising solicitation letter. The letter states that Gomez's "opponent, a radical liberal and top general in Nancy Pelosi's inner circle, has already amassed a campaign war chest of \$2 million from the usual special interests. John needs your financial support if he is going to defeat this leftist and help take back our country. WE NEED TO TAKE THIS SEAT." Prominently featured at the bottom of the email is a large "DONATE NOW" button that directs the recipient to Gomez's fundraising website. Unlike the typical Hannity's Headlines newsletter, which features blurbs on multiple topics, this email was solely focused on directing viewers to make contributions to Gomez. This is not a press endorsement that happens to contain a one-off link to a fundraising site. The sole purpose of the letter is to encourage recipients to contribute to Gomez's campaign.

Furthermore, the solicitation email is different in form and substance from the usual "Hannity's Headlines" newsletter that is distributed to Hannity's list. The typical "Hannity's Headlines" newsletter contains a banner that states "Hannity's Headlines." The newsletter typically includes multiple blurbs discussing topics recently discussed on Hannity's radio show and highlights upcoming features on his night-time television program. The newsletter also contains graphic advertisements by sponsors, with links to those sponsors' websites. Other than the Gomez solicitation, the newsletter has not contained fundraising solicitations.

In stark contrast, the solicitation email did not contain any updates on Hannity's programs. It did not contain the "Hannity's Headlines" banner — just as the non-exempt communication in *MCFL* did not contain *MCFL*'s newsletter's typical masthead. *See* 478 U.S. at 251. And, instead of paid advertisements, it prominently features a "DONATE NOW" button that directs viewers to Gomez's fundraising website. Further, while the newsletter is typically written by unnamed staff, this email purports to have been written by another radio commentator, Mark Levin. *See id.* Other than the name of the sender, the solicitation email bears no resemblance to the normal "Hannity's Headlines" newsletter, making it ineligible for the "press exemption." *See id.*

Lastly, the email was not distributed generally to the public; it was distributed to individuals on Hannity's list. Cf. FEC Adv. Op. No. 2005-16.

As the facts show, Hannity, Premier, and Clear Channel were not acting in their "legitimate press function" when they sent the fundraising solicitation. *See Reader's Digest Ass'n*, 509 F. Supp. at 1214. The purpose of the press exemption is to ensure the right of the press and other media to cover and comment on political campaigns. H.R. Rep. No. 93-1239, 93d Cong., 2d Sess. at 4. It is not to permit corporations that own media outlets to raise funds for candidates in full concert with those candidates, in derogation of the Commission's corporate

facilitation rules. To find that the press exemption applied here would mean that Sony, Viacom, or Disney may distribute fundraising solicitations for candidates, in full coordination with those candidates, without violating the Act. Such a finding would plainly "eviscerat[e]" section 441b's prohibition on corporate contributions. See *MCFL*, 479 U.S. at 251.

6. *Gomez Has So Far Failed to Report these Illegal Contributions.*

Finally, the Act requires that candidate committees report all contributions and expenditures to the Commission. 2 U.S.C. § 434. To date, Gomez has not reported any of the in-kind contributions he received from the other respondents – the use of the corporate list and consultants, the free advertising on the email, etc. – to the Commission. The Commission should determine whether Gomez failed to report any of these contributions in a timely manner.


C. REQUESTED ACTION

For the reasons described above, we respectfully urge the Commission to investigate whether Respondents have violated FECA by making and accepting illegal corporate in-kind contributions. We further request that Respondents be enjoined from further violations and be fined the maximum amount permitted by law.

To the extent that Respondents may have been previously unaware that their conduct was illegal (a doubtful proposition for a large media corporation that is no doubt represented by capable counsel), they are now clearly on notice that their activities constitute illegal corporate facilitation. If, in the course of investigation, the Commission finds additional future violations, it should treat these violations as knowing and willful.¹¹

Sincerely,

SUBSCRIBED AND SWORN to before me this 20th day of June, 2010.


