Federal Reserve Achievement: Rich Getting Richer, Poor Getting Poorer, Middle Class Being Squeezed

by Steve Lonegan 19 Sep 2014 70 post a comment

Media coverage of Federal Reserve Chairman Janet Yellen's speech ignores the continuing predicament of the middle income American.

Sure, those with highly leveraged portfolios or a large pile of retirement assets might care, but that's not the median income worker. For conversation sake let's call her Julia. Julia is far more concerned with whether her earnings will ever catch up to those in 2007.

The massive Fed interventions and record low interest rates over the last 6 years haven't helped her. The government recently reported that the 2013 median income of Americans had plummeted 8 percent from 2007. Over half of that happened while the Federal Reserve trumpeted its various "Quantitative Easing" programs.

Instead of wasting so much time bantering about the Fed's latest pronouncement, political leaders and the media should be focused on how to make workers able to thrive again.

The often conflicting interpretations of the Fed's positions points out one problem – the primary product of the current monetary system is more and more uncertainty. The Federal Reserve has adopted what is called in foreign diplomacy "the art of ambiguity," parsing every word and nuance in each sentence.

An economy that rises and falls on statements from bureaucrats is not a healthy one. It doesn't have to be that way. Eliminate uncertainty by returning to the gold standard and return to the e.table prosperity that made America great.
In contrast over the five years before the dollar was formally cut loose from gold in August 1971, the real earnings of the average American worker grew by 6.3% per year. Compared to the 8% drop Julia has experienced the last five years, that's a difference of 14.3% in her buying power.
With the dollar fixed to gold, people did not wake up every morning and listen for how much their paycheck had shrunk in its buying power. Family budgeting was so much easier!
It's time for a useful discussion. Let American workers flourish.
Fix the dollar.

John Boehner violating the Term Limits provision of the Ohio State Constitution

March 6, 2015 By Geoff Ross 0 78

http://www.washingtonpost.com/politics/report-mcauliffe-asked-for-and-got-favors-at-homeland-security/2015/03/24/00f62514-d24e-11e4-a62f-ee745911a4ff_story.html

Politics

Report: Va. governor received special treatment from Homeland Security

Virginia Gov. Terry McAuliffe (D-Va.) waits for U.S. President Barack Obama to address members of the National Governors Association at the White House on Feb. 23, 2015 in Washington. (Win Mcnamee/Getty Images)
By Tom Hamburger and Rachel Weiner March 24 Follow @thamburger Follow @rachelweinerwp
Not long before he became governor of Virginia, Democrat Terry McAuliffe received special treatment on behalf of his electric-car company from a top official at the Department of Homeland Security, according to a new report from the department's inspector .
McAuliffe was among several politically powerful individuals from both parties, including Sen. Harry M. Reid (D-Nev.), seeking special visas for foreign investors through a program administered by the department. But intervention on behalf of McAuliffe's GreenTech Automotive company by Alejandro Mayorkas, now the department's No. 2 official, "was unprecedented," according to the report.

The long-anticipated report found no evidence of law-breaking. But members of the department's staff perceived Mayorkas's actions as "politically motivated," and the report concluded that he had "created an appearance of favoritism and special access."

The report is likely to stir up renewed scrutiny of the department's management of the EB-5 visa program, which allows foreign nationals who create jobs in the United States to obtain green cards. And it is likely to rekindle examination of McAuliffe and GreenTech, which at the time of Mayorkas's actions was under investigation by the Securities and Exchange Commission over its conduct in soliciting foreign investors.

Initially popular with lawmakers from both parties, the visa program has prompted accusations from detractors that it puts visas up for sale — and doesn't provide sufficient oversight to ensure that the promised jobs materialize.

Homeland Security Secretary Jeh Johnson expressed full confidence in Mayorkas following the report's release Tuesday afternoon. But in his statement, Johnson called for a new internal "protocol" for future decision-making in the visa program.

The report focuses primarily on Mayorkas's actions between 2010 and 2013, when he led the department's Citizenship and Immigration Services (USCIS) agency. It also provides extensive details of Mayorkas's dealings with McAuliffe and GreenTech, the electric-car manufacturing firm that McAuliffe owned at the time.

Bribery DEPLETES THE ECONOMY OF TRILLIONS OF DOLLARS

Bribery of Public Officials

Bribery most often refers to bribery of public officials, the giving of money (or something else of value) in exchange for a public official acting in a way that benefits the defendant. All states have laws against bribing public officials in order to weed out public corruption. There are also federal laws against bribery. Traditionally, bribery was limited to judges who took money in exchange for ruling a certain way. Over time, bribery statutes have broadened. While in the past some states bribery laws only applied to public employees, nowadays, any public official – even one who serves as a volunteer – can usually be considered a public official for purposes of bribery.

Today, a person commits the crime of bribery by giving or offering a public official or public employee something of value in return for some official action (or in exchange for the public official not doing something he or she is legally obligated to do), benefitting the defendant. Most bribery laws target the giver of the bribe, but it is also illegal for a public official to accept or solicit anything of value in exchange for a particular action. The following are examples of bribery:

- making payments to a county officer's re-election campaign in exchange for a county business contracts
- giving a health inspector money or alcohol to ignore a violation
- offering to reward a legislator with an all expenses paid vacation if the legislator votes a certain way, or
- a judge requesting a job for her child in exchange for ruling a particular way in an upcoming case.

Commercial Bribery

More then half of the states also have laws against commercial (private) bribery. There is no federal law against commercial bribery. Private bribery works the same way, except that instead of bribing a public official, the bribe is given to a private businessperson or employee in order to induce a person to act a certain way in a commercial transaction. For example, if a vendor makes a cash payment to a purchasing officer in order to ensure that the vendor's bid is chosen over other bids, that would be considered commercial bribery.

Bribery of Foreign Officials

As more companies do business overseas, bribery of foreign officials is an increasing problem.

For more information, see Bribery of Foreign Officials.

Penalties

Criminal penalties. Bribery (both giving and receiving bribes) is usually a felony, punishable by a state prison term of one year or more. Commercial bribery often carries less severe penalties and may be a misdemeanor (in most states, misdemeanors are punishable by up to one year in county or local jail).

Other consequences. Public officials or employees who accept bribes may also be forced from office or from their jobs and may be ineligible to work for the government or serve in any elected or appointed position.

John Boehner is in Congress illegally, at least according to the Ohio Constitution. Boehner has been in the U.S. Congress since 1991, after serving as an Ohio State Representative. Consider that Boehner has been serving since 1991 and that according to the U.S. Constitution, each representative's term is two years before needing to be re-elected. Boehner has served over two decades and two dozen terms consecutively in office.

So, is there anything illegal about Boehner occupying the office of a federal representative that long? Yes, there is.
According to the Ohio State Constitution, Article V, Section 8
Term limits for U.S. senators and representatives
No person shall hold the office of United States Senator from Ohio for a period longer that two successive terms of six years. *No person shall hold the office of United States Representative from Ohio for a period longer than four successive terms of two years.* Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1993 shall be considered in determining an individual's eligibility to hold office.
Tim Brown from Freedom Outpost reports:
So what's the problem? As usual, the federal courts stepped in and overstepped their bounds. In 1995, the Supreme Court ruled in U.S. Term Limits, Inc. v. Thornton to uphold an Arkansas Supreme Court's decision that struck down Arkansas' term limit provisions of federal representatives. The vote was 5-4.
In what had to be one of the most un-American and tyrannical portions of the majority opinion, Justice John Paul Stevens wrote, "The right to choose representatives belongs not to the states, but to the people." He then added that members of Congress "owe their allegiance to the people, and not to the states."
Do you see that? The people are not considered the people of the states. This is so backwards it isn't even funny.
Justice Clarence Thomas understood properly and rebutted the majority position writing, "The Federal Government's powers are limited and enumerated… the ultimate source of the Constitution's authority is the consent of the people of each individual state, not the consent of the undifferentiated people of the nation as a whole."
Read more.
Perhaps it is time for Republican Executive Committees (REC's) across the great state of Ohio to start drawing up letters of censure against John Boehner for refusing to uphold and defend the Constitution of the United States and for failing to uphold the policies, procedures and principles of the Republican Party and the State Constitution of Ohio.
RELATED ARTICLE: House Republicans weigh coup against Boehner after series of political defeats

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http://www.washingtonsblog.com/2015/03/republican-congressmen-violating-constitution.html

Republican Congressmen Violated Logan Act By Negotiating With Foreign Leaders

Posted on March 9, 2015 by WashingtonsBlog

They're Trying to Destroy the Founding Fathers' Vision of Separation of Powers

We've repeatedly pointed out that America is being decimated by the break down in the separation of powers between different branches of government.

The latest example is Congressional violation of the Logan Act. Specifically, the Logan Act – enacted in 1799 – states:

Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or

conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both.

The Logan Act was named for Dr. George Logan, a Pennsylvania state legislator (and later US Senator) who engaged in semi-negotiations with France in 1798 during the Quasi-War.

In United States v. Curtiss-Wright Export Corp. (1936), Justice Sutherland wrote in the majority opinion:

[T]he President alone has the power to speak or listen as a representative of the nation. He makes treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it.

Sutherland also notes in his opinion the Senate Committee on Foreign Relations report to the Senate of February 15, 1816:

The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations, and must necessarily be most competent to determine when, how, and upon what subjects negotiation may be urged with the greatest prospect of success. For his conduct, he is responsible to the Constitution.

I happen to think that Obama is a tyrant who – like Bush – should be impeached for trampling the Constitution. But two wrongs don't make a right …

In inviting the leader of Israel to speak directly to the American Congress without the U.S. president's assent, Congressional Republicans violated the Logan Act. See this, this and this.

Likewise, directly telling the leaders of Iran that America won't honor Obama's negotiated commitments is a violation of the Logan Act. Indeed, the Senator who organized the effort admitted that his intent was to sabotage negotiations with Iran.

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http://www.slate.com/articles/news_and_politics/crime/2015/01/will_eric_holder_s_civil_forfeiture_announcement_change_anything.html

SUPREME COURT RULE ON OBAMA CARE

SUPREME COURT UNSIGNED COURT ORDER **

VOID AND UNENFORCEABLE COURT ORDER

U.S. Supreme Court rejects Obamacare 'death panel' challenge

REUTERS

By **Lawrence Hurley***5 hours ago*

U.S. President Barack Obama delivers remarks on the fifth anniversary of the Affordable Care Act, commonly …

By Lawrence Hurley

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WASHINGTON (Reuters) - The U.S. Supreme Court on Monday declined to hear a new challenge to President Barack Obama's healthcare law that took aim at a bureaucratic board labeled by some Republicans as a "death panel" because it was designed to cut Medicare costs.

The high court left intact a ruling by the San Francisco-based 9th U.S. Circuit Court of Appeals that threw out the lawsuit.

The court's action in an unsigned order was a victory for Obama administration, which has faced a barrage of legal challenges to the 2010 Affordable Care Act, often called Obamacare. The court is

currently weighing a separate case challenging health insurance subsidies that are key to Obamacare's implementation. A ruling is due by the end of June.

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All Federal *Court Orders* must be signed to be valid per the U.S. Congress. *Unsigned* [Per Curiam] *Orders* are *void* and unenforceable

Realizing that there had to be a reason it had never appeared in the court[s] rules I did additional research. Conveniently, West Publishing [by joint decision with the federal government], elected to not publish in the U.S. Code the **Judiciary Act of 1789**, Senate Bill Number One, which is still good law today; and, **Sec. 22** clearly states that federal court orders will be "signed by a judge."

The FEDERAL COURT SYSTEM IS FACING CATASTROPHIC LEGAL CHALLENGES, and COLLAPSE due to FRAUD. For over a century the federal courts have been issuing Per Curiam / Unsigned Orders with no legal authority. After watching the confirmation hearings for Ms. Sotomayor I decided to research the law regarding Per Curiam orders. To my surprise I found no legal authority, so I requested it from the U.S. Supreme Court, Appellate Courts, House & Senate Judiciary Committees, Administrative Office – U.S. Courts, and American Bar Association [they sanctioned unsigned orders in 1977 via resolution]. I got no legal precedent from anyone.
FRAUD ON THE UNITED STATES, THE AMERICAN PEOPLE

Obama, being a lawyer himself, didn't ask the question as it related to Ms. Motomayor's use of Per Curiam Orders, as it is undeniable that intentionally violating an Act of Congress regarding court procedure is a violation of due process, and one could argue a federal felony under Title 18 U.S.C. §§ 241 & 371, when an order is issued by multiple judges. Regardless, this is the most serious problem facing the federal government in the last two centuries.

As a victim of ridiculous unsigned orders it is not my intent to let this anarchy continue. The Judiciary Act of 1789 was passed into law by virtue of the power given to Congress under the U.S. Constitution. Any judge who does not comply with his / her oath to the Constitution of the United States and intentionally violates the Constitution, and, engages in acts in violation of the Supreme Law of the Land, he / she can be considered to have committed treason. If a judge does not fully comply with the Constitution, then his orders are void, ***In re Sawyer***, 124 U.S. 200 (1888). Whenever a judge acts where he / she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. ***U.S. v. Will***, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L.Ed.2d 392, 406 [(1980)

clarification added]; ***Cohens v. Virginia***, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821). This places serious responsibility on all federal employees who may be in a position to stop the criminal acts. [See Title 18, U.S.C. § 4].

The federal courts have no legal authority to violate an Act of Congress. Section 22 has never been challenged on constitutional grounds, nor repealed, and under constitutional law, impossible to retroactively eliminate the liability associated with decades of federal court corruption. I provide this information to the President in good faith.

CANON 1: A JUDGE SHOULD UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY.

[CODE OF CONDUCT FOR UNITED STATES JUDGES]

Also, see; **Title 28 U.S.C. § 2071**. Rule-making power generally

(a) The Supreme Court and all courts established by Act of Congress may from time to time prescribe rules for the conduct of their business. Such rules shall be consistent with Acts of Congress and rules of practice and procedure prescribed under section 2072 of this title. [underline added for emphasis].

We are loyal Americans, but we will not allow a cover-up of this kind of corruption. If this problem is not dealt with immediately we will take appropriate legal action.

A)Persons"being found", "being in possession" or "being in charge" or “STATE OF AFFAIRS of Countries, Departments, etc." who is under a legal duty to take positive action and failed to act and/or;

a. persons who have a duty arising from s atatue and fails to act where there is a a statutory Duty to act and/or;
b. Or persons who have a duty arising form a contract and fail to perform contractrual duties under the contract and/or;
c. Persons who are in a public office and have a public duty to care for others and/or where Public relies on their public official(volumtary assumption)and the public official fails this duty or obligation and/or;

B.

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As fellow legislators, we urge our Senate colleagues to reject her nomination. As members of the U.S. House of Representatives, we recognize that the power to consent on executive-branch nominees resides in the Senate. The

Senate also has the power, indeed, the obligation to reject those nominees unfit for service. We believe that Loretta Lynch, who has been nominated by the president to serve as the nation's next attorney general, falls in the unfit category. As members of the House of Representatives, we are obligated to work with the attorney general, in order to fulfill our constitutional duties. We expect the nation's top law-enforcement officer to be committed to the rule of law, not to a political party or an administration. We cannot be certain that Ms. Lynch has such a commitment. Based on Ms. Lynch's response to the questions posed to her at her Senate Judiciary Committee confirmation hearing, we can only conclude that she has no intention of departing in any meaningful way from the policies of Attorney General Eric Holder, who has politicized the Department of Justice and done considerable harm to the administration of justice. When asked to differentiate herself from Attorney General Holder, she chose not to do so. When asked directly and specifically about the Fast and Furious scandal, she made no legitimate attempt to answer the questions; instead she obfuscated and avoided. When asked if she would appoint a special prosecutor to investigate the targeting of conservative groups by the Internal Revenue Service, she was dismissive, saying, "My understanding is that that matter has been considered and that the matter has been resolved to continue with the investigation as currently set forth." Moreover, her answers concerning the president's executive order circumventing Congress by granting amnesty gives us great concern. Under the guise of exercising "prosecutorial discretion," the president has erected a bureaucratic apparatus to accept millions of applications from illegal immigrants, grant them "deferred action" from deportation, and then issue them authorizations to work, all without Congress's approval. When asked whether she agreed with the legal rationale concocted to justify the president's actions, she said that she found it to be "reasonable," the obvious implication being, of course, that she would continue to follow it. And indeed, not once during the hearing did Ms. Lynch ever disavow — or even question — the legality of the president's actions. As attorney general, Ms. Lynch would be required to swear an oath to the Constitution, not to the president and certainly not to uphold and defend a political agenda that undermines the Constitution and diminishes Congress. Although the president's nominee cannot reasonably be expected to publicly oppose the president's policies, the attorney general has an independent duty to uphold and defend the Constitution. That has not been the case during the tenure of Attorney General Eric Holder. Under Holder the Justice Department went before the Supreme Court 20 times defending the overreaching policies of the Obama administration and arguing for government authority that exceeded the powers granted by the Constitution, and each time the Obama administration was rejected by a unanimous vote of 9-0. Ms. Lynch's answers to questions during her confirmation hearing made it clear that, like Holder, she would do nothing to rein in the president's usurpation of the powers of Congress or confront wanton disregard of the Constitution. During the 2014 election, the voters sent a clear message against the abuses of power that have come to distinguish this administration. Recent polling indicates that the most unpopular position of the Obama administration is the president's position on illegal amnesty. It would be a serious mistake to assume that the public's disapproval of the abuse of executive power and government overreach could be ignored less than four months after the election. As members of the House of Representatives, we are well aware that the responsibility to vet nominees for the office of attorney general rests with the Senate. We respect that and defer to the judgment of our colleagues in that chamber. But as elected representatives ourselves, we are acutely aware of the delicate balance of power that we are obligated by oath to abide by and are honor-bound to uphold and defend. We believe the confirmation of Ms. Lynch would be a vote in support of President Obama's assault against the Constitution and the lawlessness of his administration. A vote for this nominee should fairly be considered a vote against the will of the American people. In that regard, we respectfully urge our colleagues in the Senate to reject the nomination of Ms. Lynch.

2 suits against public officials in their individual capacity

Updated 2013 by Cassandra Capobianco

Besides authorizing official capacity suits against state and local officials for structural injunctive relief, 42 U.S.C. § 1983authorizes claims against those officials in their individual capacity for compensatory and punitive damages. Although, as discussed

above, the Eleventh Amendment limits official capacity claims against state officials to prospective injunctive relief, it does not affect damage claims against those officials in their individual capacity./1/ In this section, we discuss when absolute and qualified immunity limits individual capacity suits against public officials.

8.2.A. Absolute Immunity

By its terms, Section 1983 imposes liability without defense on state and local officials who, acting under color of law in their individual capacity, deprive plaintiffs of rights created by the Constitution and federal law. Nevertheless, the Supreme Court, drawing on common law, created absolute immunity from liability for some government officials and qualified immunity for others. Absolute and qualified immunity were developed to protect officials from lawsuits for actions relating to their official duties. The Court explained the underlying rationale for immunity:

[T]he public interest re.res decisions and actions to enforce laws for the protection of the public . . . . Public officials, whether governors, mayors or police, legislators or judges, who fail to make decisions when they are needed or who do not act to implement decisions when they are made do not fully and faithfully perform the duties of their offices. Implicit in the idea that officials have some immunity— absolute or qualified —for their acts, is a recognition that they may err. The concept of immunity assumes this and goes on to assume that it is better to risk some error and possible injury from such error than not to decide or act at all./2/

Absolute immunity bars any action against officials in the conduct of their office even for actions taken maliciously or in bad faith. Absolute immunity focuses on the governmental function being performed and the nature of the responsibilities of the official, not on the specific action taken./3/ In deciding whether officials performing a particular function are entitled to absolute immunity, courts generally look for a historical or common-law basis for the immunity in question./4/With one exception, absolute immunity is restricted to those persons performing judicial or legislative functions.

