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A Conservative Year for Holiday Cheer

As our loyal readers will recall, this is the time of year when we at FraudMail Alert send our readers a festive message, hopefully to bring a smile at this holiday season. The stories always relate to a true prosecutorial effort by our government and are, we hope, genuinely funny, like last year's "Defective Mice and the False Claims Act" ([FraudMail Alert No. 05-12-15](#)) or the previous year's "The False Claims Act and the Beauty Queen" ([FraudMail Alert No. 04-12-22](#)). In prior years, we were very big into food fraud, including my favorite, "Coffee Fraud: California Indictment Provides Warning to Holiday Party-Goers" ([FraudMail Alert No. 96-12-19](#)) from December 1996.

This year was more difficult, with the DOJ so preoccupied with saving the Thompson Memorandum that they forgot to pursue a case funny enough to warrant our holiday alert. One story had possibilities: the case against Mr. Armstrong Williams. In case you missed it, Mr. Williams, described both by those who like him and those who don't as a "conservative pundit," received a \$240,000 "contract" with the U.S. Department of Education to promote the "No Child Left Behind" law in his media broadcasts and articles. After the GAO issued a series of scathing reports about the legality of the arrangement (without ever once seeing how funny it sounds for the government to have to secretly pay someone to support a program to help disadvantaged children), the DOJ stepped in and threatened to sue Mr. Williams under the civil False Claims Act for fraudulent billings. According to USA Today, the case ultimately settled with Mr. Williams proclaiming his innocence and the DOJ proclaiming nothing. (FCA defendants should note for their next negotiation that DOJ declined to issue a press release about this settlement.)

Unfortunately, we concluded that this story — while high on the "you can't make this stuff up" scale — was not funny enough to warrant its own FraudMail Alert, so we decided to pass for this year. Next year, with the Democrats in control of Congress, it is sure to be a better year. (If you want proof that the Democrats will be funny, read Ms. Pelosi's proposed "Clean Contracting Act," H.R. 6069, or Mr. Waxman's wonderfully-named "Honest Leadership and Open Government Act of 2006," H.R. 4682. Both bills pretty well make everything illegal, so we should have better material next year.)

So we will end this year, as we always do, wishing all of our readers and their families our best for the holiday season and a Happy New Year.



If you have questions regarding this area, please contact us at fraudmail@ffhsj.com or (202) 639-7220.

Washington, DC
[John T. Boese](#)

Fried, Frank, Harris, Shriver & Jacobson LLP

New York
One New York Plaza
New York, NY 10004-1980
Tel: 212.859.8000
Fax: 212.859.4000

Washington, DC
1001 Pennsylvania Avenue, NW
Washington, DC 20004-2505
Tel: 202.639.7000
Fax: 202.639.7003

Fried, Frank, Harris, Shriver & Jacobson (Europe)
65-67, avenue des Champs Elysées
75008 Paris
France
Tel: 33.140.62.22.00
Fax: 33.140.62.22.29

Frankfurt
Taunusanlage 18
60325 Frankfurt am Main
Germany
Tel: 49.69.870030.00
Fax: 49.69.870030.555

Fried, Frank, Harris, Shriver & Jacobson (London) LLP
99 City Road
London EC1Y 1AX
England
Tel: 44.20.7972.9600
Fax: 44.20.7972.9602

Website
www.friedfrank.com

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