Notary Public

My Commission Expires:

May 26, 2013

STEVEN E. GLASS
Notary Public, State of New York
No. 01GL6206618
Qualified in Nassau County
Commission Expires May 26, 2013

¹¹ If the Commission confirms the truth of the allegations presented, it should alert the Internal Revenue Service of the likelihood that Premier Radio Networks may have deducted expenses that are not deductible under Section 162e of the Internal Revenue Code.

NEW YORK POST

Fox News' Hannity gives Rep. Steve Israel challenger a boost

11:31 AM, February 18, 2010 | MAGGIE HABERMAN

Fox News host Sean Hannity is wading into Long Island politics — helping push for a long time friend who is looking to challenge Rep. Steve Israel this fall, but needs help getting on the ballot.

Hannity sat down for two hours with *Herpet* John Gonsky, a Long Island local and his childhood pal, and Suffolk Conservative Party chairman Ed Walsh in Plainville this morning at the Sheraton West-Park.

Gonsky said Hannity pledged to be involved and help raise money for Gonsky — who is a registered independent, meaning he needs permission from Walsh to run on the Conservative line. Gonsky said Gonsky has already met with a few Republican leaders about getting permission to run on their line as well.

Walsh confirmed the meeting and praised Gonsky, saying, "We just had a big conversation in terms of this guy running. Sean would be as he...and Sean being maybe the biggest conservative on TV and radio (would help)."

"This race could be won, absolutely," said Walsh, adding that he believed the combination of Gonsky and Hannity could help bring in people from the Tea Party movement.

Israel is an established Democrat with a hefty war chest and well-known fundraising abilities — and it's not clear that he is as ripe for a challenge as some lawmakers generally have been thanks to anti-establishment fever nationally.

Aides to Gonsky, Hannity and Israel couldn't immediately be reached.

It's unclear how far along a potential Gonsky candidacy is; Mike Long, the state Conservative chairman, said he wasn't aware of it when reached by *The Post Sunday*.

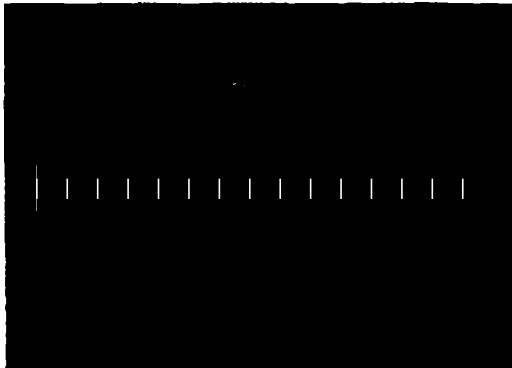
11044283704

newsday.com

/columnists/rick-brand

Sean Hannity link raises profile of GOP hopeful

March 6, 2010



Ex-local radio talk show host John Gomez concedes he has never been active in local politics, only registered as a Republican six weeks ago and has not raised a nickel for a political campaign.

Yet Gomez, 47, is among the GOP front-runners to take on five-term Rep. Steve Israel (D-Huntington) because he has an 800-pound gorilla in his corner: megastar radio and Fox TV conservative pundit Sean Hannity.

"When he first mentioned it, I thought he was kidding," said John J. LaValle, Suffolk GOP chairman. "But anytime someone with Sean Hannity's stature vouches for your credibility, it's very significant." Hannity's reb, LaValle added, could "absolutely be a game-changer."

Gomez drew Suffolk GOP leaders by bringing in Hannity for a meeting two weeks ago and meeting with county Conservative chairman Edward Walsh. GOP sources say Hannity touted his boyhood friend as a conservative who can win, vowing "to do all he could" to promote Gomez, help fundraise and bring in headlines for events. Hannity last week even came to cox on-air endorsement from Rep. Peter King (R-Suffolk). Hannity declined to comment.