8.2.A.1. Judicial Immunity

The Supreme Court held in *Stump v. Sparkman* that judges have absolute immunity from Section 1983 damage actions for their "judicial" acts./5/ The Court permitted liability only for acts taken "in the clear absence of all jurisdiction."/6/Drawing from the common-law immunity of judges, the Court held that judicial immunity protects judges even when their judicial acts:

- exceed their jurisdiction,/7/
- are done maliciously or corruptly,/8/ or
- are flawed by grave procedural error./9/

For example, in *Stump*, a circuit court judge was held to be absolutely immune from suit for authorizing sterilization of a "somewhat retarded" 15-year-old girl. The girl's mother brought the petition for sterilization because she had stayed out overnight with young men, and the mother wanted "to prevent unfortunate circumstances."/10/ Judge Stump approved the petition the day it was filed, without notice to the child or appointment of a special guardian. The girl underwent the procedure six days later under a misinformed belief that she was having her appendix removed. She did not find out about the sterilization, or the court order, until after she married and was unable to become

pregnant. The Court reasoned that, though unconstitutional, Judge Stump's order was a judicial act. Though issued in excess of his jurisdiction, it was not issued in the clear absence of jurisdiction./11/

Because of its focus on judicial acts, judicial immunity attaches to the judicial function, not the judicial office. If a court, individual judge, or prosecutor performs executive or legislative functions, immunity will be determined by the immunity applicable to the legislative or executive function performed./12/ Thus, absolute judicial immunity did not, for example, protect a judge from a suit for damages challenging the dismissal of a female probation officer./13/ Rejecting the argument that a judge must have absolute immunity when hiring and firing staff, the Court ruled that judicial immunity attaches only to the judicial acts of judges. Because a judge who hires and fires is indistinguishable from an administrative or executive branch official who makes personnel decisions, those decisions are administrative rather than a judicial acts and, therefore, not protected by absolute immunity. The Court remanded for a determination of whether the judge was protected by qualified immunity. Similarly, a judge who harassed and arguably constructively discharged his secretary because she became engaged to a courthouse employee did not act in a judicial capacity and, therefore, was not entitled to absolute immunity./14/

Four factors determine whether an act is judicial: (1) whether the precise act complained of is a normal judicial function; (2) whether the acts occurred in the courtroom or appropriate adjunct spaces such as the judge's chambers; (3) whether the controversy centered around a case pending before the court, and (4) whether the acts arose directly out of a visit to the judge in his official capacity./15/ Employing those considerations, the Court held that a judge who ordered police officers "forcibly and with excessive force" to bring to his courtroom an attorney who was absent from a morning calendar performed a judicial act./16/ The Court reasoned that an order to court officers to bring a person within the courthouse before the judge is a function normally performed by a judge; because the order was directed at an attorney in a pending case, it was issued by a judge acting in his judicial capacity./17/ Similarly, a state judge who held in contempt and jailed a party and thereby immediately defied a binding rule of judicial procedure re.ring a five-day stay of the sentence, was entitled to absolute judicial immunity. The act of holding a party in contempt in a proceeding in which a judge has subject-matter jurisdiction is a judicial act, and the failure to issue the re.red stay was a judicial error by a judge performing a judicial function rather than an act taken in the complete absence of jurisdiction./18/ But a judge who sexually assaulted women who had come to his chambers to see him in his official capacity in pending matters was not entitled to judicial immunity./19/ Regardless of where it is committed, a sexual assault is not a judicial act. Similarly, a night court judge who ordered his bailiff to detain, handcuff, and bring into a court a coffee vendor who sold putrid coffee was not entitled to judicial immunity./20/

All circuits interpret *Stump* and *Bradley* to re.re a clear absence of subject matter jurisdiction in order to lose immunity; a judge who has subject matter jurisdiction but acts without personal jurisdiction still enjoys absolute immunity for judicial acts./21/ So does a judge who issues a contempt order after having been disqualified by the filing of a disqualification affidavit./22/ The *Stump* standard is, therefore, difficult, but not impossible to meet. In one case, for example, a judge whose subject matter jurisdiction to issue arrest warrants was limited to crimes committed within his judicial district lost judicial immunity when he signed an arrest warrant based on a complaint of criminal conduct which he knew occurred outside his territorial jurisdiction./23/ Not only did he exceed his jurisdiction, but also he acted in the complete absence of subject matter jurisdiction./24/

The courts of appeal have unanimously held that judges who sit on courts of limited rather than general jurisdiction also enjoy absolute judicial immunity for judicial acts not taken in the clear absence of jurisdiction./25/ Administrative adjudication can give rise to absolute judicial immunity, sometimes termed quasi-judicial immunity, when the administrative adjudicator performs a judicial function in proceedings sufficiently judicial in character. In contrast, a judge's administrative decisions are sometimes not regarded as judicial acts./26/ In determining whether an individual performing administrative adjudicatory functions is entitled to absolute or only to qualified immunity, the Supreme Court identified several relevant factors:

(a) The need to assure that the individual can perform his functions without harassment or intimidation; (b) the presence of safeguards that reduce the need for private damages actions as a means of controlling unconstitutional conduct; (c) insulation from political influence; (d) the importance of precedent; (e) the adversary nature of the process; and (f) the correctability of error on appeal./27/

Accordingly, school board members who sit as adjudicators in student disciplinary proceedings, prison employees who decide prison disciplinary proceedings, and court reporters, the Court has held, do not enjoy absolute judicial immunity and may invoke only qualified immunity./28/ Nor do school board members sitting as adjudicators in proceedings relating to individual faculty employment decisions,/29/ or court or juror officers dismissing grand jurors from service./30/ The courts of appeal, however, have since extended absolute immunity to parole board members,/31/ growth management board members adjudicating land-use controversies,/32/ mayors who conduct liquor license suspension hearings as liquor control commissioners,/33/ and to state personnel board members performing adjudicative functions,/34/ and to members of a state board of medical examiners exercising their authority to discipline medical professionals./35/ Because judicial immunity arises from the performance of an adjudicatory function, it extends to judicial or adjudicative acts within a quasi-judicial administrative proceeding whether or not the actor is a judge or an administrator./36/ One oft-cited standard for determining whether to apply judicial immunity to protect members of licensing boards

is a useful test to distinguish an administrative adjudicatory act entitled to judicial immunity from an ordinary administrative act entitled only to qualified immunity:

First, does a Board member, like a judge, perform a traditional "adjudicatory" function, in that he decides facts, applies law, and otherwise resolves disputes on the merits (free from direct political influence)? Second, does a Board member, like a judge, decide cases sufficiently controversial that, in the absence of absolute immunity, he would be subject to numerous damages actions? Third, does a Board member, like a judge, adjudicate disputes against a backdrop of multiple safeguards designed to protect a physician's constitutional rights?/37/

Although cases creating judicial immunity bar a Section 1983 claim for damages, they do not bar a Section 1983 action for prospective injunctive relief or an award of attorney fees under Section 1988./38/ Congress, however, amended Section 1983 to forbid injunctive relief absent a violation of a declaratory decree or the unavailability of declaratory relief and, thus, effectively, if not formally, extended absolute judicial immunity to claims for injunctive relief./39/

8.2.A.2. Prosecutorial Immunity

Prosecutors enjoy absolute immunity from damage liability for the initiation and prosecution of a criminal case./40/ The Supreme Court, relying heavily on considerations of policy, reasoned that initiating a prosecution and presenting a case are activities that are "intimately associated with the judicial phase of criminal process, and thus were functions to which the reasons for absolute immunity apply with full force."/41/

Like judicial immunity, prosecutorial immunity is functional; it attaches only to acts intimately related to the initiation and prosecution of a criminal case. Struggling to define the boundaries of prosecutorial immunity, the Court held that a prosecutor who advised police officers on Fourth Amendment considerations in an ongoing criminal investigation performed an investigatory rather than a prosecutorial function and was, therefore, not entitled to absolute immunity. That same prosecutor, however, was entitled to absolute immunity for eliciting misleading testimony from those officers at a hearing on an application for a search warrant./42/ Although a prosecutor who suborns perjury at a criminal trial is absolutely immune, a prosecutor who manufactures false evidence does not enjoy absolute immunity. The former performs a prosecutorial function by presenting evidence, while the latter performs a police investigatory function by gathering evidence./43/ In a significant Ninth Circuit decision, the court distinguished between purposes for obtaining a material witness warrant: "when a prosecutor seeks a material witness warrant in order to investigate or peremptorily detain a suspect, rather than to secure his testimony at another's trial, the prosecutor is entitled at most to qualified, rather than absolute immunity."/44/ Because conducting a press conference is not intimately associated with the judicial process, a prosecutor is not absolutely immune for statements made during a press conference./45/ The prosecutor who prepares and files an information and application for an arrest warrant enjoys absolute immunity for those actions ./46/ But if the prosecutor swears under oath to false statements of fact in the information, he becomes a complaining witness rather than a prosecutor and, like a complaining witness at common law, is not entitled to absolute immunity./47/

The Court's decisions do not draw the line between performance of the investigatory function and the prosecutorial function with absolute clarity. *Imbler v. Pachtman* suggested that the in.ry begins with determining whether the prosecutor is performing a quasi-judicial function. A prosecutor obviously performs that function by trying a criminal case; hence, absolute immunity extended to the presentation of perjured testimony and the withholding of exculpatory evidence./48/ *Imbler* and *Kalina v. Fletcher* extended absolute immunity to the initiation of a prosecution, and *Imbler*noted that "[p]reparation, both for the initiation of the criminal process and for a trial, may re.re the obtaining ... of evidence."/49/ Relying on that language, several courts of appeals have further extended absolute immunity to the prosecutor's investigation and collection of evidence once probable cause is established./50/ Other courts have held that, before probable cause is established, an investigating prosecutor performs the role of police officer and is, therefore, not entitled to absolute immunity./51/ Post conviction work performed by prosecutors is generally subject to absolute immunity, particularly when the prosecutor continues her work as an advocate./52/

The Supreme Court's recent decision in *Van de Kamp v. Goldstein* explained the boundary between prosecutorial and administrative functions and, in a sense, blurred them. In *Goldstein*, the plaintiff alleged that the district attorney and his chief assistant failed to adequately train line prosecutors on their duties to provide impeachment related information about prosecution witnesses to defense attorneys./53/ Although the claim was framed as a challenge to administrative procedure, the Court viewed it as dealing with the disclosure of information prior to trial which is "directly connected with the prosecutor's basic trial advocacy duties." /54/ The Court was unwilling to distinguish between cases of prosecutorial error at trial (to which absolute immunity attaches) and claims that such error was caused by inadequate training or insufficient information management systems, worried that claims of the former type could be easily recast as claims of the latter and usher in waves of litigation./55/

Because public defenders do not act under color of law in representing individual clients, they may not be sued under Section 1983; hence, the issue of absolute immunity never arises./56/ When a public defender acts in an administrative capacity rather than as representative of a client, she acts under color of law but is not performing a quasi-judicial function and is, therefore, entitled only to qualified immunity./57/

8.2.A.3. Witness Immunity

With the exception of complaining witnesses who sign affidavits seeking the issuance of search or arrest warrants, witnesses in judicial proceedings are absolutely immune from suit arising from their testimony./58/ This absolute immunity extends to suits arising from the witness's grand jury testimony./59/ Though often phrased as witness immunity, the immunity can best be understood as an incident of judicial immunity. Just as judicial immunity extends to prosecutors presenting a criminal case, so does it extend to witnesses testifying in judicial proceedings. Complaining witnesses who swear affidavits in support of arrest and search warrants are said not to be participants in judicial proceedings and, therefore, enjoy only qualified immunity./60/ Similarly, witnesses in quasi judicial proceedings enjoy absolute immunity if the official conducting the proceeding enjoys absolute quasi judicial immunity./61/

8.2.A.4. Legislative Immunity

Members of Congress acting as legislators are absolutely immune from suits for either prospective relief or damages under the speech and debate clause of the U.S. Constitution./62/ Speech-and-debate-clause

immunity ensures that the legislative function may be performed independently without fear of outside interference./63/ Because of its constitutional status, speech-and-debate clause immunity is broader in scope than common-law legislative immunity./64/

State,/65 / regional,/66/ and local/67/ officials performing legislative functions enjoy absolute immunity under Section 1983 for their legislative acts. The immunity attaches to any legislator acting in the sphere of any legitimate legislative activity, including the conduct or participation of investigations by standing or special committees./68/ Whether an act is legislative turns on the nature of the act, not the motive of the actor. Introducing and voting for a general budget which abolishes a specific position within local government, for example, is a legislative act sheltered by absolute immunity whatever the motives of the legislators may be./69/

Although it extended legislative immunity to local officials, *Bogan v. Scott-Harris* left open the question of whether introducing and voting for an ordinance was always a legislative act. The Supreme Court held that the budget ordinance at issue there "bore all the hallmarks of traditional legislation," "reflected a discretionary, policymaking decision implicating the budgetary priorities of the city and the services it provides to its constituents," and "may have prospective implications that reach well beyond the particular occupant of the office."/70/

Refusing to exalt form over substance, however, the courts of appeal have denied legislative immunity to local legislators:

- who voted to lay off selected employees because of their political affiliation,/71/
- who voted not to renew an individual employment contract,/72/ and
- who voted to terminate a particular employee./73/

However, courts granted legislative immunity to local legislators who voted to eliminate a certain governmental position/74/ and to legislators who voted to strip certain employee classifications of civil service protection./75/ Local legislators who voted to deny a conditional land-use permit analogously were not entitled to legislative immunity because of the ad hoc character of the process and the individual focus of the matter determined./76/ Legislators voting to award bids or purchase property similarly performed administrative rather than legislative functions and were not sheltered by absolute immunity./77/ Thus, when a school board acts to expel students, or a city council fires a police chief, the school board members and city council members do not enjoy legislative immunity./78/ Although these officials may have some legislative responsibility, their decisions to expel or fire determine the rights of specific individuals and are, therefore, not legislative acts; rather, they are executive or administrative acts beyond the scope of either legislative or judicial immunity.

The still evolving scope of legislative immunity may generate substantial litigation as local governments learn to be more sophisticated in using their powers to punish unpopular speech and unpopular groups. But, for the most part, legislative immunity should not pose a major practice problem. Litigation seeking to enjoin the enforcement of an unconstitutional statute should proceed against the officials charged with enforcement rather than the legislators who enacted it.

8.2.B. Qualified Immunity: Executive Officials

The U.S. president enjoys absolute immunity from suits for damages arising from his conduct as president./79/ But every other executive official, from cabinet officials and

governors, legislators, and judges performing administrative functions, to the tens of thousands of public employees exercising state and local authority such as law enforcement officers and schoolteachers, enjoy only qualified immunity from suit./80/ A private individual temporarily retained by the government to carry out its work is also entitled to seek qualified immunity from suit under § 1983./81/

Drawn from analogous common-law defenses available to public officials, qualified immunity protects public officials from personal liability unless their conduct violates then clearly established constitutional law. The defense rests upon two mutually dependent rationales: (1) the injustice, particularly in the absence of bad faith, of subjecting to liability an officer who is re.red, by the legal obligations of his position, to exercise discretion; (2) the danger that the threat of such liability would deter his willingness to execute his office with the decisiveness and the judgment re.red by the public good./82/

Qualified immunity is an affirmative defense. Early cases re.red a public employee to establish both that he did not violate clearly established law and that he acted without malicious intent./83/ Because proof of subjective good faith was incompatible with summary judgment, the Supreme Court modified the defense to shield public employees performing discretionary government functions "insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known."/84/ Apart from special needs and administrative search cases, the Court has cautioned against examination of subjective intent./85/ Because public employees/86/ almost always perform discretionary functions,/87/ qualified immunity really turns on two issues: (1) whether the action in question violated a constitutional right and (2) whether that action violated clearly established law./88/ Although the former question may involve disputed facts, the latter is a question of law subject to early resolution. This involves a historical in.ry into whether the law was clearly established when the defendant acted.

Saucier v. Katz held that lower courts must decide qualified immunity defenses using that two step analysis in that sequence./89/ In *Pearson v. Callahan* the Court in 2009 relaxed the analysis, holding that the *Saucier* procedure was not mandatory and that courts should have the flexibility to decide the question in either order./90/ The Court observed that it is sometimes easier to determine whether a constitutional right was clearly established than whether there is such a right./91/

8.2.B.1. Clearly Established Law

Whether qualified immunity applies critically depends on the level of generality at which a court assesses whether the law is clearly established. In a series of cases, the Supreme Court sketched out the approach to be taken. *Anderson v. Creighton*refined the meaning of "clearly established law" in a law enforcement officer's qualified immunity defense against a claim that he conducted a warrantless search without probable cause or exigent circumstances./92/ The plaintiff argued that no officer could reasonably believe that he could conduct an unreasonable search as the Fourth Amendment itself clearly established the prohibition against unreasonable searches. The Court, rejecting the argument, held that it stated the legal in.ry too generally; because probable cause determinations are fact dependent, the relevant question was

"the objective (albeit fact-specific) question whether a reasonable officer could have believed Anderson's warrantless search to be lawful, in light of clearly established law and the information the searching officers possessed."/93/ Although identifying a case in which "the very action in question has previously been held unlawful" is not necessary, it is essential that "in the light of pre-existing law, the unlawfulness must be apparent."/94/ Thus, to be "clearly established a right must be sufficiently clear 'that every reasonable official would [have understood] that what he is doing violates that right.'"/95/

Because both the Fourth Amendment and qualified immunity incorporate an in.ry into reasonableness, the *Anderson* plaintiff argued that one could not both violate the Fourth Amendment by acting unreasonably and enjoy qualified immunity for having acted reasonably. The Court rejected that argument, holding that the two in.ries into reasonableness incorporated a different focus. The Fourth Amendment in.ry asks whether the officer reasonably, even if mistakenly, appraised the facts in assessing the appropriate level of force. Such facts would include the "severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight."/96/ In contrast, the qualified immunity in.ry asks whether, based on the then current state of the law, the officer reasonably might have misappraised the law's application even when all facts are perceived correctly./97/ The Court subsequently applied the same rule to a Fourth Amendment excessive force claim in *Brosseau v. Haugen*. In that case, the Court held that qualified immunity protected an officer, absent fair warning from past cases that it would violate the Fourth Amendment "to shoot a disturbed felon, set on avoiding capture through vehicular flight, when persons in the immediate area are at risk from that flight."/98/

In the wake of *Anderson*, the Eleventh Circuit has repeatedly held that a plaintiff could defeat qualified immunity only by identifying a previous case deciding the same issue on materially similar facts—a standard that virtually converted qualified immunity into absolute immunity. Thus, when prison guards punished a member of a chain gang for misconduct by handcuffing him to a hitching post shirtless with his arms above his shoulders for seven hours in the hot sun without food or a bathroom break, the Eleventh Circuit held that his Eighth Amendment claim was barred by qualified immunity because there was no previous case decided on materially similar facts./99/ The Supreme Court subsequently rejected this view and reversed the Eleventh Circuit./100/

The Court said that "[t]his rigid gloss on the qualified immunity standard, though supported by Circuit precedent, is not consistent with our cases."/101/ Rather, the Court held that qualified immunity served to protect defendants from liability absent "fair notice" that their conduct was unlawful. The Court noted that it previously held that in prosecutions under 18 U.S.C. § 242, the criminal counterpart to Section 1983, due process re.red only that the accused be given fair warning that his conduct was unlawful./102/ Furthermore, the Court had on several occasions "upheld convictions under § 241 or § 242 despite notable factual distinctions between the precedents relied on and the cases then before the Court, so long as the prior decisions gave reasonable warning that the conduct then at issue violated constitutional rights." /103/ Seeing no reason to re.re a greater warning in civil litigation, the Court held:

Although earlier cases involving "fundamentally similar" facts can provide especially strong support for a conclusion that the law is clearly established they are not necessary to such a finding. The same is true

of cases with "materially similar" facts. Accordingly, pursuant to Lanier, the salient question that the Court of Appeals ought to have asked is whether the state of the law in 1995 gave respondents fair warning that their alleged treatment of Hope was unconstitutional./104/

Hope v. Pelzer answered that question and concluded that Supreme Court and circuit cases were sufficient to give the re.red fair warning that the use of a hitching post as punishment violated the Eighth Amendment. *Hope* reiterated that "general statements of the law are not inherently incapable of giving fair and clear warning" and noted that "a constitutional rule already identified in the decisional law may apply with obvious clarity to the specific conduct in question, even thought the very action in question has [not] previously been held unlawful."/105 /

Reasoning similarly, the Court subsequently held in *Groh v. Ramirez* that a search warrant that failed to describe either the person or things to be seized was facially invalid under the Fourth Amendment, foreclosing the officer who prepared and executed the warrant from asserting qualified immunity even though the warrant application described the things to be seized and the search was confined to the scope of the warrant application./106/ The Court, however, recently distinguished *Groh* in *Messerschmidt v. Millender*/107/. There, an officer investigating a domestic assault by an apparent gang member with a particular weapon, sought and received a search warrant from a magistrate permitting a search in a house of all weapons and gang paraphernalia. The warrant application was reviewed and approved by the officer's supervisor and an assistant district attorney. The Court observed that issuance of a warrant by a neutral magistrate is a clear indication of the officer's "objective good faith."/108/ Yet, the Court has also recognized an exception when "it is obvious that no reasonably competent officer would have concluded that a warrant should issue."/109/ Although the warrant in *Messerschmidt* was defective, given the particular facts presented, the Court found that the officer was not "plainly incompetent" for relying upon it, particularly given the approvals of superiors./110/ Although public officials routinely assert qualified immunity, *Hope's* "fair warning" standard has made the defense somewhat easier to overcome; the courts of appeal no longer insist that plaintiffs conduct "a scavenger hunt for prior cases with precisely the same facts"/111/ to avoid defeat. Because broad statements of principle can clearly establish law, the courts of appeals frequently have denied qualified immunity even without a case decided on materially similar facts./112/

8.2.B.2. The Reasonable Official and Scope of Discretion

The question of whether a reasonable official should have believed that the conduct in question violated clearly established law is largely a function of whether the law in question was clearly established. In that sense, the determination of whether the official's belief that his conduct was reasonable is redundant; it is reasonable whenever the law is not clearly established./113/ The existence of reasonable grounds for the belief formed at the time of the action and in light of all the circumstances then present is what affords a basis for qualified immunity.

