

Democratic senator indicted on corruption charges

Patrick Martin
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A federal grand jury in New Jersey indicted US Senator Robert Menendez Wednesday on 14 counts of bribery, corruption and making false statements. The multi-millionaire doctor who allegedly paid the bribes, Salomon Melgen of Florida, was indicted on 13 counts in the same case.

The two men, both 61 years old, were indicted “in connection with a bribery scheme in which Menendez allegedly accepted gifts from Melgen in exchange for using the power of his Senate office to benefit Melgen’s financial and personal interests,” a Justice Department spokesman said.

Menendez is one of the most powerful Democrats in the US Senate. He chaired the Foreign Relations Committee in 2013-14, and is now the ranking Democrat on the committee following the Republican takeover of majority control in January.

The New Jersey senator has adamantly defended his conduct, claiming that the more than \$1 million in gifts and travel he received were the product of a 20-year friendship with Dr. Melgen, an eye doctor who has become wealthy from a chain of Florida clinics providing injections to treat macular degeneration in elderly Medicare recipients.

In 2009 and 2012, Menendez and his staff contacted top officials of the Centers for Medicare and Medicaid Services to pressure them over rulings that Melgen had overbilled CMS by nearly \$9 million for treating Medicare recipients. In 2012, Melgen received more in Medicare reimbursement than any other doctor in the country. In 2013, federal agents raided Melgen’s medical offices.

On August 2, 2012, Menendez and Senator Harry Reid of Nevada, then the Senate Majority Leader, met with Health and Human Services Secretary Kathleen Sebelius to discuss the Melgen billing issue. Reid, who

was interviewed by the Department of Justice in the Melgen case, announced last month that he was retiring when his term expires next year. He received at least one flight on Melgen’s private plane, to a 2012 Democratic fundraiser in Boston.

The indictment alleges that in addition to intervening repeatedly with federal agencies to help Melgen in billing disputes with Medicare, Menendez crafted legislative language favorable to the doctor’s financial interests. He is also accused of trying to influence immigration proceedings for the doctor’s girlfriends.

In return, Melgen provided free vacation trips to the Dominican Republic on his private jet, lavish gifts and hefty campaign contributions. Melgen and family members have given heavily to Democratic candidates, including \$700,000 during the 2012 election cycle.

If convicted, Menendez would be the third prominent Senate Democrat from New Jersey to be brought down by a corruption scandal in the last three decades. Senator Harrison Williams was indicted in 1980 in the Abscam investigation and convicted of bribery, resigning from the Senate in 1981. Senator Robert Torricelli withdrew as a candidate for reelection in 2002 after he was linked to illegal campaign contributions by a Korean-American businessman.

The most controversial charge is the claim that Menendez used his position on the Senate Finance Committee to engineer changes in the Medicare reimbursement policy that made millions for Dr. Melgen.

Spokesmen for Menendez have suggested that these charges are in violation of the “speech and debate” clause of the US Constitution, which protects from executive branch scrutiny all statements made by legislators in the course of their official duties. The case against Menendez has been brought by the corruption

unit of the Department of Justice, which is part of the executive branch.

Menendez appeared at a news conference in Newark, New Jersey to denounce the charges and declare his determination to remain in office and fight them. He has already raised and spent more than \$750,000 on legal expenses triggered by the Justice Department investigation. He is one of a handful of US senators who are not multi-millionaires.

The New Jersey senator is the most prominent Democrat opposing two major foreign policy initiatives of the Obama administration: the decision to reopen diplomatic relations with Cuba, and the ongoing nuclear talks with Iran. A Cuban-American, Menendez has ferociously opposed any relaxation of the US embargo of the island country. He is also the co-sponsor of proposed legislation to require Senate ratification of any lifting of trade sanctions on Iran.

Menendez has reportedly agreed to step down temporarily from his position as ranking member of the Foreign Relations Committee, pending resolution of the charges against him. This would allow other Democrats on the committee to take the leading role on Iran and other foreign policy issues.

If Senator Menendez is convicted and forced to resign from office, his replacement would likely be a Republican selected by New Jersey Governor Chris Christie, an undeclared candidate for the Republican presidential nomination.



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