The ties between the men go back to third grade at Sacred Heart School in Hampstead and later St. Plus X Preparatory Seminary. They were in each other's wedding parties. Gomez even bought Hannity's house when he moved out of Bayport.

But the momentum and President Barack Obama's slide in polls have created a stampede of nine GOP hopefuls ready to challenge Israel, who won by a 2-to-1 margin just two years ago. He has \$1.7 million in his coffers and a 38,000-Democratic-voter enrollment edge. Party leaders say a final screening and decision is likely within two weeks.

Despite the crowd, Richard Schaffer, Suffolk Democratic chairman, said none have Israel's record. "It might be a nice show," he said, "but it doesn't put food on the table. Steve has

11044283705

5/19/2010

Print

From: The Sean Hannity Show (headlines@hannity.com)

Attachment C

To: [REDACTED]

Date: Fri, May 7, 2010 9:02:15 PM

Cc:

Subject: Solutions for Immigration



On Today's Show...

May 7th, 2010

Mayor Rudy Giuliani

Sean was joined by "America's Mayor", former New York City Mayor Rudy Giuliani to discuss the latest terrorist attacks in New York City. "Getting lucky doesn't seem to be a very good national policy to prevent terrorism," suggested a thankful Hannity. "The reality is that we're seeing a lot more of this," warned Giuliani. "We're not going to debate our enemies until we see what they are," argued the former mayor. "For the life of me I don't understand why President Obama hasn't utter the words 'Islamic extremist.'" Thankfully the carnage in New York's Times Square has reminded us that we need to be continuously vigilant and hopefully it will be a wakeup call to Washington that more needs to be done to secure our borders and protect our citizens.



Jay Sekulow and Linda Chavez: Solutions For Our Immigration Crisis

Sean was joined by Jay Sekulow, Chief Counsel at the American Center for Law and Justice and Linda Chavez, the Chairman of the Center for Equal Opportunity, joined together to talk about the immigration crisis. "Violent crime on our borders has never been higher," argued Hannity, "the chaos has never been this out of control." Sekulow offered, "The Federal government hasn't done anything and the fact is there's a real problem down there and there's been no involvement to help them." Chavez retorted, "What we need is legal immigration reform that allows people to become legal citizens." Hannity closed the argument saying, "we can only accept so many people each year and we really need to give preference to those immigrants who respect our borders, laws and sovereignty." What a concept.



Karl Rove: The Conservative Victory 2010

Sean was joined by "The Architect" Karl Rove to discuss his thoughts on how the Conservative Victory 2010 is going. "So where do you think the Republicans fall in the House," asked Sean. "Can the Republicans win the House," asked Rove, "You bet especially after that health care bill but really I think they can gain 35 seats but this will be a weird election and they'll need 41 to take control." With your help, we can still pull this off. Visit Hannity.com for more information on how you can help.



5/19/2010

Print

Today's "Hot Topic" From The Hannity Forum:

I'm 68 and I have never heard so much animosity -- posted by Keithmk50
I can't remember a time when people have really stopped me to call out names so much and bash each others political views. I know every administration has had its share of bashing, but this past year and a half, it has grown ten-fold. I do respect others peoples views on issues, I just don't like the name calling and such.

[\(More \)](#)

>> TV Tonight (Hannity FOXNews 8pm EST):

More cops, safer streets, and the deficit eliminated just from *legalizing pot*? Fmr. Gov. Gary Johnson sports up a bit!



THE SEAN HANNITY STORE IS OPEN!

Now you can get your very own Sean Hannity Conservative Victory 2010 logo gear! We have fantastic quality-embroidered golf shirts, t-shirts, hats, hoodies, coffee mugs, and lots of more really cool stuff... in every size...and it's all made in the USA! We even have those mini Nerf footballs too!

Great for Mother's Day and Father's Day!