Early qualified immunity cases also suggested that the scope of qualified immunity varied with the scope of discretion and responsibility of the defendant's position; the language first appeared in *Scheuer v. Rhodes* and was last mentioned in*Nixon v. Fitzgerald*. The courts of appeal have not relied on it since 1982./114/ With the rise of objective reasonableness as the standard for qualified immunity, the in.ry into the scope of discretion would seem relevant only to whether the official may raise the defense; an official who acts outside the scope of his discretionary authority and who violates the Constitution cannot assert qualified immunity even if his conduct did not violate then clearly established law./115/

Given the Court's expansive interpretation of qualified immunity, you should allege the facts that defeat qualified immunity in detail when suing a public official for damages. Advocates should refrain from suing officials for damages in the absence of evidentiary support that will allow a claim to overcome qualified immunity.

8.2.B.3. Qualified Immunity, Intentional Discrimination, and Retaliation

Conventional claims of unlawful discrimination and retaliation rest upon conduct whose legality depends upon the motive for rather than the character of the conduct. The Constitution does not prohibit firing public employees, but it does prohibit firing them because of their race or in retaliation for protected speech. To avoid summary judgment on the merits of the underlying constitutional claim, the plaintiff must produce sufficient evidence, usually circumstantial, from which a reasonable jury can infer that the defendant *intentionally* discriminated or retaliated; without that evidence, the plaintiff cannot establish unconstitutional conduct./116/ With no evidence of unconstitutional conduct, the defendant will prevail without reaching the question of qualified immunity. But if the plaintiff has sufficient evidence of unconstitutional motive to avoid summary judgment, qualified immunity generally will not benefit a defendant because the constitutional prohibition against intentional discrimination or retaliation has long been clearly established law./117/

The question of how to adapt qualified immunity to state-of-mind claims reached the Supreme Court when a prisoner alleged that a prison official intentionally misdelivered legal papers in retaliation for the filing of a lawsuit./118/ The Court noted a potentially serious problem:

Because an official's state of mind is "easy to allege and hard to disprove," insubstantial claims that turn on improper intent may be less amenable to summary disposition ... [and] therefore implicate obvious concerns with the social costs of subjecting public officials to discovery and trial, as well as liability for damages. /119/

Despite its concern, the Court rejected the imposition of a heightened clear and convincing evidentiary burden in claims against public officials. To preserve a place for qualified immunity in state of mind litigation, the Court suggested that trial courts address the defense within the existing framework of the rules of civil procedure by re.ring, when appropriate, that plaintiffs plead further in response to the defense and by imposing careful controls on discovery./120/

That framework was changed significantly in *Ashcroft v. Iqbal*./121/ While insisting that it was not imposing a heightened pleading standard, the Court's re.rement that the complaint "plausibly" suggest intentional discrimination effectively does so. Plausibility pleading makes state of mind cases substantially more difficult to proceed past the motion to dismiss stage.

8.2.B.4. Qualified Immunity Practice and Procedure

Qualified immunity protects public officials from the burden of litigation as well as from judgments./122/ Therefore, the issue should be resolved early and, when possible, before discovery./123/ Because defendants are virtually certain to raise qualified immunity, either through a motion to dismiss or answer or motion for summary judgment, you must anticipate it in drafting the complaint with the plausibility pleading re.rements of *Iqbal* in mind.

Should the court deny the motion to dismiss or for summary judgment, the defendant is entitled to an immediate interlocutory appeal/124/ and, should he take one, there is a stay of further proceedings in the district court pending adjudication of the appeal./125 / The defense of qualified immunity immediately tests whether the plaintiff alleged sufficient facts to establish that a reasonable officer would have believed the conduct in question to have been unlawful under clearly established law. If resolution of the defense turns on pure issues of law, an interlocutory appeal is permitted. It is not available if the trial court determines that application of the defense raises questions of disputed fact./126/ A defendant who unsuccessfully appeals from an order denying a motion to dismiss on qualified immunity may appeal a second time from an order denying summary judgment on qualified immunity, again staying proceedings below./127 /Thus, claims for damages against a defendant who can raise the defense of qualified immunity can take years to come to trial even when the defense is unsuccessful. Accordingly, you must discuss with your clients the advantages and disadvantages of suing public officials for damages so that they can make an informed decision on whether the claim is worth pursuing in the face of almost certain delay.

If the plaintiff alleges specific facts showing a violation of clearly established law, but the defendant accompanies a summary judgment motion with affidavits contesting plaintiff's factual allegations and supporting qualified immunity, then discovery is proper./128/ A plaintiff who is served with such a motion for summary judgment should consider making a Rule 56(d) motion for discovery in addition to or instead of responding to the motion for summary judgment. Should the court again deny summary judgment following discovery, the defendant may take a second interlocutory appeal./129/ If the defendant does not seek summary judgment, or if the district court denies the motion(s), the plaintiff may finally undertake full discovery.

BILL CLINTON SERVED 8 YEARS, AND HILLARY A COUPLE IS CONSTITUE “ONE PERSON”

HILLARY CLINTON ANNOUNCE SHE RUN FOR PRESIDENT

CONSTITUE A THIRD TERM IN PROHIBITED BY LAW.(?)

THE CONSTITUTION STATES ONLY TWO TERMS.

By David Sherfinski - The Washington Times - Monday, April 13, 2015

President Obama’s former chief of staff says that former Secretary of State Hillary Rodham Clinton cannot run for Mr. Obama’s “third term” in 2016.

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http://www.washingtontimes.com/news/2015/apr/13/william-daley-former-obama-chief-staff-clinton-can/#!#ixzz3XChw9WkG
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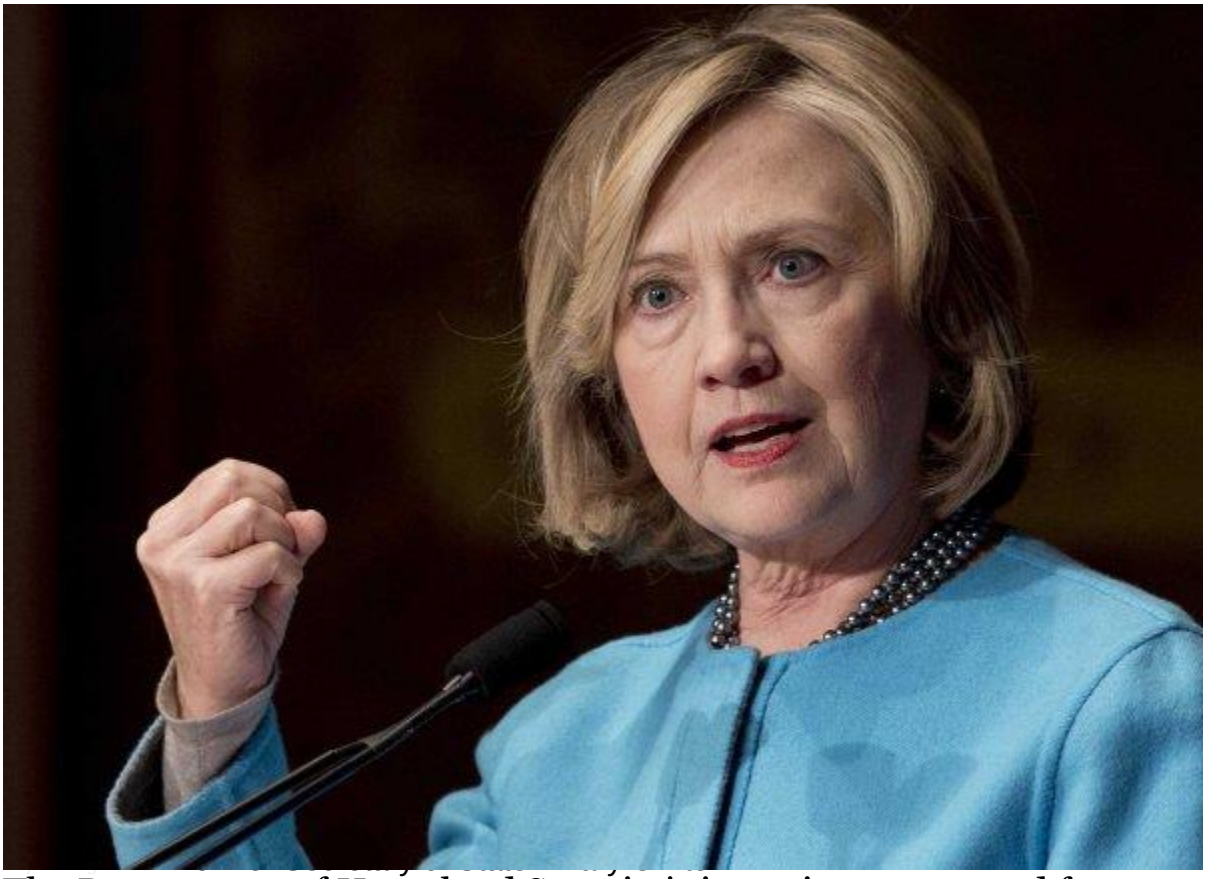
Exh.

HILLARY CLINTON – FAVORS FOR BROTHER

Hillary Clinton's brother linked to alleged political favors



The Department of Homeland Security's investigator . named former Secretary of State Hillary Clinton's brother, Tony Rodham, at various points in a new report published Tuesday about a firm that allegedly received preferential treatment.

Among other things, the report criticizes a top DHS employee for appearing to go out of his way in 2010 and 2011 to assist "a politically connected regional center," Gulf Coast Funds Management.

"Throughout the time period of the events we reviewed, Anthony Rodham was listed as the Chief Executive Officer of Gulf Coast," the report noted.

Clinton — a former presidential candidate, US senator, and first lady — is the Democratic front-runner for president in 2016.

Rodham is not specifically named as her brother in the report and Clinton herself is not referred to anywhere in the document. However, CNN, Politico, and other outlets identified him as her brother and previous media stories covered his involvement with Gulf Coast.

According to the investigation, employees complained that then-United States Citizenship and Immigration Services Director Alejandro Mayorkas was "politically motivated" in his intervention on behalf of Gulf Coast. The company was a participant in the USCIS EB-5 program, which seeks to attract foreign investment in the US. The USCIS denied some of Gulf Coast's efforts to expand its "industrial scope" in 2010 and a lengthy saga followed the subsequent appeals process in which Mayorakas was apparently heavily involved.

The investigator . found that when Rodham emailed Mayorkas about "delays in processing petitions," Mayorkas forwarded the email to DHS staff with a "high importance" designation.

Along with Clinton's brother's role at the company, Gulf Coast was also highly linked to now-Virginia Gov. Terry McAuliffe (D), a staunch Clinton ally, McAuliffe served as the chair of the Democratic National Committee when Clinton's husband, former President Bill Clinton, was in office. McAuliffe, whose name appears in the report far more than Rodham's, did not return a request for comment from Business Insider, but his office told CNN he did nothing wrong at the time.

Rodham could not immediately be reached for comment and Politico wrote that he did not return emails and phone calls on the matter. Mayorkas, who is now a deputy secretary at the Department of Homeland Security, released a statement saying he disagreed with the report but "will certainly learn from it and from this process."

View the full investigator . account below:

Read more: **http://www.businessinsider.com/hillary-clintons-brother-linked-to-alleged-political-favors-2015-3#ixzz3VasNQ0bD**

http://www.foxnews.com/politics/2015/03/25/business-dealings-hillary-clinton-brother-raise-new-email-questions/

http://www.newsmax.com/Newsfront/Hillary-Clinton-Tony-Rodham-Haiti-gold-mining/2015/03/06/id/628687/

Hillary's Brother Landed Rare Gold Mining Permit in Haiti

Friday, 06 Mar 2015 11:32 AM
By Melanie Batley

Former Secretary of State Hillary Clinton's brother was on the board of one of only two companies that received a "gold exploitation permit" in 2012 from the Haitian government — a first in over 50 years.

Tony Rodham served on the board of VCS Mining, a tiny North Carolina company, along with Bill Clinton's co-chair of the Interim Haiti Recovery Commission, former Haitian Prime Minister Jean-Max Bellerive.
The revelation has emerged in a forthcoming investigative book by bestselling author Peter Schweizer, Breitbart reported.

The deal with VCS created tension in the Haitian Senate after it was revealed that the royalties to be paid to the Haitian government were at least half the standard rate at 2.5 percent. It also came with the privilege of being able to renew the mining project in Morne Bossa for up to 25 years.
The book, entitled, "Clinton Cash: The Untold Story of How and Why Foreign Governments and businesses Helped Make Bill and Hillary Rich," investigates the connections between the Clintons' wealth, the Clinton Foundation, and decisions Clinton made as secretary of state that benefited foreign donors, governments, and companies.

"Schweizer's scrupulously sourced and exhaustively researched book raises serious questions about the sources of the Clintons' sudden wealth, their ethical judgment, and Hillary's fitness for high public office," said HarperCollins editor Adam Bellow.

Schweizer coined a new term — "Clinton blur" — to describe the way the Clintons' political, personal, and philanthropic interests overlap, Breitbart reported.
Related Stories:

HILLARY SOMEHOW THINKS SHE IS IMMUNE FROM PROSECUTION AND IS ABOVE THE LAW

CHARGE HILLARY WITH MULTIPLE COUNTS OF CONCEALMENT OF GOVERNMENT

HILLARY ADMITTED AND GAVE EMAILS

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HILLARY CLINTON IS INELIBLE TO HOLD ANY OFF OF THE UNITED STATES

ALLEGE HILLARY CLINTON E-MAILS – UPON INFORMAITON AND BELIEF OBAMA, HILLARY, DESTROYED, E-MAILS, BENGZAHI, STATE DEPARTMENT ETC.

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http://conservativetribune.com/eric-holder-hillarys-emails/

BREAKING: Eric Holder Makes Major Announcement About Hillary's Emails

In a perfect world, the role of the attorney . in the United States would be to prosecute crime.

However, given that Eric Holder is still at the head of the Department of Justice, it's clearly not a perfect world. And in this not-so-perfect world, the DOJ's role seems to be helping cover up crimes.

That's certainly what the DOJ did on behalf of Hillary Clinton when, in a filing with a federal court, it claimed that the Freedom of Information Act "creates no obligation for an agency to search for and produce records that it does not possess and control."

The filing came in response to a federal appellate court challenge by conservative group Freedom Watch, which seeks to subpoena the secret email server used by the secretary of state.

Critics allege Clinton hid the email server to skirt federal law re.ring email records to be maintained by the government.

However, the Department of Justice isn't terribly interested in justice, since they came out against the subpoena in court.

"Plaintiff provides no basis, beyond sheer speculation, to believe that former Secretary Clinton withheld any work-related emails from those provided to the Department of State," the filing read, according to Newsmax.

This in spite of the fact that no work-related emails were turned over from the time of the Benghazi attack.

Apparently, Eric Holder wants us to believe that, during the biggest crisis of her time as secretary of state, Hillary Clinton simply stopped using email altogether.

Moreover, the DOJ argued FOIA "creates no obligation for an agency to search for and produce records that it does not possess and control."

Why this surprises me, I have no idea. Eric Holder has made it clear he's not interested in enforcing the law, only his narrow political agenda. Having the top contender for the White House in 2016 taken down clearly isn't part of it.

Until Obama and Holder leave, maybe we shouldn't call it the Department of Justice. The Department of Obstruction of Justice might be a better name.

COVER-UP – TOO LITTLE TOO LATE

http://www.theblaze.com/stories/2015/03/27/after-hillary-clinton-email-mess-state-dept-launches-review-of-how-it-keeps-records/

e Furnace

After Hillary Clinton Email Mess, State Dept. Launches Review of How It Keeps Records

Mar. 27, 2015 3:52pm Pete Kasperowicz

Secretary of State John Kerry has asked his inspector . to review the way department employees archive their emails, and to recommend ways to improve the current system.

Kerry's request was made after several weeks of controversy involving Hillary Clinton's use of personal email for work while she was secretary. Clinton admitted to using her own email and her own server, but said she was in the clear when it came to documenting her emails because she cc'ed people with a state.gov email address.

Revelations about the email practices of former Secretary of State Hillary Clinton have prompted the State Department to review how it archives its emails. Image: AP Photo/Pablo Martinez Monsivais

But the State Department later explained that when Clinton was in office, it was up to every employee to archive their own emails, and that nothing was automatically archived. That means Clinton's effort to email people with state.gov emails, if in fact she made that effort, didn't guarantee that those records would be preserved.

It was also reported that some of Clinton's top aides also used personal email, making it very difficult to determine what information might still be out there.

Kerry's Wednesday request for a review by the Office of Inspector . is partly aimed at figuring out exactly what officials are doing to archive their emails, and to find ways to improve the system.

"Secretary Kerry sent a letter to State Department Inspector . Steve Linick requesting that he undertake a review of our efforts to date on improving records management, including the archiving of emails, as well as responding to FOIA and congressional in.ries," said State press officer Jeff Rathke. "Secretary Kerry also asked that the IG make recommendations on how to improve our systems."

"The secretary is committed to preserving a complete record of American foreign policy," he added. "Doing so is re.red but it is also good government."

Rathke said Kerry wrote that State must ensure it works to "adapt our systems and policies to keep pace with changes in technology and the way our personnel work."

Kerry also asked the Office of Inspector . to review the way State responds to document searches from Congress and the public.

"This is an important step in improving how we communicate at the department, and in ensuring that we are preserving records and we are committed to following through on this process," Rathke said.

Details of Clinton's emails emerged through the work of the House Select Committee on Benghazi, which is still seeking information from Clinton about her reaction to the 2012 attack in Libya that left four Americans dead. The committee, chaired by Rep. Trey Gowdy (R-S.C.), has said it now wants Clinton to testify twice — once about her email policy, and a second time to ask questions about Benghazi.

http://dailycaller.com/2015/03/24/dhs-official-gave-special-favors-to-hillary-clintons-brother/

DAILY CALLER

BREAKING: DHS Official Gave Special Favors To Hillary Clinton's Brother

Daily Caller

DHS Official Gave Special Favors To Hillary Clinton's Brother

CHUCK ROSS

Chuck Ross is a reporter at The Daily Caller.

Alejandro Mayorkas, the former director of U.S. Customs and Immigration Services, favored projects championed by Nevada U.S. Sen. Harry Reid, Virginia Gov. Terry McAuliffe, and Hillary Clinton's brother Tony Rodham, according to an explosive new report from the Department of Homeland Security inspector's . (IG).

The IG concluded its investigation into whether Mayorkas, now the deputy secretary at DHS, "exerted improper influence" in the adjudication of the Employee-Based Fifth Preference (EB-5), which allows aliens to invest $500,000 in U.S. companies in order to gain residency for themselves and their families.

And indeed, the IG determined that Mayorkas did improperly exert his influence, and on behalf of companies with ties to Reid, McAuliffe, and Rodham.

