

# WILL MCCAIN TURN OVER REQUESTED DOCUMENTS TO THE RENZI PROSECUTORS?

As the Hill reported this morning, John McCain's (and John Kyl's) staffers were interviewed in the Renzi investigation.

Federal agents interviewed staffers for likely Republican presidential nominee Sen. John McCain (Ariz.) as part of their corruption case against Rep. Rick Renzi (R-Ariz.).

U.S. Attorney for the District of Arizona Diane J. Humetewa and fellow prosecutors disclosed the interviews with aides for McCain and fellow Arizona Republican Sen. Jon Kyl in a written response to Renzi's attorneys, who asked for the contents of the interview to help prepare for Renzi's upcoming trial, which is scheduled for October.

But as the letter from the prosecution team to Renzi's lawyers (and the Hill article) makes clear, the prosecution requested—but had thus far not received—more than that.

12. You have requested documents obtained from the offices of any U.S. Senator with respect to land exchanges. You will be provided with FD-302s of interviews of staffers of Senators McCain and Kyl. We have also requested documents from the offices of Senators McCain and Kyl, and **if we receive documents we will make those available to you** consistent with the rules and practices of the U.S. Senate.

13. You have requested documents reflecting communications between

Resolution Copper or Petrified Forest and U.S. Senators. We will provide you with the opportunity to inspect and copy anything that we have received during the investigation on this topic. [my emphasis]

The prosecution team requested documents from the two Arizona Senators, documents that as of April 14, they had not yet received.

Now, to be totally fair to John McCain, these documents might show McCain in a good light. They might reveal that, after Rick Renzi allegedly tried to solicit a bribe from Resolution Copper and Petrified Forest, those companies appealed to the state's Senators for help.

But John McCain has a history of sponsoring land swaps favored by his backers.

Sen. John McCain championed legislation that will let an Arizona rancher trade remote grassland and ponderosa pine forest here for acres of valuable federally owned property that is ready for development, a land swap that now stands to directly benefit one of his top presidential campaign fundraisers].

Initially reluctant to support the swap, the Arizona Republican became a key figure in pushing the deal through Congress after the rancher and his partners hired lobbyists that included McCain's 1992 Senate campaign manager, two of his former Senate staff members (one of whom has returned as his chief of staff), and an Arizona insider who was a major McCain donor and is now bundling campaign checks.

When McCain's legislation passed in November 2005, the ranch owner gave the job of building as many as 12,000 homes to SunCor Development, a firm in Tempe, Ariz., run by Steven A. Betts, a

longtime McCain supporter who has raised more than \$100,000 for the presumptive Republican nominee. Betts said he and McCain never discussed the deal.

The Audubon Society described the exchange as the largest in Arizona history. The swap involved more than 55,000 acres of land in all, including rare expanses of desert woodland and pronghorn antelope habitat. The deal had support from many local officials and the Arizona Republic newspaper for its expansion of the Prescott National Forest. But it brought an outcry from some Arizona environmentalists when it was proposed in 2002, partly because it went through Congress rather than a process that allowed more citizen input.

Although the bill called for the two parcels to be of equal value, a federal forestry official told a congressional committee that he was concerned that "the public would not receive fair value" for its land. A formal appraisal has not yet begun. A town official opposed to the swap said other Yavapai Ranch land sold nine years ago for about \$2,000 per acre, while some of the prime commercial land near a parcel that the developers will get has brought as much as \$120,000 per acre.

In an interview, Betts said there is "absolutely no" connection between his contributions to McCain's presidential bids and the deal involving rancher Fred Ruskin and the Yavapai Ranch Limited Partnership. While his company's possible involvement was discussed casually before the bill's passage, Betts said SunCor did not sign on to the project until afterward. "At no time during the consideration of this legislation was there any involvement by officials of SunCor," McCain spokesman

Brian Rogers said in a written response to questions [read the campaign's full answers].

(See this USA Today article too.)

In none of the several stories about McCain's support for these kinds of land swaps is it alleged that McCain did what Renzi is alleged to have done—require the companies involved to make purchases that would help Renzi financially. But given that McCain does have a habit of gaming this kind of land swap, don't you think he ought to at least tell us what the prosecutors in the Renzi case are looking for, or at the very least, whether he has handed those documents over in the last month?

According to the Hill, McCain's not really interested in talking about it.

A McCain spokesman said it would be inappropriate to comment on an ongoing investigation, and Kyl's office did not return a call for comment.

Gosh. A spokesperson who won't "comment on an ongoing investigation." Where have I heard that before?

MR. McCLELLAN: Terry, I appreciate your question. I think your question is being asked relating to some reports that are in reference to an ongoing criminal investigation. The criminal investigation that you reference is something that continues at this point. And as I've previously stated, while that investigation is ongoing, the White House is not going to comment on it. The President directed the White House to cooperate fully with the investigation, and as part of cooperating fully with the investigation, we made a decision that we weren't going to comment on it while it is ongoing.

And look how well that turned out. Not to mention the fact that we don't even know whether McCain has, in this case, directed his aides "to cooperate fully."