Go to Hannity.com and click on the Hannity Store link and grab your very own Conservative Victory 2010 stuff while supplies last!</



Printed at 11:24 | Privacy Statement | Copyright & Disclaimer | Contact Us | About Us
The Sean Hannity Show - Prominent Radio Network, Inc. 15000 Ventura Blvd. Suite 1000 | Van Nuys, CA 91411
Prominent Radio Network, Inc. 15000 Ventura Blvd. Suite 1000 | Van Nuys, CA 91411

11044283707



5/19/2010

Print

From: The Sean Hannity Show (headlines@hannity.com)

To: [REDACTED]

Date: Mon, May 18, 2010 6:03:11 PM

Cc:

Subject: Supreme Court Pick Doesn't Surprise Sean



May 10th, 2010

Supreme Court Pick Doesn't Surprise Sean

Kicking off Monday's show live from his studios in New York City, Sean thanked the thousands of fans who turned out at his book signing event with "The Great One" Mark Levin in Washington, D.C. this past Saturday (Photo). Sean spoke in great detail about Obama's choice of Elena Kagan for Supreme Court. "It does not surprise that he picked somebody that has roughly mirrored and would keep equilibrium, obstructed military recruitment at Harvard, and beyond that a record even less known than Brett Kavanaugh when he was nominated years ago," said Sean. Kagan's most notable act was when she led an effort to kick military recruiters off college campuses in the middle of a war, saying it was against federal law. The courts ruled 8-0 against her. "Doesn't that mean she would have been the sole dissenting voice against enforcing federal law and allowing military recruiters on campuses? This would put Kagan to the left of Ruth Bader Ginsburg. So is it really any wonder that Kagan shares Obama's radical views?" Sean asked rhetorically.

An advertisement for LifeLock. It features a dark background with a large, stylized number "3" and the text "Don't let your credit score drop". Below this is a "LifeLock" logo with a tagline "Your identity is a paid member of LifeLock". A "ENROLL NOW" button is also visible.

Americans Walking Away From Mortgages

The champagne at the Obama White House was probably still flowing from the mildly good economic news released on Friday when Team Obama saw a disturbing story that aired on 60 Minutes. The weekly TV news-magazine ran a big feature on "strategic defaults" - homeowners who walk away from their mortgages because their home values are underwater. (Watch the video [here](#)). Obama's financial recovery plans have been less than helpful. Banks aren't doing much to prevent foreclosure and regulators failed in their oversight. According to 60 Minutes, "People have done the math and decided making those monthly payments is just throwing money away, leaving the mortgage holders - the banks - with the losses. In the past year it is estimated that at least a million Americans who can afford to stay in their homes simply walked away." This is bad news for Obama's "recovery" plans. More and more Americans are relying on the government to bail them out. "The U.S. is turning more into a dependency society," said Sean.

An advertisement for Mozy. It features a dark background with a large, stylized number "3" and the text "COMPUTER". Below this is a "Mozy" logo with a tagline "Your data is a paid member of Mozy". A "3425" is also visible.

A Benefit For Flood Relief

Sean mentioned on today's show that the Ryman Auditorium in Nashville, TN would be putting on a benefit concert that will air on GAC TV and on SiriusXM radio whose proceeds will go to help rebuild the flood damaged area. Country superstars Brad Paisley, Lady Antebellum, Darius Rucker, Rodney Atkins and more are slated to appear. You can purchase tickets by clicking [here](#).

Attachment D

Message Header for Hannity Show Email

From The Sean Hannity Show Sat May 8 01:02:15 2010

X-Apparently-To: [REDACTED]; **Fri, 07 May 2010 18:02:14 -0700**

Return-Path: <administrator@pressaff.net>

[REDACTED]

→ **X-Originating-IP:** [66.186.15.207]

Authentication-Results: [REDACTED] **from=hannity.com; domainkeys=neutral**
(no sig); from=hannity.com; dkim=neutral (no sig)