"Mayorkas communicated with stakeholders on substantive issues, outside of the normal adjudicatory process, and intervened with the career USCIS staff in ways that benefited the stakeholders," the report reads, noting that in each of those cases the outcome would have been different if not for Mayorkas' intervention.

The report also noted that more than 15 USCIS employees at all levels conveyed "the same factual scenario: certain applicants and stakeholders received preferential access to DHS leadership and preferential treatment in either the handling of their application or petition or regarding the merits of the application or petition."

The IG, which began its investigations in Sept. 2012, also found that the number and variety of witnesses was “highly unusual” and characterized Mayorkas’ level of intervention as “unprecedented.”

In one case, Mayorkas intervened on behalf of GreenTech Automotive, an electric car company controlled by Gulf Coast Funds Management. McAuliffe was chairman of Gulf Coast’s board while Tony Rodham was CEO.

In an unrelated case, Rodham’s position with Gulf Coast earned him a spot on the board of a gold mining company with interests in Haiti. Rodham met the owner of that company, VCS Mining, at an event for the Clinton Global Initiative, his sister’s charity.

The IG report shows that Mayorkas became involved in the Gulf Coast’s application in July 2010. He opposed USCIS employees’ decision to deny the company’s EB-5 visa applications, though staffers felt that the GreenTech project fell outside of the scope of the program and that it was “really not so good of a project.”

But McAuliffe pushed for EB-5 and continuously called and met with Mayorkas on the matter. According to the IG report, after Gulf Coast’s application was initially denied, Mayorkas took a deep and special interest in the project, telling staff that he would personally oversee it. During one meeting, he shocked staffers by saying that he would take materials related to the application home so that he could work on the case.

Many USCIS staff believed that Mayorkas’ interest in the project indicated that Gulf Coast was “wired in” to the agency.

In early 2013, Mayorkas backed off of his hands-on involvement with the application. But it was understood within the agency that he still hoped to see its application approved. On Jan. 29, 2013, Rodham sent Mayorkas sent an email regarded processing delays. Mayorkas forwarded the email to staff with a “high importance” designation, according to the inspector ..

Gulf Coast’s fourth amendment for application was approved in Feb. 2014.

Mayorkas has previously denied exerting undue influence on behalf of Gulf Coast. Back in July 2013, after he was tapped by President Obama to take over as DHS deputy secretary, he responded to news that the IG was investigating his relationship with McAuliffe and Gulf Coast saying that it was “une.vocally false” that he had played favorites.

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Hillary and Monica, Together Again in 'Shame and Survival'

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Townhall.com ^ | **March 27, 2015** | Suzanne Fields ... **Monica Lewinsky** is back, and playing offense. ... **Hillary Clinton**, who never left, is playing defense, angry and aggressive, asserting her "rights" to remain private in a high public office.

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Hillary Clinton's Culture Of Corruption May Doom Candidacy

IBD EDITORIALS ^ | March 27, 2015 | IBD EDITORIALS

Posted on **2015年3月27日 13:15:07** by **raptor22**

candal: Hillary's emails may be only the tip of an iceberg that could include Clinton Foundation donations to shield Boko Haram from being designated a terrorist group and her brother's involvement in a Haitian gold mine.

We doubt Team Hillary was thrilled or her critics surprised Tuesday when the Inspector . for the Department of Homeland Security named Mrs. Clinton's brother, Tony Rodham, in a report about a firm that allegedly received preferential treatment from the Obama administration.

The firm, Gulf Coast Funds Management, with Tony Rodham listed as its chief executive, allegedly benefited from what the report says was "politically motivated" intervention of then-United States Citizenship and Immigration Services Director Alejandro Majorkas, whom president Obama promoted to be the No. 2 official at DHS even as he was under investigation.

Majorkas, according to the IG report, appeared to give "favoritism and special access" to politically connected Democrats who intervened in the application process for the EB-5 (Employee-Based Fifth Preference) visa program, which grants visas to wealthy foreigners who can invest up to $500,000 in U.S. business ventures.

ALTERED, DELETED, AMENDED

Former President Bill Clinton and First Lady Hillary Rodham Clinton arrive at Miami International Airport Oct. 15, 1994. (AP Photo/Marta Lavandier)

Now that former Secretary of State Hillary Clinton is nearing the launch of her 2016 presidential campaign, old rumors are starting to resurface.

A reader forwarded us a chain email he received that calls out Clinton and former President Bill Clinton for shady financial decisions. Versions of this same email first circulated in 2001 and again in 2008, during Hillary Clinton’s first presidential run. And now it’s back.

The email reads, in part:

Hillary Rodham Clinton, as a New York State Senator now comes under this fancy "congressional retirement staffing plan" which means that if she never gets re-elected, she STILL receives her Congressional salary until she dies. If Bill out-lives her, he then inherits HER salary until he dies. He is already getting his Presidential salary ($20,000 a month) until he dies. If Hillary out-lives Bill, she also gets HIS salary until she dies, Guess who pays for that?

WE DO! Clinton's 20 Acre - $11 million mansion is common knowledge. For her to establish NY residency, they purchased this mansion in upscale Chappaqua, New York....makes sense. They are entitled to Secret Service protection for life. Still makes sense. Here is where it becomes

interesting. Their mortgage payments are around $10,000/month. But an extra residence had to be built by the government on the acreage to house the Secret Service Agents. Any improvement to the property is owned by the property owners...the Clinton's. So....the Clinton's charge the federal government $10,000 monthly rent for the use of the extra residence to house the Secret Service staff which is just about equal to their mortgage payment.

There's a lot to unravel here. Is any of it true? Short answer: No.

Pensions

First, let's look at whether Clinton will receive her congressional salary until she dies. Upon retiring, Clinton would receive benefits through the Federal Employee Retirement System, which would also cover her time as secretary of state.

However, the pension for a member of Congress must not exceed 80 percent of the member's final salary, according to law. So even if she received the highest pension possible, she wouldn't be getting her full salary. In fact, in Clinton's case, it would be much lower.

Pension annuities for federal employees are calculated using length of career, a benefits accrual rate and an average of the employees' highest three salaries. Clinton spent eight years in the Senate and about four years as secretary of state, where she made her highest salary of about $186,000. Her accrual rate would be 1.7 percent.

We did the calculation, based on the formulas in a Congressional Research Service report, and found that she would actually earn a pension of about $41,000 -- about 25 percent of her salary as a senator.

And would Bill Clinton get that pension if he outlives Hillary? No -- according to the federal Office of Personnel Management, he could receive a maximum of 50 percent of her pension.

As for Bill Clinton's presidential pension, he receives about $220,000 a year, which is about 75 percent of his presidential salary, after adjusting for inflation.

Taxpayer-funded mortgage?

The email also implies that tax dollars are paying for the Clintons' mortgage at their house in Chappaqua, N.Y. As it turns out, this was one of the very first claims PolitiFact ever fact-checked back in 2007. We rated it False, but let's run through it .ckly one more time.

As all former presidents, Bill Clinton is entitled to Secret Service detail for the rest of his life, including protection at his home. According to a Secret Service spokesman quoted in a 2001 Washington Post article, it is customary for the government to pay rent to the property owners in a situation like this.

However, the Clintons declined that rent. Former White House Press Secretary Jake Siewert told the Washington Post that "the Clintons are entitled to collect rent from the agency for space at their Chappaqua, N.Y., home but have declined the payments of about $1,100 a month."

When we looked at this in 2007, Hillary Clinton spokesman Philippe Reines said, "They have not and do not receive money" from the Secret Service.

This time around, we asked current spokesman Nick Merrill, who said, "this is the same as it used to be, nothing has changed since last time you reported this."

We should point out that the Clintons purchased their Chappaqua house in 1999 for $1.7 million, not $11 million as the email says. They also purchased it on a certain type of mortgage that re.red they pay back the entire amount within five years with monthly mortgage payments of about $8,000, according to the New York Times.

Even if the Clintons got the $1,100 rent from the Secret Service, it would not have covered the size of their monthly mortgage.

This is not to say the Clintons aren't wealthy -- and they still receive a good amount of money from the government because of Bill Clinton's presidency. But the claims in this email are in no way accurate.

Our ruling

A chain email said Hillary Clinton will receive her "congressional salary until she dies" and that the Secret Service pays her mortgage.

Actually, a pension for a member of Congress cannot exceed 80 percent of the member's last salary, according to law. Using federal employee retirement system formulas, Clinton's retirement pension would likely work out to be about 25 percent of her congressional salary, about $41,000 a year.

And while the Clintons are eligible to receive rent payments from the Secret Service -- who need space to operate at the Clintons' house -- the rent amount would not have covered their mortgage payments. In any case, the Clintons do not accept these rent payments.

We rate these claims Pants on Fire.

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ALLEGE HILLARY CLINTON E-MAILS – UPON INFORMAITON AND BELIEF OBAMA, HILLARY,

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8 U.S. Code § 2071 - Concealment, removal, or mutilation .ly

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.
(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States.

Hillary Clinton ineligible to serve as Secretary of State, to run for president of the United States in 2016 and Hold any office in the US Government.

Plaintiff allege that Senator Hillary Rodham Clinton was constitutionally ineligible to serve as Secretary of State in the Obama administration.

http://insider.foxnews.com/2015/03/30/judge-napolitano-hillary-clinton-has-admitted-obstruction-justice

Judge Nap: 'Hillary Clinton Has Admitted to Obstruction of Justice'

email

Mar 30, 2015 // 11:10am

As seen on America's Newsroom

Congressional investigators are trying to figure out the next move after learning that Hillary Clinton wiped clean her personal email server last fall.

Rep. Trey Gowdy (R-S.C.), chairman of the Select Committee on Benghazi, criticized Clinton Friday for "unilaterally deciding" to delete the emails. Gowdy added that Clinton made herself the "sole arbiter" of what would be kept and what would be deleted.

“While it is not clear precisely when Secretary Clinton decided to permanently delete all emails from her server, it appears she made the decision after October 28, 2014, when the Department of State for the first time asked the Secretary to return her public record to the Department,” said Gowdy.

Judge Andrew Napolitano reacted this morning to the latest development in the email saga, telling Bill Hemmer said Clinton will be in legal trouble if there is a federal prosecutor with "enough courage" to pursue a case.

He listed a myriad of possible criminal violations, including keeping classified information in an unsecured location and diverting public records from the government.

"She now has admitted to destroying subpoenaed evidence after she was on notice of the existence of the subpoena. That's known as obstruction of justice, as well as destruction of the documents," said Napolitano.

The judge added that it will be up to Eric Holder or his soon-to-be successor, Loretta Lynch, to direct the prosecutor for Washington, D.C., to present evidence to a grand jury.

He also disagreed with those who argue that the email controversy will not hinder Clinton's expected presidential campaign.

"If Republicans pound away at the now 20-year-long perception that the Clintons believe they're above the law, this will be a serious problem for her. It'll also be a problem for President Obama. Why aren't you having your prosecutors prosecute her? You went after General Petraeus for having some documents in a desk drawer. She destroyed evidence after it was subpoenaed! There are different weights of crimes. His is down here, hers are up here," he argued.

Watch his full analysis above.

Hillary Clinton Has a Family Problem—and It's Not Bill

The Rodham brothers have a history of embarrassing their sister.

Jeb Bush isn't the only likely presidential candidate with a brother problem.

Last month, the Department of Homeland Security's inspector general revealed that an agency official had intervened in 2014 to help longtime Clinton ally Terry McAuliffe, now the governor of Virginia, obtain EB-5 visas (a steppingstone toward a green card) for employees of his electric-car company. Also named in the report was Tony Rodham, the youngest of Hillary Clinton's two brothers, whose company McAuliffe enlisted to secure those visas.

The inspector general chided the DHS official who oversaw the visa program for pressuring his staff to process the request from Gulf Coast Funds Management,

where Rodham serves as CEO, despite an "incomplete business plan, insufficient economic impact analysis, and lack of support for estimating direct employment." Watergate it wasn't—McAuliffe and Rodham had just asked for a favor. But for Hillary Clinton, the news may have evoked a familiar dread.

Hillary's campaign-in-waiting has been mulling the question of how to handle her headline-grabbing husband—whose off-the-cuff remarks occasionally brought negative attention to her 2008 campaign—but the former secretary of state and her advisers also will have to look out for her brothers, Hugh and Tony, who have a history of embarrassing their sister.

As a former Clinton White House staffer once told the *New York Times,* "You never wanted to hear their name come up in any context other than playing golf."

The Rodham brothers have been involved with the Clinton political machine since the beginning. In 1974, they moved from Illinois to Fayetteville, Arkansas, to volunteer on Bill Clinton's first congressional campaign. After Clinton lost, Hugh and Tony enrolled at the University of Arkansas. Hugh went on to become a public defender in Miami and helped develop the city's first drug courts. Tony worked as a South Florida process-server. But after Bill and Hillary Clinton moved into the White House in 1993, the brothers were granted entrée to a whole different world. And they made the most of it.

In 1993, shortly before Clinton was sworn in, the *Wall Street Journal* reported that the Rodham brothers had been soliciting corporate donations for their own inaugural ball at the Mayflower Hotel. (Despite the controversy, they held the party.) Then, in 1994, Hugh decided to run for the Senate in Florida against Republican incumbent Connie Mack. But he struggled to defeat his Democratic primary opponent, a talk radio host who believed the government was covering up the truth about aliens and who accused Bill Clinton of pushing a Nazi agenda. Hugh got demolished in the general election.

Tony, meanwhile, landed a job as a field organizer with the Democratic National Committee and married Sen. Barbara Boxer's daughter, Nicole. But he soon struck out on his own, launching a consulting firm. In 1997, he traveled with

three business partners to Cambodia, where he met with newly installed dictator Hun Sen to discuss possible investments in the country. Hun Sen, who had come to power in a bloody coup, was gearing up for the upcoming election by intimidating his political opponents, and the US government had taken a hands-off approach to the regime. Rodham suggested that his visit might help the peace process and open up the nation to American business. "We came to see what fits here in Cambodia, and there are many fits," he told reporters—speaking at a hotel, the Associated Press dryly noted, that was owned by a Cambodian businessman banned from doing business in the United States because of his alleged involvement in the drug trade.

A few years later, another embarrassing foreign adventure landed the Rodham brothers in the news. In 1999, Hugh and Tony entered into a $118 million joint venture to grow and export hazelnuts with Aslan Abashidze, a strongman in a semiautonomous region of the Republic of Georgia (who had allegedly murdered one of his top deputies in the early 1990s). Abashidze and the Rodhams weren't just partners—Tony Rodham agreed to become the godfather to Abashidze's grandsons. Abashidze interpreted his deal with the brothers as a de facto endorsement by the president himself, and he told reporters that the American branch of the hazelnut-importing business would be located "next to the White House." This was news to the Clinton White House, which was allied with Abashidze's rival, Georgian President Eduard Shevardnadze. Ultimately, the Rodhams called off the deal because of the controversy. Abashidze would later flee to Russia shortly before a Georgian courtsentenced him to 15 years in prison for embezzlement.

The Rodhams continued to trade on their family connection. In 2000, Tony Rodham successfully lobbied President Clinton to pardon a Tennessee couple convicted of bank fraud, over the objections of the Justice Department. Tony insisted that he took up the couple's cause pro bono. But congressional investigators later found the couple had paid him a $244,769 salary as a consultant. And Hugh Rodham was paid $434,000 to lobby—successfully—for pardons for a cocaine trafficker and a fraudster who peddled an anti-baldness treatment. (He later gave the money back.)

Hillary Clinton would hardly be the first presidential candidate dogged by family matters. Jimmy Carter's brother, Billy, launched his own line of beer and signed on as a lobbyist for Libya. George W. Bush's brother Neil toured East Asia with a Korean cult leader promoting a tunnel between Russia and Alaska. And FDR's nephew, Tadd, became tabloid fodder after eloping with a Hungarian prostitute.

In recent years, the Rodham brothers have largely kept a low profile. But as the recent report by the inspector general of the Department of Homeland Security illustrated, their dealings could once again become a headache for their sister. The company Tony works for, Gulf Coast Funds Management, specializes in obtaining special visas for foreigners interested in doing business in the United States. The company is owned by a Virginia businessman named Charles Wang, who with Terry McAuliffe cofounded the electric-car company GreenTech automotive. According to*Politico*, Tony has worked to line up investors for the car company in China. Hugh Rodham is a partner in the Florida law firm Rodham & Fine. Neither of the Rodham brothers responded to interview requests.

"The Rodham boys need to be careful, is my advice to them," another former first-family member from South Florida told the *St. Petersburg Times* in 1993. "Never assume that even after you've dotted every 'i' and crossed every 't' that it'll be perceived that way by friends or foe." It was sound piece of advice from Jeb Bush.

According to the Ineligibility Clause of the United States Constitution, no member of Congress can be appointed to an office that has benefited from a salary increase during the time that Senator or Representative served in Congress. Bush signed an executive order in January 2008 during Hillary Clinton’s current or former Senate term increased the salary for Secretary of State, thereby rendering Senator Clinton ineligible for the position.

Specifically, Article I, section 6 of the U.S. Constitution provides "No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time." The provision is seen by most as designed by our Founding Fathers to protect against corruption.

Former President Richard Nixon circumvented this constitutional provision after appointing former Ohio Senator William Saxbe to the position of Attorney .. The Nixon administration managed to force legislation through Congress to reduce the salary for the position of Attorney . to the level that existed prior to Senator Saxbe’s appointment. This scheme, known thereafter as "The Saxbe Fix," was also used to allow Senator Lloyd Bentsen to assume the position of Treasury Secretary under President Clinton.

"The Saxbe Fix" may reduce the salary of Secretary of State to previous levels, but it does not affect what is a clear constitutional prohibition. It cannot change the fact that the salary had been increased while Senator Clinton served in Congress. (President Ronald Reagan reportedly did not appoint Senator Orrin Hatch to the Supreme Court because of this provision.) Simply put, the Constitution does not provide for a legislative remedy for the Ineligibility Clause.

No public official who has taken the oath to support and defend the Constitution should support this appointment. And aside from the constitutional issue, Hillary Clinton's long track record of corruption makes her a terrible choice to serve as the nation's top diplomat." Hillary Clinton was not eligible and further is not eligible to run for the office of the Presidency. Pursuant to the ineligibility Clause,

one of the two clauses often called the **Emoluments Clause and** also referred to as the **Incompatibility Clause**or the **Sinecure Clause**; Article 1, Section 6, Clause 2 of the United States Constitution. It places limitations upon the employment of members of Congress and prohibits employees of the Executive Branch from serving in Congress during their terms in office.

The clause states:

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

http://drrichswier.com/2015/03/06/john-boehner-violating-term-limits-provision-ohio-state-constitution/

CONSPIRACY TO CONCEAL GOVERNMENT DOCUMENTS

HILLARY CLINTON –FALSE MISLEADING STATEMENT IN BOOK

CONCEALMENT OF CHELSA CLINTON HUBBLE FATHER

SCHEME TO DEFRAUD

In the news

- Clinton Foundation Claims It Made "Mistakes" on Tax Returns
Gawker - 1 hour ago
The acting chief executive of the ***Clinton Foundation*** admitted on Sunday that the charity had ...
- Clinton Foundation admits making mistakes on taxes
Reuters - 3 hours ago
- Clinton Foundation addresses disclosure of $31M Canadian donation, re-filing IRS revenue forms
Fox News - 6 hours ago

More news for clinton foundation

http://www.reuters.com/article/2015/04/26/us-usa-election-clinton-foundation-idUSKBN0NH0TP20150426

U.S. presidential candidate and former Secretary of State Hillary Clinton participates in a discussion in a classroom at New Hampshire Technical Institute while campaigning for the 2016 Democratic presidential nomination in Concord, New Hampshire, April 21, 2015.

REUTERS/LUCAS JACKSON

(Reuters) - The Clinton Foundation's acting chief executive admitted on Sunday that the charity had made mistakes on how it listed government donors on its tax returns and said it was working to make sure it does not happen in the future.

The non-profit foundation and its list of donors have been under intense scrutiny in recent weeks. Republican critics say the foundation makes Hillary Clinton, who is seeking the Democratic presidential nomination in 2016, vulnerable to undue influence.

After a Reuters review found errors in how the foundation reported government donors on its taxes, the charity said last week it would refile at least five annual tax returns.

"So yes, we made mistakes, as many organizations of our size do, but we are acting quickly to remedy them, and have taken steps to ensure they don't happen in the future," Clinton Foundation acting Chief Executive Officer Maura Pally said in a statement.

The errors appeared on the tax forms 990 that all non-profit organizations must file annually with the U.S. Internal Revenue Service to maintain their tax-exempt status.

Pally said the foundation did accurately report its total revenue but government grants were mistakenly combined with other donations.

(Reporting by Eric Beech in Washington; Editing by Peter Cooney)

CONSPIRACIN TO MAKE ILLEGAL CAMPAIGN CONTRIBUTIONS

The indictment charges Fieger and a law partner, Vernon (Ven) Johnson, of conspiring to make about $127,000 in illegal contributions to Democratic presidential candidate John Edwards' 2004 campaign.

The indictment alleges Fieger illegally circumvented limits on individual campaign contributions by recruiting "straw donors" -- including employees, contractors and their family members -- to purport to make the then-maximum contributions of $2,000 each to Edwards. In fact, the more than $125,000 in donations were paid for by Fieger and Johnson and the Fieger firm, the indictment alleges....The firm reimbursed the employees by disguising the payments as bonuses and disguised reimbursements to contractors as payments for services....

The Justice Department pointed out in its press release that John Edwards and his campaign had no knowledge of Fieger's actions:

....Edwards and his campaign officials were unaware of the illegal nature of the contributions and the Edwards campaign cooperated fully with the investigation, the U.S. Justice Department said in a news release.

Then there is the alleged coverup, forming the basis for the ten year obstruction of justice charge:

On the obstruction of justice charge, Fieger tried to impede the grand jury investigation by shifting responsibility for the contributions to a deceased officer of the Fieger firm, attempted to mislead the grand jury by telling witnesses false information which he expected to be repeated and attempting to conceal an incriminating document, the indictment alleges.

Fieger responds:

In his statement, Fieger said federal officials have "repeatedly threatened to prosecute my employees unless they lie about me."

Fieger will be reprented by Gerry Spence:

Spence told The Detroit News he and Fieger will speak to the media Tuesday morning at a news conference at Fieger's office.

"We will contest this and fight it until we haven't any breath," Spence said.

I don't envy Fieger. His life is bound to be miserable over the course of the next year as he fights this Indictment. And I disagree with this article that says his indictment may be trouble for Edwards because of his heavy anti-lobbyist contribution message. The feds have said the campaign was in the dark and Fieger, while a trial lawyer, like many of Edwards' past contributors, is not a lobbyist.

Edwards has strong labor union support in Michigan and I suspect he will keep it. I doubt Fieger's indictment will affect the race, particularly since Fieger is a hero to many Democrats in the state who may now view him as the target of an unfair, politically motivated prosecution by a corrupt Republican justice department.

Good luck, Geoffrey.

MICH

AND OTHERS

Eric Holder’s Civil Forfeiture Decision Won’t Stop Civil Forfeiture Abuse

Jan. 16 2015 7:36 PM

Helicopters Don’t Pay for Themselves

Why Eric Holder’s civil forfeiture decision won’t stop civil forfeiture abuse.

By Leon Neyfakh

Law enforcement agencies are expected to continue seizing assets until there is comprehensive reform at the state level. Above, boxes of U.S. currency seized during a 2014 raid in Los Angeles.

Photo by Justice Department via Reuters

Attorney . Eric Holder announced Friday that the Justice Department will no longer participate in a controversial program that has long allowed police departments around the country to seize cash and property from people suspected of criminal activity, then send 20 percent of its dollar value to the federal government under a so-called "e.table sharing" program and pump the remaining 80 percent into their own operating budgets.

Holder's decision to halt the program is being applauded by critics of the practice known as civil asset forfeiture. But experts warn that it's not enough: While it's nice that the federal government is washing its hands of "e.table sharing," law enforcement agencies can be expected to continue seizing people's cash and other valuables until there is comprehensive reform at the state level.

Civil forfeiture as it existed until Friday was introduced by the federal government in 1985, with noble intentions, as part of the war on drugs. The idea was to incentivize police to target suspected criminals in possession of large sums of ill-begotten riches, so that their money could be diverted to government coffers and then spent in service of the public good. But as time went by, civil forfeiture became a tool of abuse and a source of income on which police departments came to rely: According to the *Washington Post*, which ran an influential multipart investigation into civil forfeiture last year, police agencies have carried out 61,998 cash seizures under the federal "sharing" program since September 2001, collecting a total of $1.7 billion for themselves

and dividing an additional $800 million among various federal agencies. (Police departments used the proceeds on things like surveillance e.pment, sniper gear, helicopters, high-tech buses, and $600 coffee makers.)

The *Post* series—as well as an excellent *New Yorker* article from 2013—shined a light on the fact that countless Americans, many of them poor, were essentially being shaken down by local law enforcement officials without ever being charged with crimes, then forced to prove their innocence through a protracted legal process in order to get their money or other assets back.

In one particularly devastating example highlighted by the *Post*, a 55-year-old Chinese American man was pulled over for speeding in Alabama and forced to give up $75,000 that he had raised from relatives in order to buy a restaurant. According to the *Post*, it took almost a year and thousands of dollars in legal fees for the man to get his money back from the authorities.

Holder's decision to halt the Justice Department's "e.table sharing" program will certainly put a dent in the civil forfeiture racket. But it won't come close to eradicating the practice entirely, because the majority of America's 50 states—42, to be exact—still have laws on the books providing huge incentives for police departments to keep doing it.

According to Louis S. Rulli, a professor at the University of Pennsylvania Law School who has studied civil forfeiture closely, no fewer than 26 states allow police to keep 100 percent of the assets they seize. And Scott Bullock, a senior attorney at the Institute for Justice—the libertarian public interest law farm—says there are 16 others where police keep 50 percent or more.

"The law has to be changed in the states too," said Bullock. "This closes one window, but you've got to close all the windows."

According to Rulli, the window being closed is not all that big. "The Attorney .'s announcement is certainly very welcome news and an important step toward stemming civil forfeiture abuse, but it is going to have limited impact in states and localities because most seizures of cash, cars, and homes are conducted under the auspices of state law," he wrote in an email.

The states where Holder's decision will make a big impact are the handful that have already reformed their civil forfeiture laws, such that all seized assets are funneled not into the pockets of the law enforcement agencies that brought them in but into states' treasuries or to specific purposes. In Missouri, for instance, all seized assets go toward the state's education fund. Up to this point, law enforcement agencies in those states have been able to carry out civil forfeiture under the auspices of the federal program, thereby getting their 80 percent despite restrictive state laws. "The federal route was perceived as a way around state limits that let state and local agencies effectively continue what they were doing before: seizing assets and keeping lots of the proceeds, to fund themselves," wrote David Harris, a professor at the University of Pittsburgh School of Law, in an email.

It's in these states that Holder's decision will have the greatest impact. In the other 42, the gravy train will roll on, at least for now.

Holder's letter follows a report from the DOJ's internal oversight office released last month that contains allegations of sexual misconduct at a number of agencies. | AP Photo

Eric Holder's Friday memo to DOJ staff: Don't hire prostitutes

By **ADAM B. LERNER**

4/10/15 5:03 PM EDT

Attorney General Eric Holder had a friendly reminder for Justice Department employees before the weekend: don't solicit prostitutes.

In a letter released to all department staff on Friday, Holder wrote that he "want[ed] to reiterate to all Department personnel, including attorneys and law enforcement officers, that they are prohibited from soliciting, procuring, or accepting commercial sex."

Holder wrote that, despite prostitution being legal in parts of Nevada and abroad, department employees are expected to refrain, "not simply because it invites extortion, blackmail, and leaks of sensitive or classified information, but also because it undermines the Department's efforts to

> eradicate the scourge of human trafficking.”
> The letter follows a report from the DOJ’s internal oversight office released last month that contains allegations of sexual misconduct at a number of agencies within the Department of Justice.

ALSO ON POLITICO

D.C. police arrest off-duty Secret Service officer

KENDALL BREITMAN

> The report contained specific allegations that ten agents within the Drug Enforcement Agency hired sex workers overseas for parties at an agent’s “quarters,” leased for him by the U.S. g

http://www.cnn.com/2015/04/10/politics/justice-department-prostitutes/

1.

Eric Holders Friday memo to DOJ staff: Dont hire prostitutes

Politico - 2 days ago
Attorney General **Eric Holder** had a friendly reminder for Justice Department employees before the weekend: don't solicit **prostitutes**. In a letter ...


Politico

3.

Eric Holder would like to kindly remind Justice Department ...

Washington Post (blog) - 2 days ago
On Friday, Attorney General **Eric Holder** issued a **memo** to everyone in the ... **prostitution** is legal or tolerated in a particular jurisdiction," Holder ...


CBS News

Attorney General To Employees: You Can't Solicit **Prostitutes**, Ever NPR (blog)
Eric Holder warns DOJ personnel not to solicit **prostitutes** CBS News
Holder warns DOJ employees against soliciting **prostitutes** Fox News
Huffington Post - The Independent

5.

Sen. Grassley: Eric Holder's No Prostitutes Memo Not Enough


Breitbart News

Breitbart News - 1 hour ago
Attorney General **Eric Holder's** Friday **memo** warning Justice Department employees against soliciting **prostitutes** did not go far enough, Senate ...

7.

The week in Washington: Twitter trolling, prostitution memos, and ...

Hot Air - 2 days ago
A real **memo** issued by **Eric Holder** to his staff: ... We may be up to an unprecedented number of **prostitution** scandals in this administration, ...

9.

DEA: Bad Boys Sexing Up Colombian Prostitutes Supplied by Drug ...


Ladybud Magazine

Ladybud Magazine - 8 hours ago
DEA: Bad Boys Sexing Up Colombian **Prostitutes** Supplied by Drug ... a part of the local culture" resulting in **Eric Holder** issuing a **memo** to ...

ARE HEREBY COMMANDED' to appear with and/or produce the enumerated documents," and that failure to c comply is punishable by fine or imprisonment under both New York and federal law. 2339B - Providing material support or resources to designated foreign terrorist organitions provided that when "the United States" ex rel Shaorn Bridgewater Private Attorney . that "Obama, Holder, Clinton, and/or any persons" is engaged in, or is about to engage in, any act that constitutes, or would constitute, a violation 2339B this District Court shall enjoin such violation.

(f)Classified Information in Civil Proceedings Brought by the United States.—
(1)Discovery of classified information by defendants.—
(A)Request by united states.— In any civil proceeding under
(B)Action by court.— In determining whether a response is admissible, the court shall take precautions to guard against the compromise of any classified information, including—
(i)permitting the United States to provide the court, ex parte, with a proffer of the witness's response to the question or line of in.ry; and

(ii)re.ring the defendant to provide the court with a proffer of the nature of the information that the defendant seeks to elicit.
(C)**Obligation of defendant.—** In any civil proceeding under this section, it shall be the defendant's obligation to establish the relevance and materiality of any classified information sought to be introduced.

compelling defendant and/or Repsondant Eric Holder to produce documents withheld on the grounds of privilege or in the alternative for an *in camera* inspection of particular documents. Plaintiffs also request that the defendant be ordered to provide a privilege log for documents withheld on the grounds of privilege. Plaintiffs request that Eric Holder be ordered to produce for in camera inspection by close of business on _____ all withheld documents related to "this case " and "fast and furious, " Benhi, all documents requested by the Committee and Oversight in this case and/or docuents_____to be used for criminal trial in this case and/or to be introduce as evidence against the two or more of the Defendants, which is based on the Petitioners and/or Plaintiff affidivant, verified complaint and/or affidivant filed concurrently with this motion, mem. and points and a proposed order accompanies this motion.
_____
_____
List all documents requested by Committee and Oversight

"A mother's love for her child is like nothing else in the world. It knows no law, no pity. A mother's heart is always with her children.

Baby

To see a baby in your dream signifies innocence, warmth and new beginnings. Babies symbolize something in your own inner nature that is pure, vulnerable, helpless and/or uncorrupted.

http://news.yahoo.com/u-supreme-court-rejects-obamacare-death-panel-challenge-133800487--finance.html

ELIZABTH WARREN PRACTICING LAW WITHOUT A LAW LICENSE

Elizabeth Warren's law license problem

Posted by **William A. Jacobson** Monday, September 24, 2012 at 7:37am

Maintained private law practice at Cambridge office for over a decade but not licensed in Massachusetts

The debate last Thursday night between Scott Brown and Elizabeth Warren covered ground mostly known to voters.

But there was one subject most people watching probably did not know about, Elizabeth Warren's private legal representation of The Travelers Insurance Company in an asbestos-related case.

Brown brought the point up late in the debate, and hammered it:

Warren attempted to deny her role, and referred to a Boston Globe article, but the Globe article**supports Brown's account**. The Globe article indicated the representation was for a period of three years and Warren was paid $212,000. The case resulted in a **Supreme Court victory** for Travelers arising out of a bankruptcy case in New York.

Whatever the political implications of the exchange, Warren's representation of Travelers raises another big potential problem for Warren.

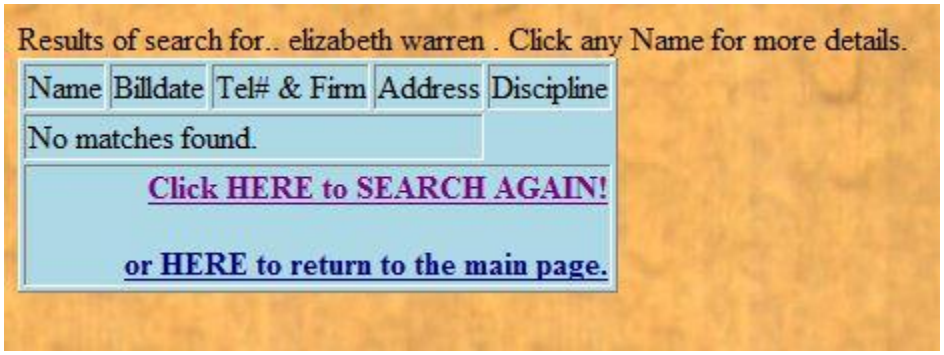
Warren represented not just Travelers, but numerous other companies starting in the late 1990s working out of and using her Harvard Law School office in Cambridge, which she listed as her office of record on briefs filed with various courts. Warren, however, never has been licensed to practice law in Massachusetts.

As detailed below, there are at least two provisions of Massachusetts law Warren may have violated. First, on a regular and continuing basis she used her Cambridge office for the practice of law without being licensed in Massachusetts. Second, in addition to operating an office for the practice of law without being licensed in Massachusetts, Warren actually practiced law in Massachusetts without being licensed.

Warren **refused to disclose** the full extent of her private law practice when asked by The Boston Globe. If Warren denies that she has practiced law in Massachusetts without a license, Warren should disclose the full extent of her private law practice. The public has a right to assess whether Warren has failed to comply with the most basic re.rement imposed on others, the need to become a member of the Bar of the Commonwealth of Massachusetts in order to practice law in and from Massachusetts.

1. Warren Is Not Licensed To Practice Law In Massachusetts

Warren is not licensed to practice law in Massachusetts. Warren's name does not turn up on a search of the **Board of Bar Overseers** attorney search website (searches just by last name or using Elizabeth Herring also do not turn up any relevant entries).


Results of search for.. elizabeth warren . Click any Name for more details.

Name	Billdate	Tel# & Firm	Address	Discipline
No matches found.				

Click HERE to SEARCH AGAIN!

or HERE to return to the main page.

I confirmed with the Massachusetts Board of Bar Overseers by telephone that Warren never has been admitted to practice in Massachusetts. I had two conversations with the person responsible for verifying attorney status. In the first conversation the person indicated she did not see any entry for Warren in the computer database, but she wanted to double check. I spoke with her

again several hours later, and she indicated she had checked their files and also had spoken with another person in the office, and there was no record of Warren ever having been admitted to practice in Massachusetts.

Warren's own listing of her Bar admissions is consistent with not being licensed in Massachusetts. In a **June 25, 2008 CV** Warren listed only Texas and New Jersey.

Warren's **Texas Bar information** indicates she is not eligible to be licensed in Texas, but does not indicate when she went on that inactive status. Consistent with our finding that Warren was not admitted in Massachusetts, Warren listed only one other place of admission on her Texas record, New Jersey:

COURTS OF ADMITTANCE

Federal

US Supreme Court

New Jersey District Court

Other Courts

None Reported By Attorney

OTHER STATES LICENSED

New Jersey

Warren became licensed in New Jersey in 1977. She famously and **speculatively** claimed to be the "**first nursing mother** to take a Bar exam" in New Jersey.

Warren, however, is **not currently licensed** in New Jersey:

NJ Attorney Detail

ELIZABETH A WARREN

NJ Attorney ID :	001351977
Bar Admission Date :	06/16/1977
City :	
State :	
County :	
Phone Number :	
Current Status :	RESIGNED W/O PREJUDICE

(Click the Current Status link for a more detailed explanation of the status description.)

While the date of termination of her New Jersey license is not on the website, telephone in.ries to the New Jersey Board of Bar Examiners and the New Jersey Lawyers Fund For Client Protection indicated that Warren resigned her license on September 11, 2012 (one of the people remarked to me "that's a memorable day"). It's odd that in the middle of a campaign Warren would take the time to resign her New Jersey Bar membership, particularly since she would have**to retake the Bar exam** to be readmitted.

Neither office in New Jersey could state whether her license was continuously active until her resignation because the computer only shows the current status, so I have made the request in writing as instructed. By resigning her New Jersey license earlier this month, Warren made it more difficult for the public to determine her pre-resignation status.

By all available information, Warren never has been licensed in Massachusetts, but at varying times has had active law licenses in Texas and New Jersey, although currently she is not licensed in either jurisdiction. It is unclear whether during the years she represented Travelers and others Warren was actively licensed anywhere.

I emailed the Warren campaign's spokesperson, Alethea Harney, after the debate Thursday night requesting a list of all jurisdictions in which Warren was licensed to practice law. I requested that the information be provided by Friday morning specifically so I could include the campaign's response, but I received no response.

2. Warren Used Her Cambridge Office as Her Law Office

Regardless of where she was admitted, Warren consistently since the late 1990s has held herself out as having her professional address for legal representation at her Harvard Law School office in Cambridge, Massachusetts.

Warren was listed as "**Of Counsel**" on Travelers' Supreme Court Brief, listing her Harvard Law School office as her office address:

BRIEF FOR PETITIONERS

Of Counsel:
ELIZABETH A. WARREN
Leo Gottlieb Prof. of Law
HARVARD LAW SCHOOL
1563 Massachusetts Avenue
Cambridge, MA 02183

BARRY R. OSTRAGER
Counsel of Record
MYER O. SIGAL, JR.
ANDREW T. FRANKEL
ROBERT J. PFISTER
SIMPSON THACHER
& BARTLETT LLP
425 Lexington Avenue
New York, NY 10017
(212) 455-2000

Attorneys for Petitioners
The Travelers Indemnity Company, Travelers Casualty and Surety Company and Travelers Property Casualty Corp.

Warren also used her Cambridge office address in other Supreme Court Briefs, such as **Rousey v. Jacoway** in 2004 where she represented AARP:

BRIEF OF AARP AS *AMICUS CURIAE*
IN SUPPORT OF THE PETITIONERS

PATRICIA J. KAEDING*
BRADY C. WILLIAMSON
LAFOLLETTE GODFREY & KAHN
ONE EAST MAIN ST., SUITE 500
MADISON, WI 53703
(608) 257-3911

ELIZABETH WARREN
LEO GOTTLIEB PROFESSOR OF LAW
1563 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02138

JEAN CONSTANTINE-DAVIS
NINA F. SIMON
AARP FOUNDATION LITIGATION

MICHAEL R. SCHUSTER
AARP
601 E Street, N.W.
Washington, D.C. 20049

*Counsel of Record

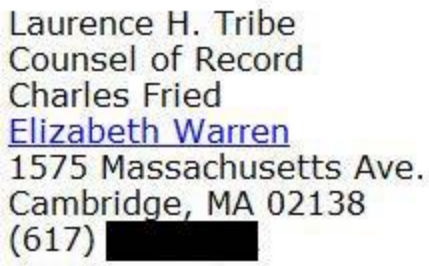
In 2003, Warren used her Cambridge address for another AARP Supreme Court Brief in Till v. SCS Credit Corp. (no public image available, but available in text form through Westlaw at 2003 WL 22070307) in which she appeared along with other counsel:

Elizabeth Warren
Leo Gottlieb Professor of Law
1563 Massachusetts Avenue
Cambridge, MA 02138

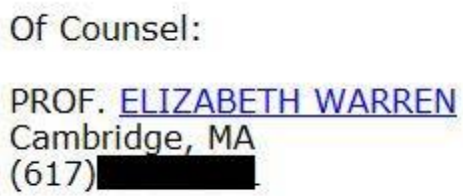
In the Till Brief, a Harvard Law School student was thanked for helping with the Brief, a clear reflection that the work on the Brief was performed at least in part in Cambridge.