Received from 127.0.0.1 (BHLO mail.dat-e-baseonline.com) (66.186.15.207)

by [REDACTED] **with SMTP; Fri, 07 May 2010 18:02:14 -0700**

Received: from pressaff.net? (unknown [192.168.100.15])

by mail.dat-e-baseonline.com (Postfix) with ESMTP id [REDACTED]

for [REDACTED]; **Fri, 7 May 2010 18:07:26 -0700 (PDT)**

Message-ID: [REDACTED]@pressaff.net>>

From: "The Sean Hannity Show" <headlines@hannity.com>

X-PIRDEB: [REDACTED]

To: [REDACTED]

Subject: Solutions for Immigration

Date: Fri, 7 May 2010 18:02:15 -0700

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary=" [REDACTED]

11044283709

MEDIAMATTERS

"Game-changer" Hannity launches GOP candidate's career with promises of fundraising and promotions

May 11, 2010 11:43 am ET - by Eric Hanania

In late March, former talk radio host John Gomez was selected by local party officials as the Republican nominee for New York's 2nd congressional district. Gomez, *Newsday* wrote on March 7, "has never been active in local politics, only registered as a Republican six weeks ago and has not raised a dime for a political campaign."

So how did a campaign neophyte convince Long Island politicians that he was the right person to challenge veteran Democratic Rep. Steve Israel? Gomez has a not-so-secret weapon: Fox News host Sean Hannity, who reportedly promised local leaders that he'd help Gomez by promoting and fundraising for him. This past Saturday, Hannity forwarded a message to his radio show email list urging people to donate to Gomez's campaign.

Suffolk GOP chairman John Jay LaValle bipartidly said that "anytime someone with Sean Hannity's stature vouches for your candidacy, it's very significant" and can "absolutely be a game-changer"; Suffolk Conservative Party chairman Ed Walsh reportedly said Hannity "would be active ... and Sean being maybe the biggest conservative on TV would help."

Local party officials have not returned requests for comment to clarify if Hannity specifically promised officials that he'd use Fox News resources to promote Gomez if he won the nomination.

In April, following criticism, Fox News executives pulled Hannity from broadcasting his TV program at a tea party event in Orangetown that charged admission. Hannity reportedly promoted the tea party event on Fox News. Hannity has also been fundraisers for John Kasich's gubernatorial campaign, Rick Warren and the National Republican Congressional Committee. In 2008, Hannity urged his radio audience to donate to Senate candidate Jeanine Pirro (R-NY).

On March 7, before the nominee selection, *Newsday* reported that Gomez is "among the GOP front-runners to take on five-term Rep. Steve Israel (D-Huntington) because" of Hannity. Brand reported that the Fox News host assured GOP leaders that he would "do all he could" to promote Gomez, help him fundraise and bring in headlines for events:

"When he first mentioned it, I thought he was name-dropping," said John Jay LaValle, Suffolk GOP chairman. "But anytime someone with Sean Hannity's stature vouches for your candidacy, it's very significant." Hannity's role, LaValle added, could "absolutely be a game-changer."

Gomez wowed Suffolk GOP leaders by bringing in Hannity for a meeting two weeks ago and another with county Conservative chairman Edward Walsh. GOP sources say Hannity touted his boyhood friend as a conservative who can win, vowing "to do all he could" to promote Gomez, help fundraise and bring in headlines for events. Hannity last week even tried to coax an on-air endorsement from Rep. Peter King (R-Seaford). Hannity declined to comment.

The ties between the men go back to third grade at Sacred Heart School in Hempstead and later St.

5/17/2010

Media Matters for America

to his radio show subscriber list from radio host Mark Levin asking readers to donate to Gomez's campaign. The message included a large "DONATE NOW" button that directs to Gomez's campaign site. Hannity also promoted Levin's message on his Twitter feed.

----- Forwarded message -----

From: The Sean Hannity Show <seanhannity.com>

Date: Sat, May 8, 2010 at 8:10 AM

Subject: A Message From The Great One

To: [REDACTED]

If you haven't seen this yet, you really need to take a look. This is a great American who's working hard for a Conservative Victory in 2010.