FN* Counsel note with appreciation the contributions to this brief of Anthony Gaughan, a second-year student at Harvard Law School.

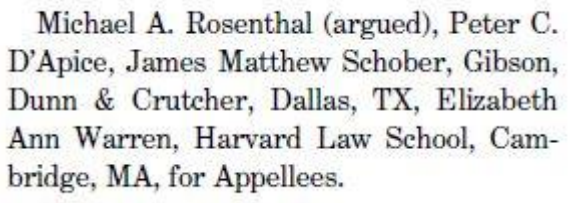
Similarly, in 2002 in FCC v. Nextwave Communications, Warren filed a Brief for the Official Creditors Committee and filed a Brief (available Westlaw at 2002 WL 1379031) along with her Harvard Law School colleagues Laurence Tribe and Charles Fried (each of whom is licensed in Massachusetts) using her Cambridge address:



In 1998 Warren was on the Supreme Court Brief for the National Association of Credit Management (available Westlaw 1998 WL 536369), again using her Cambridge address:



Warren also has had other legal representations using Cambridge as the location of her law office, such as National Gypsum Co v. National Gypsum Trust, **219 F.3d 478** (5th Cir. 2000):


Michael A. Rosenthal (argued), Peter C. D'Apice, James Matthew Schober, Gibson, Dunn & Crutcher, Dallas, TX, Elizabeth Ann Warren, Harvard Law School, Cambridge, MA, for Appellees.

Additional court cases in which Warren used her Cambridge address include Matter of Cajun Elec. Power Co-op., Inc., 150 F.3d 503 (5th Cir. 199i8)("Elizabeth Ann Warren, Harvard Law School, Cambridge, MA, for Southwestern Elec. Power Co.") and Matter of P.A. Bergner & Co., 140 F.3d 1111 (7th Cir. 1998)("Elizabeth Warren (argued), Harvard Law School, Cambridge, MA").

The clear record shows that since the late 1990s Warren has held herself out as representing litigants using her Harvard Law School address, and there is every reason to believe the work was performed in Massachusetts, in some cases utilizing student help.

The listings above are not exhaustive, and there may be cases not reported in electronic databases, in which Warren has acted as counsel using her Cambridge address. For example, if Warren rendered legal advice but did not appear on the Brief or enter a court appearance, there would be no record. State court case briefs and appearances also are not captured by databases to the extent of federal cases.

What also is unknown is whether any of Warren's representations involved Massachusetts clients or law, as Warren's campaign has refused to disclose the full nature of her law practice when asked by **The Boston Globe**.

Warren's office at Harvard Law School appears to have been her only office. I can find no record of Warren using any other address for such filings and representations other than her Cambridge address. That office not only was used in various cases listed above, it also is the office listed for her now inactive **Texas law license**:

3. Warren Was Practicing Law From Her Cambridge Office

There is no re.rement that a law teacher be licensed to practice law in Massachusetts in order to teach or publish on topics related to law. In fact, a law teacher need not even be a lawyer. Once that law teacher starts acting a lawyer, however, the normal licensing rules apply.

The question becomes whether Warren was "practicing law" at her Cambridge address, or doing something that does not constitute the practice of law.

A person practicing law in Massachusetts needs to be licensed to do so. Superadio Ltd. Partnership v. Winstar Radio Productions, LLC, **446 Mass. 330**, 334, 844 N.E.2d 246, 250 (Mass. 2006)("As a general proposition, an attorney practicing law in Massachusetts must be licensed, or authorized, to practice law here").

While there is no single definition of what it means to "practice law," the Massachusetts Supreme Judicial Court has held:

As general observations, we have noted that the practice of law involves applying legal judgment to address a client's individualized needs … and that custom and practice may play a role in determining whether a particular activity is considered the practice of law … More specifically, we have stated:

"[D]irecting and managing the enforcement of legal claims and the establishment of the legal rights of others, where it is necessary to form and to act upon opinions as to what those rights are and as to the legal methods which must be adopted to enforce them, the practice of giving or furnishing legal advice as to such rights and methods and the practice, as an occupation, of drafting documents by which such rights are created, modified, surrendered or secured are all aspects of the practice of law."

Real Estate Bar Ass'n for Massachusetts, Inc. v. National Real Estate Information Services, **459 Mass. 512**, 517-518, 946 N.E.2d 665, 674 (Mass. 2011)(citations omitted)(drafting real estate deeds for others constituted practice of law); see also Lindsey v. Ogden, **10 Mass.App.Ct. 142**, 149-150, 406 N.E.2d 701, 709 (Mass.App., 1980)(person overseeing execution of will was not engaging in the practice of law where he "never held himself out as a Massachusetts lawyer, never drew any documents in Massachusetts, and never did anything else that could be considered as the practice of law in this State. A Massachusetts domiciliary is free to consult a licensed New York attorney on the merits of her estate plan");

Warren's activities on behalf of Travelers and other parties in the cases listed above would seem to fall easily within this definition of practicing law.

Warren described herself as "Of Counsel" or counsel and clearly was rendering legal advice and services based upon her evaluation of the law:

Generally speaking, the practice of law can include, "the examination of statutes, judicial decisions, and departmental rulings, for the purpose of advising upon a question of law … and the rendering to a client of an opinion thereon." See Lowell Bar Ass'n v. Loeb, 315 Mass. 176, 52 N.E.2d 27, 33 (1943).

In re Bonarrigo, 282 B.R. 101 D.Mass.,2002 (bankruptcy petition preparers engaged in practice of law).

4. If Warren Was Practicing Law From Her Cambridge Office, She Violated Massachusetts Law

In order to practice law in Massachusetts, particularly from a Massachusetts office, one needs to be admitted to the Massachusetts Bar, which Warren never has been. There is no general exception from licensing re.rements for law professors.

Massachusetts General Laws, Chapter 221, Section 46A provides (emphasis mine):

Section 46A. **No individual, other than a member, in good standing, of the bar of this commonwealth shall practice law**, or, by word, sign, letter, advertisement or otherwise, hold himself out as authorized, entitled, competent, qualified or able to practice law; provided, that a member of the bar, in good standing, of any other state may appear, by permission of the court, as attorney or counselor, in any case pending therein, if such other state grants like privileges to members of the bar, in good standing, of this commonwealth.

Massachusetts Rule of Professional Conduct 5.5 provides in pertinent part that the obligation to be licensed has some narrow exceptions. [See footnote added 10-1-2012 at bottom of post.] None of those exceptions apply to Warren (emphasis mine):

(b) **A lawyer who is not admitted to practice in this jurisdiction shall not**:

(1) except as authorized by these Rules or other law, **establish an office or other systematic and continuous presence in this jurisdiction for the practice of law**; or
(2) hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction.

(c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, **may provide legal services on a temporary basis** in this jurisdiction that:

(1) **are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter**;
(2) are in or reasonably related to a pending or potential proceeding before a tribunal in this or another jurisdiction, if the lawyer, or a person the lawyer is assisting, is authorized by law or order to appear in such proceeding or reasonably expects to be so authorized;
(3) are in or reasonably related to a pending or potential arbitration, mediation, or other alternative dispute resolution proceeding in this or another jurisdiction, if the services arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice and are not services for which the forum re.res pro hac vice admission; or
(4) are not within paragraphs (c)(2) or (c)(3) and arise out of or are reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted to practice.

As the Rule makes clear, assuming Warren were licensed in another jurisdiction (which is unclear), Warren still could not maintain an office in Massachusetts for the practice of law, which she did, unless licensed in Massachusetts, which she was not.

Warren cannot invoke the "temporary basis" exception quoted above because she maintained the Cambridge office continuously and for a long period of time, and was not temporarily in Massachusetts ancillary to her practice in a jurisdiction where she was licensed. A Comment to the Rule provides:

[6] There is no single test to determine whether a lawyer's services are provided on a "temporary basis" in this jurisdiction, and may therefore be permissible under paragraph (c). Services may be "temporary" even though the lawyer provides services in this jurisdiction on a recurring basis, or

for an extended period of time, as when the lawyer is representing a client in a single lengthy negotiation or litigation.

Whether the services were on a "temporary basis" would re.re a showing that Warren was actively licensed elsewhere (a fact her withdrawal from New Jersey makes more difficult to verify) and whether the services were in relation to her activities in the other jurisdiction. Comment 14 provides in pertinent part:

[14] Paragraphs (c)(3) and (c)(4) re.re that the services arise out of or be reasonably related to the lawyer's practice in a jurisdiction in which the lawyer is admitted….

Comment 10 also explains that temporary conduct in connection with a matter pending in a jurisdiction in which the attorney is licensed, such as interviewing a witness in Massachusetts or conducting a deposition in Massachusetts, is permitted. That would seem inapplicable here, both because Warren's office was in Massachusetts, and also because her representation of Travelers was not of such nature that her services were incidental to her representation of Travelers in a jurisdiction in which she was licensed.

Moreover, the Travelers case was not the only legal representation Warren has provided over the years, as demonstrated above. According to **The Boston Globe article** about the Travelers case:

The extent of her legal practice, and the clients she has represented, is unclear.

Her campaign would not release a full list of cases she has been involved in. And, while some representation appears in scattered court records, much of her consulting can be done without placing her name on dockets as an attorney of record.

Her campaign detailed six Supreme Court cases in which she has filed so-called friend of the court briefs. They include two briefs on behalf of the AARP: one of which supports protecting individual retirement accounts in the event of a bankruptcy and another that fights to allow judges to lower consumers' credit card interest rates in the event of personal bankruptcies.

Warren's **2008 CV** lists six Supreme Court Briefs in which she had participated (although two of them appear to be briefs filed on her behalf, not briefs filed by her as counsel), all of which predated the Travelers case:

Briefs, United States Supreme Court

Central Virginia Community College v. Katz (2005) (brief on behalf of law professors)

Rousey v. Jackoway (2004) (brief on behalf of the American Association of Retired Persons)

Till v. SCS Credit Corporation (2003) (brief on behalf of the American Association of Retired Persons)

Tennessee Student Assistance Corporation v. Hood (2003) (brief on behalf of law professors)

Federal Communications Commission v. Nextwave Personal Communications, Inc. (2002) (brief in support of Official Creditors Committee)

Bank of America National Trust Association v. 203 North LaSalle Street Partnership (1998) (brief on behalf of the National Association of Credit Managers)

Here, since Warren maintained her Cambridge office as her law office for well over a decade, it is hard to argue that it was either temporary or in connection with her practice in another

jurisdiction. Moreover, unlike the out of state attorney in the Lindsey case above, Warren practiced law from her office in Massachusetts.

This is unlike some cases in which unlicensed conduct in Massachusetts is excused if ancillary to the attorney's practice in a state in which he or she is licensed. In re Chimko, **444 Mass. 743**, 831 N.E.2d 316 (Mass. 2005). Here, even if she were licensed in New Jersey while representing Travelers (a fact we still are trying to confirm), that would not permit Warren to maintain a law practice in Massachusetts unless licensed in Massachusetts.

There is a Massachusetts Bar Association Ethics Opinion which seems on point. Here is the official summary (emphasis mine):

Opinion No. 76-18

Summary: **It is improper and misleading for an out-of-jurisdiction firm whose members and associates are not admitted to the Massachusetts bar to place a "Boston Office" address on its letterhead.** In addition, the letterhead of such an out-of-jurisdiction law firm may not contain, without more, the names of Boston lawyers who are not associates or partners of that firm.

It is proper for an out-of-jurisdiction firm to have a local office indicated on its letterhead if (1) that office is operated by at least one member or associate of the firm who is admitted to the Massachusetts bar, and (2) any enumeration of lawyers on the firm letterhead makes clear which lawyers are not admitted to practice in Massachusetts and any other jurisdictional limitations.

Yet Warren, who was not and never was licensed to practice law in Massachusetts, has held her Cambridge office out to be her law office for the purpose of providing legal representation.

As noted above, we do not know the extent to which Warren has represented Massachusetts clients or offered advice as to Massachusetts law. The American Bar Association has **recognized the problem** under Model Rule 5.5 for a lawyer who maintains an office in one jurisdiction but practices "virtually" in another jurisdiction. While the ABA is working on solving such internet-age issues, there is no authority which exempts from the licensing re.rements an attorney domiciled in Massachusetts using a Massachusetts office but who offers legal advice and services only to out-of-state clients and as to non-Massachusetts law.

5. Harvard Law School Warns Its Students Against The Unauthorized Practice of Law

My interpretation of Massachusetts law, and the broad scope of conduct which re.res admission to the Massachusetts Bar, is consistent with the instructions Harvard Law School provides to law students who wish to participate in legal Clinics.

In Massachusetts, as in most states, students can provide services which otherwise would re.re a law license, providing that certain re.rements, such as providing the services through a recognized law school clinic under the supervision of an attorney admitted to practice in Massachusetts, are met.

Here is what **Harvard Law School cautions its students**:

3. Standards of professional behavior for law students.

As future practicing lawyers, law students have standards of professional behavior and responsibilities expected of them. Please be advised that every state, including the Commonwealth of Massachusetts, has statutes and rules that prohibit the "unauthorized practice of law." (See, e.g., **Mass. Gen. Laws ch. 221 §41**; **Mass. Rules of Professional Conduct, Rule 5.5**)

The practice of law is broadly defined and can include providing advice, in addition to direct representation. Just as one must get a license to practice medicine, one must be admitted to the bar in a particular state to be able to practice law. Law students are permitted to do legal work

for clients as long as the student is working as an individual supervised by an attorney admitted to practice law in the relevant jurisdiction and that attorney takes responsibility for the legal work. Engaging in the unauthorized practice of law may result in criminal penalties, including fines and imprisonment. See: Massachusetts Conveyancers Ass'n, Inc. v. Colonial Title & Escrow, Inc., 2001 WL 669280 (Mass.Super. 2001) : whether a particular activity constitutes the practice of law is fact specific. Matter of Shoe Manufacturers Protective Association, 295 Mass. 369, 372 (1936).http://www.reba.net/images/UserFiles/File/amici/Darryl%20Chimko%20v%20Richard%20A.%20KingAmicus%20Brief.pdf;http://www.relanc.com/documents/REBA%20Brief%20to%20Massachusetts%20SJC%20re%20UPL%20Issue.pdf

HLS students are re.red to comply with rules regarding the practice of law and the Law School's policies regarding engagement in the practice of law while enrolled at the Law School. These rules ensure proper supervision and compliance with applicable legal re.rements. Violation of the rules on the unauthorized practice of law may result in disciplinary proceedings before the Administrative Board, and may interfere with eligibility for admission to the bar.

None of these legal standards should come as a surprise to Warren. If Harvard Law School expects its students not to engage in the unauthorized practice of law in Massachusetts, presumably it provides similar warning to its faculty. Unfortunately, unlike **many other Harvard schools**, the law school faculty handbook is not available online or to the public.

While I have not checked every Harvard Law faculty member, several high profile professors who provide or have provided private legal services from their Harvard offices are licensed to practice law in Massachusetts, including Alan Dershowitz, Charles Fried, and Laurence Tribe.

What is odd is that Warren could have been admitted to the Massachusetts Bar **on motion**, since she was admitted elsewhere and had at least five years law teaching/practice experience (unless she had previously taken and failed the Mass Bar Exam). I am not certain when this motion provision came into effect in Massachusetts.

6. Warren's Possible Practice Of Law Without A License Re.res Full Disclosure Prior To The Election

I detail above the facts and law which lead me to the conclusion that Warren has practiced law in Massachusetts without a license in violation of Massachusetts law for well over a decade.

I expect Warren will disagree, and I welcome a discussion of the facts and the law.

I doubt that will happen. Instead, and similar to how her campaign tried to **demonize me** and the **Cherokee women** who questioned her supposed Native American ancestry, I expect Warren's campaign will attempt to deflect these serious issues by attacking the messenger.

Warren should disclose the full scope of her private law practice. Perhaps there are facts not publicly available which will demonstrate that Warren was not engaged in the practice of law in Massachusetts when she earned $212,000 from Travelers, plus other fees from others who sought out her legal expertise dating back to the 1990s.

The voters of Massachusetts are entitled to know, before they vote, whether one of the candidates for Senate has not been following the rules which apply to everyone else.

Update: **No, Mass. Board of Bar Overseers has not exonerated Elizabeth Warren** and **Elizabeth Warren represented Massachusetts client in Massachusetts**.

Footnote added 10-1-2012: The multi-jurisdictional safe harbor provisions in Current Rule 5.5, did not come into effect in Massachusetts until **January 1, 2007**, and therefore would not aid Warren in defending her practice of law in Massachusetts prior to that date. (See **this case** for description of prior rule.)

http://legalinsurrection.com/2012/09/boston-globe-unintentionally-proves-elizabeth-warrens-ethnic-fraud/

Boston Globe unintentionally proves Elizabeth Warren's ethnic fraud

https://interestingblogger.wordpress.com/2013/10/14/elizabeth-warren-is-a-fraud/

http://akdart.com/lib74.html

http://dailycaller.com/2014/04/16/elizabeth-warren-whines-about-coverage-of-her-fraudulent-indian-claim/

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Its time to say it: Senator Elizabeth Warren is a fraud. I've written many times on this blog about the deception she created before & after her election. This is part of the reason I worked for centrist Bill Cimbrelo's campaign before I realized the strange positions he had. Why do I bring this up again? Well, she made some ridiculous comments about anarchism & the Tea Party in an article widely circulated titled We are not a country of anarchists (certain sections are bolded for emphasis):

If you watch the anarchist tirades coming from extremist Republicans in the House, you'd think they believe that the government that governs best is a government that doesn't exist at all. But behind all the slogans of the Tea Party – and all the thinly veiled calls for anarchy in Washington – is a reality: The American people don't want a future without government. When was the last time the anarchy gang called for regulators to go easier on companies that put lead in children's toys? Or for inspectors to stop checking whether the meat in our grocery stores is crawling with deadly bacteria? Or for the FDA to ignore whether morning sickness drugs will cause horrible deformities in our babies? When? Never. In fact, whenever the anarchists make any headway in their quest and cause damage to our government, the opposite happens. After the sequester kicked in, Republicans immediately turned around and called on us to protect funding for our national defense and to keep our air traffic controllers on the job. And now that the House Republicans have shut down the government – holding the country hostage because of some imaginary government "health care boogeyman" – Republicans almost immediately turned around and called on us to start reopening parts of our government. Why do they do this? Because the boogeyman government in the alternate universe of their fiery political speeches isn't real. It doesn't exist. Government is real, and it has three basic functions:

Provide for the national defense.

Put rules in place rules, like traffic lights and bank regulations, that are fair and transparent.

Build the things together that none of us can build alone – roads, schools, power grids – the things that give everyone a chance to succeed.

These things did not appear by magic. In each instance, we made a choice as a people to come together. We made that choice because b wanted to be a country with a foundation that would allow anyone a chance to succeed. The Food and Drug Administration makes sure that the white pills we take are antibiotics and not baking soda. The National Highway Traffic Safety Administration oversees crash tests to make sure our new cars have functioning brakes. The Consumer Product Safety Commission makes sure that babies' car seats don't collapse in a crash and that toasters don't explode. We are alive, we are healthier, we are stronger because of government. Alive, healthier, stronger because of what we did together. We are not a country of anarchists. We are not a country of pessimists and ideologues whose motto is, "I've got mine, the rest of you are on your own." We are not a country that tolerates dangerous drugs, unsafe meat, dirty air, or toxic mortgages. We are not that nation. We have never been that nation. And we never will be that nation. The political minority in the House that condemns government and begged for this shutdown has its day. But like all the reckless and extremist factions that have come before it, its day will pass – and the government will get back to the work we have chosen to do together.

In reaction to this, it seems to be a strong protection of the state. This is not surprising for a politician, but it is strange to come from someone who endorsed the Occupy Movement (and is considered the intellectual mindset behind it, whatever that means), which consists of a lot of anarchists. Warren's defense of the state seems to remind

me of Thomas Hobbes & John Locke saying the state is necessary. Saying that the Tea Partiers or even Republicans in general are anarchists is completely absurd and factually incorrect. Warren should be ashamed of herself. Activist & photographer, partly for The Real News Network, Jenna Pope (@BatmanWI) had a different view, writing on twitter in response that Elizabeth Warren "should talk to some REAL anarchists (like me) before posting something like this. This is just embarrassing…." But, there is something deeper than this.

Progressives love Warren, including someone in my school's chapter of SDS, partly because of her populist appeal. There is no doubt she has angered international capital by speaking against the TPP (Trans-Pacific Partnership), challenged the big banks & proposed a moderate proposal to help students in debt. However, she has a side which is rarely talked about. She told the Boston Globe that "Assad's use of chemical weapons on his own people is reprehensible. The Administration has responded by providing direct aid to the opposition forces, and while I hope that this new aid will help opponents challenge the regime, I am deeply concerned that our aid might have unintended consequences. We need clear goals and a plan to achieve them or else the United States could get bogged down in another war in the Middle East." Ok, this seems reasonable except it also seems like a statement to generate good PR. Consider she not only is a zionist but she wants increased sanctions on Iran which are hurting the people of that country. That's not all.

Consider this speech she gave to the Financial Services Roundtable, which represents the financial services "industry" a.k.a the big banks, investment funds, etc… asking them to HELP!(uh-oh):

"There needs to be more certainty about financial rules and regulation…there are other lower-profile but necessary tasks we need to work on too, like re-authorizing the Terrorism Risk Insurance Act so that the owners of stadiums and skyscrapers can get insurance that would otherwise be unavailable privately….I understand that there are different views in Washington about the role of government and the appropriate level of spending. I'm eager to have a healthy debate on those issues…And, let me bring this home: this whole mess is already costing you money, and it could well cost you a lot more. If the government's borrowing costs go up, your costs will go up. And if consumer confidence drops, your customers will spend less. The debt ceiling isn't a Washington problem; it is an American problem. You protect your interests every day in Washington. Ending this destructive notion of politics by hostage-taking is in your interests. And preventing an actual default—a self-inflicted wound that could cause a spike in interest rates and a freeze in our credit markets—is clearly in your interests. I know that many of you have already spoken out, and I'm grateful for that. But please keep at it. For those of you who haven't, please start now. Speak up publicly and write op-eds and give interviews. One conversation won't get this done…The idiot sequester is your issue too, and you can't stand sideways on this either. The sequester affects your businesses and your customers…My takeaway is that it is still possible for people in Washington to put their heads together and come up with commonsense solutions to real problems. That's what our country needs. That's what I came here to do. That's what I hope you will do too."

This appeal to the business community is deeply troubling but not surprising. According to the Center for Responsive Politics, other than the money from big unions, law firms, universities and other liberal groups, she has received:

1. $38,575 from Google
2. $18,000 from Time Warner
3. $17,700 from Bain Capital (what?!?)
4. $17,150 from Morgan Stanley
5. $16,000 from Liberty Mutual
6. $16,000 from Microsoft
7. $14,825 from IBM Corp.
8. $13,500 from National Amusements Inc. (owns most of CBS & wholly Viacom)
9. $12,550 from Walt Disney Company 10. $12,325 from Raytheon

Collectively, that's $165,515 in the 2013-2014 fiscal year so far into her campaign coffers from some of the worst corporations. This list already puts into question her projected version of herself as a crusader for the middle class, fighting the banks since she gets money from one of those big banks, Morgan Stanley. Additionally, Google, is one of the biggest contributors to her campaign in her career so far. That's not all. The first investment she has that is listed by the Center of Responsive Politics is in one of the worst banks of all: Bank of America.

Organization	Value
Bank of America	$15,001 to $50,000
First National Bank of Omaha	$250,001 to $500,000
Gas Well Royalty Interests	$0 to $1,000
Harvard University Employees Credit Unio	$1,001 to $15,000
IBM Corp	$100,001 to $250,000
ING Direct	$250,001 to $500,000
Residence/Cambridge, MA	$1,000,001 to $5,000,00
TIAA-CREF Bond Index-Institutional	$15,001 to $50,000
TIAA-CREF Bond Index-Retirement	$15,001 to $50,000
TIAA-CREF Bond Market	$51,002 to $115,000
TIAA-CREF Equity Index	$300,002 to $600,000
TIAA-CREF Global Equities Fund	$100,001 to $250,000
TIAA-CREF Inflation Linked Bond	$16,002 to $65,000
TIAA-CREF Inflation-Linked Bond-Retireme	$15,001 to $50,000
TIAA-CREF International Equity Index	$1,001 to $15,000
TIAA-CREF Mid-Cap Gr-Retirement	$15,001 to $50,000
TIAA-CREF Real Estate Fund	$115,002 to $300,000
TIAA-CREF Sm-Cap Bl Index-Retirement	$50,001 to $100,000
TIAA-CREF Stock	$250,001 to $500,000
TIAA-CREF Traditional	$2,000,002 to $6,000,00
Zions Bancorp	$100,001 to $250,000

As noted in the 2012 report, she still has many of the same assets.

Reporting Individual's Name ☐ Amendment

PART IIIA. PUBLICLY TRADE

BLOCK A Identity of Publicly Traded Assets And Unearned Income Sources Report the complete name of each publicly traded asset held by you, your spouse, or your dependent child, *(See p.3, CONTENTS OF REPORTS Part B of Instructions)* for production of income or investment which: (1) had a value exceeding $1,000 at the close of the reporting period; and/or (2) generated over $200 in "unearned" income during the reporting period. Include on this PART IIIA a complete identification of each public bond, mutual fund, publicly traded partnership interest, excepted investment funds, bank accounts, excepted and qualified blind trusts, and publicly traded assets of a retirement plan.			BLOCK B Valuation of Assets At the close of reporting period. If None, or less than $1,001, Check the first column.										
			None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000**	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Example: DC of J	(S)	IBM Corp. (stock)				X								
	(S)	Keystone Fund					X							
1	J	Bank of America-checking			X									
2	J	Bank of America-checking		X										
3	J	Bank of America-savings			X									
4	J	Harvard University Employees Credit Union-savings		X										
5	J	First National Bank of Omaha-savings						X						
6	J	Zions Bank-savings			X									
7		IBM Corp.					X							
8		Vanguard Target Retirement 2015			X									

The same webpage, as noted two paragraphs ago, notes that along with her royalties from her book, she is a Consultant for Travelers Insurance Companies, which has over $104 billion in total assets. This is the company that Citi merged with in 1999 creating Citigroup, after the passage of the law repealing a big chunk of the Glass-Steagall Act was passes the previous year as noted in the documentary, Inside Job. In 2003, the entity was sold to MetLife, & the next year it spun off by itself. This history is vitally important.

This is no surprise as her net worth is between $4,609,025 and $14,696,000 dollars! A one percenter working for you? I'm not so sure. There's this wonderful post on the blog of the Center for Responsive Politics that talks about Elizabeth Warren in the race for the Senate seat, saying that:

"Now Brown is on the other end of a lopsided fundraising campaign, with challenger Elizabeth Warren (D) outraising him by $8.8 million as of June 30. Still, Warren had outspent him by only $3.4 million…Colleges both in and outside Massachusetts have given Warren significant financial aid. Seven out of Warren's top 20 donors are top-tier universities, three of them from the Ivy League and another being the Massachusetts Institute of Technology. Warren taught in the law programs at both Harvard University and the University of Pennsylvania; employees of the schools have backed her campaign with $158,000 and $18,000 in contributions, respectively. Warren has admitted telling both schools when she taught there that she was of Native American descent, a subject that has become contentious. Warren has since stood by her claim that she is part Cherokee, but the Brown campaign isn't backing down on the issue either, alleging she might have gained professional advantage with her assertion. Many of Brown's top 20 contributors are Wall Street firms, banks and defense contractors."

Looking at that list of contributors to Scott Brown, five of them now support Elizabeth Warren, giving to her campaign coffers, an interesting change of fate:

Top 20 Contributors to Campaign Cmte

| View Top 20 | Top 100

Click on arrows to view detailed data.

Rank	Contributor	Hires lobbyists?	Lobbying firm?*	Lobbyist(s) give to member?	Total	Indivs	PACs
1	FMR Corp	→		→	$289,455	$279,455	$10,000
2	EMC Corp	→		→	$169,800	$159,800	$10,000
3	Goldman Sachs	→		→	$119,400	$109,400	$10,000
4	Votesane PAC				$113,250	$113,250	$0
5	State Street Corp	→		→	$106,650	$100,650	$6,000
6	Massachusetts Mutual Life Insurance	→		→	$106,198	$96,198	$10,000
7	Raytheon Co	→		→	$89,350	$79,350	$10,000
8	Liberty Mutual	→		→	$85,500	$75,500	$10,000
9	JPMorgan Chase	→		→	$80,855	$70,855	$10,000
10	PricewaterhouseCoopers	→	→	→	$79,800	$69,800	$10,000
11	General Electric	→		→	$74,475	$64,475	$10,000
12	Bain Capital	→		→	$74,200	$74,200	$0
13	Country First PAC				$73,248	$0	$73,248
14	Greenberg Traurig LLP		→	→	$70,350	$60,350	$10,000
15	Morgan Stanley	→			$68,150	$58,150	$10,000
16	Blackstone Group	→		→	$63,650	$57,650	$6,000
17	General Dynamics	→		→	$61,650	$51,650	$10,000
18	Edwards Wildman Palmer		→	→	$59,850	$49,850	$10,000
19	Bank of New York Mellon	→		→	$58,050	$53,050	$5,000
20	Cerberus Capital Management	→		→	$57,450	$53,950	$3,500

Looking at the broader list of Brown's top 100 contributors, there are seven that now give to Elizabeth Warren (some not listed earlier): Intel, Google, Berkshire Partners, FMR Corp., Harvard University, MIT, and Oracle Corp. Now, that one can see a section of the business community backs her, its important to look at more if her specific policies. One of these is a speech she gave to the Education Writers Association Conference on Higher Education in which she said:

"College tuition and fees have been skyrocketing for decades…More and more low and middle-income kids simply can't afford to pay the high cost of college…So they take on loans to finance their education. That debt is adding up – student loan debt is approaching $1.2 trillion…Student loan debt is a threat to our students' futures, and it's a threat to our economy.…Instead of using education to build economic security, inefficient and ineffective education policy is hollowing out our middle class…Here are three things I think we should do right now…Eliminate government profits from the federal student loan programs-period…Reducd the burden of student debt on existing borrowers by refinancing that debt to let students take advantage of historically low interest rates…Restore basic consumer protections like bankruptcy relief…I put restoring the traditional role of public higher education at the top of my list…The federal government cannot solve this problem alone. But the federal government can-and should-leverage its dollars to push for improved educational quality and lower tuition costs…We can give colleges additional incentives to keep student debt low and academic quality high…And if we save money by getting colleges that perform poorly to pay back into the system, we can use that money to reward the schools who keep costs low…we should reform our federal student aid programs…we need to rethink student aid from the perspective of what's best for students.…I know that some will look at these proposals and say that we cannot afford to make these changes…for the most part, these ideas are not about spending more federal dollars – instead, they are about getting a better return on our investment.…It's time for the federal government to use its muscle to make sure that Americans have access to colleges that they can afford…These proposals will re.re some big changes, and getting our system right will take sacrifice – from Congress, from states, and from colleges themselves…I believe that's who we are-and that's how we build a future for ourselves, for our children and for our grandchildren."

Now, while parts of the speech sound great, since she is tackling valid issues of ballooning student loan debt and rising college tuition, the solutions are mainly reformist, meaning people will still be hurting. I looked deeper into these two issues since it seemed something was missing. An article in CounterPunch noted part of this missing narrative: a student loan debt bubble. Professor Alan Nasser and independent researcher Kelly Norman wrote that: "The data indicate that today's students are saddled with a burden similar to the one currently borne by their parents…For-profit school enrollment is growing faster than enrollment at public schools, and a growing percentage of students attending for-profit schools represent holders of debt likely to default…High and increasing unemployment and declining wages have resulted in declining public revenues. This in turn leads to budget cut directives from legislative bodies to public higher education institutions, often accompanied by the authority to increase tuition…More students who would otherwise attend a state institution or a private, non-profit school are finding themselves without a seat at over-enrolled campuses…Thus, the neoliberal assault on public education not only tends to push more students into private institutions, it also generates upward pressure on tuition costs. This results in growing pressure on enrollees at proprietary schools to take on student loan debt…[at the time this was written] there [was]…about $830 billion in total outstanding federal and private student-loan debt. Only 40 percent of that debt is actively being repaid. The rest is in default, or in deferment…which means payments and interest are halted, or in forbearance…we have the full trappings of a major bubble. As it goes with contemporary bubbles, when the loans go into default, taxpayers will be forced to pick up the tab…Of course the usual suspects are among the top private lenders: Citigroup, Wells Fargo and JP Morgan-Chase…Apart from stimulus funding, overall government student aid is disproportionately aimed at those attending proprietary schools. Nearly 25 percent of federal financial aid is spent on students attending for-profit colleges, even though these colleges enroll less than 10 percent of the nation's college students. Proprietary schools now rely on federal financial aid…PELL Grants and federal loans..as their primary source of revenue…[even so] drop out rates are higher than they are at public and non-proprietary private schools, often as high as 50 percent…Paying back student loans out of low income and over a long period of time can rule out the possibility of making other financial investments re.red for the vanishing American Dream…The two largest holders of student loans are SLM Corp (SLM) and Student Loan Corp (STU), a subsidiary of Citigroup. SLM -Sallie Mae- was originated as a Government Sponsored Enterprise (GSE) in 1972…In 2002 Sallie Mae shed the its GSE status…Sincs the government took federal loan originations in-house, making them available only through the Department of Education, it no longer has to pay hefty fees….to private banks…$19 billion of this will be used to pay for the $940 billion health care bill…The student loan debt bubble signals a generation that enters the work of paid work cursed with what is more likely than not to be a life of permanent indebtedness and low wages…The present generation will experience the indefinite extension of Reagan-to-Obama low wage neoliberalism."

None of this was ever explained or even mentioned in this detail by Elizabeth Warren. Instead, it was noted there was a problem, but no one was particularly blamed and criticized for it. There are a number of other articles on CounterPunch focusing on this subject as well (here, here, here, here, & here).

From here, I looked into what is the reason for higher college tuition. In part this is due to Wall Street's War on the Cities, but it is also because of other factors as well. Ken Clark of About.com says its because of inflation, demand, scholarships, & availability of classes. Cornell University Professor Ronald Ehrenberg has an explanation which seems to get more at the heart of why there are higher costs: a "winner-take-all" society, shared governance at colleges, and Federal Government policy. Once again, Warren did not explain this at all.

As the top updates on her website are all about the class war shutdown (also called government shutdown), its hard to find much else, so you have to keep digging. One can find Warren and others applauding the creation of an "advanced manufacturing grant" which will seemingly help prepare students to work for manufacturing companies, announcing a grant for schools in Springfield, going to the University of Massachusetts to applaud how the university is preparing people to work for manufacturing and other capitalists, and worst of all, touring a General Dynamics plant, telling the workers that she supports funding for the WIN-T battlefield communications system because "it's a great part of the national defense effort" which is another name for the Warfighter Information Network-Tactical, a U.S. Army communications network. It seems like she'd want to go into a war, if one was started tomorrow. As to expand on what I noted in a conversation with a self-described Constitutional Conservative, Warren is one of the corporate-friendly politicians who act as modified clones of Obama which is utterly disgusting.

While my analysis of could have been more extensive, this article hopefully provides a light into something "progressive" & "liberal" media like MSNBC, Mother Jones, & the Nation will not: Senator Elizabeth Warren is a fraud and a deceptive person, as she clearly does NOT a "fearless consumer advocate who has made her life's work the fight for middle class families" as her website claims but rather a do-good-er liberal who wants to uphold the existing capitalist order, just with some tweaks.

INCORPORATION OF OTHER EVIDENCE

Plaintiff hereby incorporates by reference the entire contents of the Clerks' dockets: in the instant case, in the District Court of the United States ("DCUS") for the Eastern Judicial District of California (Sacramento) #CIV. S-01-1480 WBS DAD PS, in the United States Court of Appeals for the Ninth Circuit #02-15269 and #02-89005, and in the Supreme Court of the United States #03-5070, as if all such contents were set forth fully here, with particular emphasis on all material evidence assembled by Plaintiff to date implicating specific personnel of the Federal Judiciary with all crimes enumerated above, with impersonating officers of the United States (federal government), with obstruction of justice, and with conspiracy to engage in a pattern of racketeering activities. To conserve paper, included here also are the following Internet resources:

http://www.supremelaw.org/rsrc/commissions/evidence.folders.2004-03-16.htm :

U.S. Supreme Court, "Justices":
http://www.supremelaw.org/copyrite/oconnor/SBN 24077
http://www.supremelaw.org/copyrite/kennedy/SBN 32544
http://www.supremelaw.org/copyrite/breyer/SBN 38384NAD

U.S. Court of Appeals, Ninth Circuit "Judges":
http://www.supremelaw.org/copyrite/alarcon/SBN 22743
http://www.supremelaw.org/rsrc/commissions/bea.carlos/SBN 29405
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.S. District Court, Central District of California "District Judges":
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U.S. District Court, Central District of California “Magistrates”:
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In advancing, furthering, executing, concealing, conducting, participating in, or carrying out the schemes the Defendants also specifically use the wires/mails or caused the wires/mails to be used to receive or deliver, inter alia, the emails, facsimiles, letters or telecommunications with the Plaintiffs regarding all the events described in this complaint. In addition for the purpose of executing such scheme, the Defendants placed or caused to be placed in a post office, or authorized depository for mail, matter that furthered the scheme to defraud; and each Defendant committed mail fraud, in violation of 18 U.S.C § 1341. In addition and, for the purpose of executing such scheme, the Defendants transmitted or caused to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce matter that furthered the scheme to defraud (including but not limited to the communications described in this complaint); each Defendant committed wire fraud, in violation of 18 U.S.C § 1343, each time it used or caused interstate wires to be used to distribute the materials described in this complaint.

THREE DAYS BEFORE FILING THIS DOCUMENT

http://observer.com/2015/03/breaking-loretta-lynch-caught-in-deceptive-disclaimer/

BREAKING: Loretta Lynch Caught in Deceptive Disclaimer

By Sidney Powell | 03/11/15 8:08pm
Comment

Attorney for the Eastern District of New York Loretta Lynch testifies during her confirmation hearing before the Senate Judiciary Committee January 28, 2015 on Capitol Hill in Washington, DC. (Photo: Mark Wilson/ Getty Images)

After her hearing before the Judiciary Committee, during which Ms. Lynch artfully parried all of the difficult questions, the Senators gave Ms. Lynch a number of questions to answer in writing. One of her answers is either very wrong, flat-out false, or demonstrates the egregious gamesmanship that is corrupting our Department of Justice.

Senator Hatch expressed his concern about her compliance with the mandatory provisions of federal laws that require restitution to victims of criminal conduct.

Indeed, his first question was premised on the April 25, 2013, testimony of Professor Paul Cassell of the University of Utah College of Law before the House Judiciary Committee. The professor suggested that Ms. Lynch's office had failed to follow the restitution statutes in a sealed case involving a racketeering defendant [Felix Slater] who had cooperated with the government, remaining free for ten years despite his serious frauds which remained concealed.

Specifically, Professor Cassell had cited documents appearing to show that Ms. Lynch's office "failed to notify victims of the sentencing in that case and had arranged for the racketeer to keep the money he had stolen from victims, even though the law makes restitution mandatory." Senator Hatch had helped pass both of the statutes at issue: the Mandatory Victim Restitution Act, 18 U.S.C. §3663A, and the Crime Victim Rights Act, 18 U.S.C. §3771.

We have already blown the whistle on the "secret docket" that the Eastern District of New York has run for years. It seems that "cooperators" who do the government's bidding and testify to its liking are allowed to commit additional crimes against unsuspecting others because the public doesn't know for years that the cooperators have admitted their own criminal conduct.