A message from Mitti Levin:



Dear Friend,

Now, more than ever, we recognize that the cabal empowering themselves in Washington DC has been intentionally deconstructing our nation. And they are not done. Liberty is both precious and fragile, and we are losing it. Now is the time to take a stand -- before it is too late. We've been asking good men and women -- fellow citizens -- to step forward and help us stem the tide of tyranny. And I am thrilled that one such man has done exactly that. My dear friend, John Gomez.

John is not one of those career politicians. He is a solid conservative who team for the future of his country and is motivated to act. He will defend your liberty, private property rights, and the Constitution against the elites in Washington. He received his good family name -- Gomez -- from a father born in Barro Colorado Town to Mexican and Spanish parents, his education in a Preparatory Seminary High School, the University of Houston, and Fordham Law School in New York. I have known John for many years and I strongly encourage you to help me get him elected to the House of Representatives in November.

Elections cost money. And John's opponent, a radical liberal and top general in Nancy Pelosi's inner circle, has already amassed a campaign war chest of \$2 million from the usual special interests. John needs your financial support if he is going to defeat this leftist and help us take back our country. **WE NEED TO TAKE THIS STEP.** If we can flip this seat in November, I believe we will take control of the House. That's how much John Gomez's election is.

John is one of us. I ask that you please consider supporting his candidacy, regardless of where you live, for this is a national election. John will speak for us all as will vote with us. You can help secure a historic victory for liberty this fall by supporting John Gomez.

Let's take our country back.

Mark Levin



[Click here to Forward To A Friend.](#)

[Click here to edit profile.](#)

[Click here to unsubscribe.](#)

Copyright © 2009 Media Matters for America. All rights reserved.

11044283711

5/8/2010

Untitled Document

Attachment F

From: The Sean Hannity Show (headlines@hannity.com)

To: [REDACTED]

Date: Sat, May 8, 2010 8:15:41 AM

Cc:

Subject: A Message From The Great One

If you haven't seen this yet, you really need to take a look. This is a great American who's working hard for a Conservative Victory in 2010.

A message from Mark Levin:



Dear Friend,

Now, more than ever, we recognize that the cabal empowering themselves in Washington DC has been intentionally deconstructing our nation. And they are not done. Liberty is both precious and fragile, and we are losing it. Now is the time to take a stand -- before it is too late. We've been asking good men and women -- fellow citizens -- to step forward and help us stem the tide of tyranny. And I am thrilled that one such man has done exactly that. My dear friend, John Gomez.

John is not one of those career politicians. He is a solid conservative who fears for the future of his country and is motivated to act. He will defend your liberty, private property rights, and the Constitution against the statists in Washington. He received his good family name -- Gomez -- from a father born in Brownsville Texas to Mexican and Spanish parents, his education in a Preparatory Seminary High School, the University of Houston, and Fordham Law School in New York. I have known John for many years and I strongly encourage you to help me get him elected to the House of Representatives in November.

Elections cost money. And John's opponent, a radical liberal and top general in Nancy Pelosi's inner circle, has already amassed a campaign war chest of \$2 million from the usual special interests. John needs your financial support if he is going to defeat this leftist and help us take back our country. WE NEED TO TAKE THIS SEAT. If we can flip this seat in November, I believe we will take control of the House. That's how crucial John Gomez's election is.

John is one of us. I ask that you please consider supporting his candidacy, regardless of where you live, for this is a national election. John will speak for us and he will vote with us. You can help us win a historic victory for liberty this Fall by supporting John Gomez.

Let's take our country back.

Mark Levin



Message Header for Mark Levin email

From The Sean Hannity Show Sat May 8 12:15:41 2010

X-Apparently-To: [REDACTED] via 206.190.38.62; Sat, 08 May 2010 05:15:41 -0700

Return-Path: <administrator@presslaff.net>

[REDACTED]

→ X-Originating-IP: [66.186.15.207]

Authentication-Results: [REDACTED] from=hannity.com; domainkeys=neutral (no sig); from=hannity.com; dkim=neutral (no sig)

Received: from 127.0.0.1 (EHLO mail.dst-e-baseonline.com) (66.186.15.207)

by [REDACTED] with SMTP; Sat, 08 May 2010 05:15:41 -0700

Received: from presslaff.net? (unknown [192.168.100.15])

by [REDACTED] Postfix) with ESMTP id [REDACTED]

for [REDACTED]; Sat, 8 May 2010 05:20:53 -0700 (PDT)

Message-ID: [REDACTED]@presslaff.net>>

From: "The Sean Hannity Show" <headlines@hannity.com>

X-PIRDEB: [REDACTED]

To: [REDACTED]

Subject: A Message From The Great One

Date: Sat, 8 May 2010 05:15:41 -0700

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary=" [REDACTED]

11044283713

Attachment B

Mark Levin Clip 1

Aren't those controversial enough? Seems to me they are. Now, point of personal privilege here. There's a front group that was created called Concerned Women of New York. Have you ever heard of them? No, you haven't. You women in New York, you ever heard of Concerned Women of New York? Well apparently they represent you. A friend of mine and a friend of Sean is running for Congress on Long Island. Named John Gomez, he's a terrific guy. Solid conservative. Very decent human being, I've known him a long time. So John asked me to write an e-mail for him to help raise some money. Which I did. Well, Concerned Women of New York was created to challenge that. And of course, Newsday which is a liberal piece of crap newspaper that can barely make any money, in fact it's losing money in New York, which always sides with the Democrats. They jumped in on this one. Do you want to hear the letter that was sent to Mr. Gomez from Concerned Women of New York? That'll tell you who they are.

Dear Mr. Gomez,

The past weekend, this past weekend radio host Mark Levin sent an e-mail on your behalf to solicit contributions for your campaign. (Actually John sent the e-mail, I wrote it). Mr. Levin's long record of sexist and misogynistic language (You don't need to look it up, it means I hate women is what they're saying). When his radio ... well known he has referred to the Secretary of State as "her thighness" he called Justice Sotomayor Ruth Bader Ginsburg plus about 50 pounds. He has consistently degraded women in ways that we won't feel comfortable repeating in this letter. I understand Mr. Levin is a friend of yours but nevertheless you are an announced candidate trying to represent women across Long Island you should be ... We are calling on you to reject any money you raised from Mr. Levin's e-mail solicitation and to condemn his use of misogynistic and degrading language. Sincerely,

And about twenty Clydesdales signed the letter. Twenty Clydesdales. Now I notice Concerned Women of New York didn't come together and send a letter to anybody about Eliot Spitzer when he was demeaning women by paying them for sex! I noticed they didn't come forward when Bill Clinton was accused of rape! And that was just the beginning of it. And sexual assault and all the rest! I noticed that Concerned Women of New York has never come forward and defended Sarah Palin against the misogynistic and sexist attacks on her or her daughter! So let me thinking, who the hell are these people? And of course, by the way, anyone who listens to this show knows I attack left wing men too. Little Dick Durbin. I wonder if Concerned Women of New York are upset with little Dick Durbin. Now, we did a little investigation, a lot of time to go, a lot of time to spend on this. Eight of these women signed a letter to stop Cynthia Maloney from naming against Gillibrand in a primary. In other words they're democratic left-wing hacks. Now one of the signers, Elizabeth A. Letzler, probably a yenta, probably a Marxist, but I don't know, just one man's opinion. Sounds like she may have a mustache. Oh! Not allowed to say that. Well she got her PhD in business from Baruch in 2004. Uh, she was part of an interfaith peace committee which called for talks with Iran on December 20, 2008. The first sentence reads, now that we know that Iran is making war, is not making nuclear weapons, oh! Well the ... the regime in Tehran, they love women, don't they? And I can go on and on, as a matter of fact right after the break, I will.

11044283714