In Ms. Lynch's written response to the Senator's question, however, she was far from straightforward. Some might say her answer was flat-out deceptive. The only thing obvious from it was more obfuscation.

Ms. Lynch admitted that Mr. Sater began cooperating with the United States Attorney's office for the Eastern District in New York in December 1998.

Then she distanced herself from the Sater case, asserting that the Sater prosecution was brought before she became United States Attorney for the Eastern District of New York.

Lynch, Caldwell and Weissmann are a triumvirate of trouble for the rule of law. The three of them go way back in the Eastern District of New York, and they apparently share the same vision for truth and law enforcement—the

rules don't apply to them. They are all licensed to lie.

She said: "The initial sealing of the records related to Sater—*which pre-dated my tenure as United States Attorney*—occurred by virtue of a cooperation agreement under which Sater pled guilty and agreed to serve as a government witness." [emphasis added].

~~Really?! Guess whose signa~~ture appears on the charges?

Loretta Lynch signed the criminal racketeering, money-laundering, and securities fraud charges originally filed against Mr. Sater in December 1998. Her name and signature appear on the Information as Acting United States Attorney.

And there being no motion or order on the docket to seal the case back in 1998, one can surmise only that it was all hidden for a decade at her request.

Ms. Lynch claims the issue of Mr. Sater's restitution remains sealed to this day, but if he was ordered to pay any, it should have appeared on the docket along with his meager fine. It's hard to imagine a reason for concealing an order of restitution—and it would certainly be a newsflash to his victims, who haven't received any.

So here we go again—with sleight of hand, falsehoods, disclaimers, and distinctions without differences—anything but the simple truth.

Another remarkable note: Leslie Caldwell was also an Assistant United States Attorney for the Eastern District of New York when the Sater case originated in that office, but somehow that didn't stop her from representing him when she switched sides and headed the white collar crime practice at Morgan Lewis. That could help explain why Mr. Sater got out of jail free and paid a fine of only $25,000 despite his millions in gains by his admitted frauds, racketeering, money-laundering, and use of off-shore accounts.

Meanwhile, Brad Stinn, an innocent man and former CEO of Friedman's Jewelers, has been in prison six years on a twelve year sentence, in a case brought by the same district in an egregious case of prosecutorial misconduct that Ms. Lynch has ignored and helps cover up. Mr. Stinn's crime? Drawing his salary and a bonus voluntarily paid to him by his employer while those who committed frauds they admitted and hid from him went free because they "cooperated" with the prosecutors to nail the high value target—the "CEO."

If Ms. Lynch is confirmed as Attorney General, she and Ms. Caldwell will be reunited at the head of the Department of Justice, where Ms. Caldwell is ensconced as head of the Criminal Division. Ms. Caldwell is infamous for many things, including the destruction of Arthur Andersen LLP and its 85,000 jobs—only to be reversed by the Supreme Court 9-0. Her record of injustice and reputation as a "terror" of a prosecutor only fueled her ascension in this administration—as did that of their third cohort—Andrew Weissmann.

Mr. Weissmann, now head of the corporate fraud section of the Department, helped annihilate Andersen—then headed the team that sent four Merrill Lynch executives to prison for a year on bogus charges while the prosecutors had yellow-highlighted but hidden the evidence that undermined and contradicted every aspect of their case against the Merrill executives who did not take a dime from anyone.

Lynch, Caldwell and Weissmann are a triumvirate of trouble for the rule of law. The three of them go way back in the Eastern District of New York, and they apparently share the same vision for truth and law enforcement—the rules don't apply to them. They are all licensed to lie.

The Senators might want to think again, or we'll be the fools—again.

Sidney Powell worked in the Department of Justice for 10 years and was lead counsel in more than 500 federal appeals. She served nine U.S. Attorneys from both political parties and is the author of Licensed to Lie: Exposing Corruption in the Department of Justice.

Read more at http://observer.com/2015/03/breaking-loretta-lynch-caught-in-deceptive-disclaimer/#ixzz3XhGsyJMV
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http://www.nationalreview.com/article/411772/loretta-lynchs-secret-docket-ryan-lovelace

Loretta Lynch's Secret Docket

by Ryan Lovelace January 19, 2015 4:00 AM
There are allegations her U.S. Attorney's Office is keeping cases quiet.

It should go without saying that the U.S. attorney general, as our nation's chief law-enforcement officer, is expected to wield the Justice Department's full powers to fight for those victimized by crime. It should also go without saying that federal prosecutors routinely make deals with criminals to secure convictions for other, larger crimes, or to save themselves time and the taxpayers' money — and that those criminals' victims sometimes come out the losers in such deals. Yet new evidence suggests that Loretta Lynch, President Obama's pick to take DOJ's reins from Eric Holder, may have gone beyond the accepted norms of prosecutorial conduct in her time in charge of the U.S. Attorney's Office for the Eastern District of New York. Lynch's office appears to have let self-professed criminals walk free in exchange for their cooperation with her office, watched impassively as they committed further crimes, and intentionally kept the victims of those crimes in the dark — denying them their chance to seek tens or hundreds of millions of dollars in restitution in direct contravention of federal law.

In April 2013, Paul Cassell, a former federal judge and law professor at the University of Utah, testified before the House Judiciary Committee, urging the committee to investigate potential wrongdoing by the U.S. Attorney's Office for the Eastern District of New York in its handling of a stock-fraud case, *U.S. v. John Doe*. Though he didn't mention Lynch by name, Cassell alleged that her office had failed to comply with important provisions of the Crime Victims' Rights Act and the Mandatory Victims Restitution Act. The provisions require federal prosecutors to notify victims of criminal proceedings against those who wronged them, so as to guarantee them their legal right to pursue full and timely restitution against the accused. According to Cassell's testimony, the restitution in question amounted to over $40 million.

The *Doe* case began just before Lynch's first term in charge of the Eastern District. In 1998, Felix Sater — later revealed to be the "Doe" to whom the case refers — pleaded guilty to federal money-laundering and fraud charges in a RICO case, admitting that he had artificially inflated the price of stock he bought cheaply, defrauding investors and reaping millions of dollars in profit for himself. Then Sater, who has well-documented connections to the Mafia, apparently leveraged those connections to strike a deal.

In exchange for the government's protection in keeping his case sealed and secret, the *New York Times* reported in 2007, Sater may have worked with the CIA, offering to purchase a dozen missiles from Osama bin Laden on the black market. He also reportedly provided evidence

against the Mafia. When Sater was eventually convicted in 2009, the government argued vociferously for leniency on his behalf at sentencing, and he served no time behind bars. Despite having previously signed a cooperation agreement with the Justice Department acknowledging that he owed $60 million in restitution, he was given a paltry $25,000 fine and told to forfeit his house in the Hamptons.

The lawyer who helped Sater obtain the lenient sentence was Leslie Caldwell, Loretta Lynch's former colleague in the U.S. Attorney's Office, who now heads the Justice Department's Criminal Division after being confirmed by the Senate just last year. Though Caldwell had been the senior trial counsel in the Business and Securities Fraud Section of the Eastern District U.S. Attorney's Office when the office first pursued Sater, she later represented him in court after joining a private firm. After his conviction, Sater said in a sworn deposition that Caldwell had counseled him not to disclose whether he had any previous criminal convictions, lest he risk self-incrimination. According to a recent lawsuit, Caldwell advised Sater to keep his mouth shut because he'd renewed his nefarious dealings in high finance after the government let him go free.

"Lynch — in order to get scalps — makes special deals with informants," says Richard Lerner, an attorney who is currently locked in an intense legal battle with Lynch's office over the release of sealed criminal records from the Sater case. Lerner has butted heads with the Justice Department at the behest of his client and fellow lawyer Frederick Oberlander, who sued Sater on behalf of fraud victims. The victims represented by Oberlander include those who were allegedly exploited *after* the government knew of his past crimes and let him walk anyway.

Oberlander alleges that after the government set Sater free with a slap on the wrist, he went right back to conning unsuspecting innocents. According to Oberlander's suit, Sater managed to build up a real-estate company, find investors, and secure funding from banks without disclosing his criminal past, and proceeded to defraud new victims of millions of dollars. Lynch then fought to keep the details of Sater's case secret, despite having issued a press release trumpeting his role in the crime for which he was convicted at the beginning of her first tenure as U.S. attorney.

The Supreme Court recently denied Oberlander's petition to force the release of the sealed records from Sater's case. But he claims the U.S. Attorney's Office for the Eastern District of New York facilitated and covered up Sater's crimes — before and during Lynch's two stints in charge — in exchange for Sater's cooperation.

Lynch's office did not return NRO's requests for comment and has kept quiet on the matter. A statement to NRO provided by Justice Department spokesman Brian Fallon highlights the Supreme Court's denial of Oberlander's petition last week and claims that 90 percent of "the material at issue" has been unsealed. "The complaints regarding the sealing of the materials in this case have already been litigated on no fewer than three prior occasions, and they have consistently been rejected," Fallon said. "Moreover, many of the key developments in this case occurred outside of Ms. Lynch's two stints as U.S. Attorney."

For their efforts to reveal the impropriety of the U.S. Attorney's Office, Oberlander and Lerner are both being threatened with contempt charges. "Why in hell can't she simply fix the mess instead of trying to cover it up and threaten us with jail if we tell anybody?" Oberlander asks. "There is something radically wrong there."

Cassell, the former federal judge, tells NRO that he spoke out because he had the sense that the people involved — the prosecutors and the judge in Sater's case — thought it was outrageous for the victims to expect that they would actually get their money back. "This case has what I would

call a ‘business as usual’ feel to it, which leads me to think this is not a one-off, idiosyncratic kind of thing,” Cassell says. “It clearly looks like there’s the potential for this to be going on in a lot of other cases, and the problem of course is that since these cases are sealed, there’s no way for the victims to find out what’s happening, there’s no way for Congress to monitor how often this is being used.”

Cassell says he gets the sense that this is a problem that predates Lynch’s tenure, but other evidence suggests Lynch has made a habit of keeping Justice Department proceedings private. Louisiana senator David Vitter, a Republican member of the Judiciary Committee in charge of vetting Lynch’s nomination, has already expressed alarm at the possibility that she may be even more dangerous than Holder because of her restrained personality, which he worries will deflect attention from some of the Justice Department’s more outrageous actions. Luke Bolar, a Vitter spokesman, tells NRO in an e-mail that Lynch’s potential secret docket and possible failure to comply with federal law are huge concerns for the senator. Bolar says Vitter is also raising questions about why Lynch has sought to block the release of flood-insurance documents in another case, documents that he describes as “likely revealing widespread fraud perpetrated against victims of Superstorm Sandy.”

And Lynch’s questionable actions appear consistent with the playbook of Holder’s Justice Department, according to former federal prosecutor Sidney Powell. Powell sees disturbing parallels between Holder’s mishandling of the Fast and Furious scandal — in which the DOJ’s indifference allowed American guns to end up as weapons used by drug cartels against American citizens — and the conduct of Lynch’s office in looking the other way while cooperating criminals harmed more unsuspecting and innocent people. And even as she tells NRO that more information is needed about Lynch’s actions, Powell suspects that there are a lot of other cases involved.

“If they have literally been licensing people to go back on the street and commit additional crimes, she certainly should not be attorney general; she shouldn’t even be U.S. attorney,” Powell says. “That practice needs to be stopped.”

Lynch will appear before the Senate Judiciary Committee for a hearing on her nomination later this month or in early February and can expect to face tough questions about her actions as U.S. attorney. In the meantime, Lerner and Oberlander tell NRO that they are calling on Lynch to appear at a press conference to address their questions.

— Ryan Lovelace is a William F. Buckley Fellow at the National Review

LORETTA LYNCH

Washington (CNN)President Barack Obama blasted Friday the Senate for stalling on the nomination of Loretta Lynch to be the next attorney general.

"There are times where the dysfunction in the Senate just goes too far," Obama said during a joint White House press conference with Italian Prime Minister Matteo Renzi. "This is an example of it."

Lynch would be the first African American woman to lead the Justice Department. It has been 160 days since Obama nominated her on Nov. 8 and the delay in her confirmation is the longest since Ronald Reagan was in the White House..

Senate Majority Leader Mitch McConnell is using Lynch's nomination as leverage to push Democrats to drop a filibuster on an unrelated anti-human trafficking bill. Democrats object to that measure because it contains an abortion provision. McConnell has said he won't bring up Lynch for a vote until the dispute is resolved.

Obama called on Congress to move her nomination forward, saying that no one could articulate a reason beyond political gamesmanship as to why she has not been confirmed.

"Enough. Enough. Call Loretta Lynch for a vote, get her confirmed, let her do her job. This is embarrassing." Obama told reporters.

READ: Loretta Lynch Fast Facts

The moment was a particularly politically charged one during a press conference largely focused on international trade and the Iranian nuclear agreement.

Republicans in the Senate have yet to offer a timeline as to a possible vote on Lynch's confirmation, and Eric Holder continues to serve as Attorney General as her nomination stalls.

In response to the President's comments, McConnell's office reiterated that they are working towards a resolution on Lynch's nomination.

"The Leader has already announced that the Lynch nomination will get a vote. Members are continuing to work to find a way to overcome the Democrats' filibuster of a bipartisan bill that will help prevent women and children from being sold into sex slavery. Once that bill's complete, the Lynch nomination is next," McConnell's Deputy Chief of Staff Don Stewart told CNN.

RELATED: Jeb Bush: Loretta Lynch deserves a vote

Both Republican and Democratic leaders in the Senate maintain they are working towards a resolution on the sex-trafficking bill.

McConnell said Thursday bipartisan negotiations on an unrelated bill that has tied up the chamber "continue to make progress" and he hopes to pass the bill "early next week."

Minority Leader Harry Reid appeared to share McConnell's optimism Thursday.

"Ms. Lynch's nomination will not remain in purgatory forever," Reid said.

But for all the optimism on progress, the Senate wrapped up its business for the week Thursday without tackling Lynch's nomination.

Some Republicans in the House have defended the delay. Rep. Kevin Brady, a member of the Republican Study Committee said that while he believes that Lynch will eventually get a vote, the vetting process must be as thorough as possible.

"I certainly think they ought to have a right to actually examine her positions, her views. You know, the attorney general's office — which used to be an independent office that actually enforced the law — no longer is that," he told CNN on Friday, "so I actually think there's reasonable questions on both sides of the aisle about how the new attorney general will handle [issues]."

RELATED: Senators narrowing in on deal that paves the way for Lynch vote

Loretta Lynch Vetting Underway, Wall Street Can't Wait.

— January 28, 2015

Loretta Lynch is on Capitol Hill today answering the questions of the Republican Senate Judicial Committee. While these Republicans are no doubt grilling Lynch on issues like Fast and Furious, immigration, and national security, what you shouldn't expect is anything different from Eric Holder on failing to prosecute the criminals on Wall Street.

As we've reported on previously, Lynch was a defender of white-collar criminals in the US.

> *After graduating from Harvard School of Law in 1984, Lynch started working for Cahill Gordon & Reindel as a litigation associate. Cahill is the law firm of renowned First Amendment attorney Floyd Abrams who defended the New York Times after publishing the Pentagon Papers.*
>
> *As much as a step for journalism as that case was, decades later he was part of the Citizens United decision, arguing that "money is speech." The case effectively put elections into the pockets of corporations. Cahill has defended the dirtiest of Wall Street criminals; AIG, HSBC, Credit Suisse, Bank of America, Goldman Sachs, and many more.*
>
> *After an 11 year stint with the U.S. Attorney's office in Brooklyn, Lynch worked white-collar criminal defense and corporate compliance at a firm then called Hogan & Hartson (recently renamed Hogan Lovells). The firm is based in Washington D.C. and concentrates on corporate and financial law.*

She's also served on the New York Federal Reserve where she continued to maintain the *status quo*.

> *Lynch has a long-standing relationship with high-ranking banksters. While on the New York Federal Reserve Board from 2003 to 2005, she served with former Citigroup chairman Sandy Weill and former Lehman Brothers CEO Richard Fuld. Sure, Lynch was a prosecuting attorney during the Citigroup securities fraud case, a $7 billion settlement, she still give the bank a pass with settlements paid by shareholders. No one went to jail and victims were not compensated. Lynch perpetuates the pay-to-play criminality of Wall Street banks.*

So while it may be that Lynch is saying nice sounding phrases at her current hearing, let's not forget where her true sympathies, and interests, lie.

Senate urged to ask AG nominee Loretta Lynch about stock fraud case

Conservatives suspect legal violations

Members of the Senate Judiciary Committee have been urged to ask Loretta Lynch, nominee to be attorney general, about her plans to prosecute federal laws on obscenity. (Associated Press) more >
By Jim McElhatton - The Washington Times - Thursday, January 22, 2015
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Loretta Lynch questioned over secret deal depriving fraud victims of $40M

Probe of Obama attorney general nominee sought over secret deals for cooperators

Loretta Lynch more >
By Jim McElhatton - The Washington Times - Sunday, January 4, 2015

More than a year before President Obama nominated federal prosecutor Loretta Lynch to be attorney general, a former federal judge quietly called on Congress to investigate her U.S. attorney's office for trampling on victims' rights.

Paul Cassell, a law professor at the University of Utah, said Ms. Lynch's office, the U.S. Attorney for the Eastern District of New York, never told victims in a major stock fraud case that a culprit had been sentenced — denying them a chance to seek restitution of some $40 million in losses.

Mr. Cassell, in written remarks to a House Judiciary Committee panel in 2013, said if prosecutors were using secretive sentencing procedures to reward criminals for cooperating with them, it could violate the Crime Victims Restitution Act.

PHOTOS: Magazines can't agree on the sexiest woman alive; you be the judge

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"Every day that the office withholds notice from the victims in this case about the continuing proceedings that are occurring in this case is a day in which the office is violating the CVRA," he wrote, urging the subcommittee to conduct its own inquiry into Ms. Lynch's office.

The Judiciary Committee acknowledged in an email to The Washington Times that it never followed up to contact Ms. Lynch's office, but added the panel "has not ruled out sending an inquiry to the U.S. attorney's office regarding its handling of victims' rights."

Ms. Lynch's nomination to be attorney general will soon come before the Senate Judiciary Committee, now controlled by Republicans, and the case could surface as a topic of inquiry.

PHOTOS: Gone too soon: Stars who died young

"I do think it's something that the Senate should be investigating as part of the confirmation process," Mr. Cassell said in an interview.

Meanwhile, a lawyer has filed a Supreme Court petition to force more records in the criminal case to be unsealed, charging that Ms. Lynch's office has failed to explain secret deals it gives cooperators.

"These deals, indisputably in defiance of mandatory federal forfeiture and restitution laws, allow cooperators to keep the proceeds of their crimes in exchange for their cooperation and keep their reputation intact, hidden behind secret dockets," said attorney Frederick Oberlander, who has sued the businessman on behalf of fraud victims.

Brian Fallon, a Justice Department spokesman, said in a statement that the Supreme Court petition "raises no claims of any merit."

"Many of these claims have already been litigated on no fewer than three prior occasions, and each time the courts have rejected them," he said. "One court went so far as to warn the petitioner against any future frivolous findings or else potentially face court-imposed sanctions."

The petition isn't the first time that Mr. Oberlander and his attorney, Richard Lerner, have sought to pry loose sealed records in the long and complicated case of Felix Sater, the businessman at the center of the stock fraud.

Pump and Dump

Sater pleaded guilty in 1998 in a racketeering stock "pump and dump" fraud scheme, but his case remained on a secret docket in federal court in Brooklyn, New York, as he cooperated with the government in other investigations, court records show.

The secrecy surrounding the 1998 criminal case allowed Sater to resume "his old tricks" and defraud new victims of hundreds of millions of dollars, Mr. Oberlander charged in a civil racketeering lawsuit he filed against Sater in recent years. An attorney for Sater disputes that account, saying his client has been a "model citizen."

When he sued, Mr. Oberlander included leaked copies of Sater's pre-sentencing report and a copy cooperation deal for the 1998 case, which were under seal. The disclosure set off a fierce and contentious legal battle between federal prosecutors and Mr. Oberlander and his attorney, Richard Lerner, who both have faced a contempt investigation after the disclosure.

Eventually, more than a decade after his guilty plea, Sater was sentenced and fined $25,000 in a hearing that took place without notice to victims shortly before Ms. Lynch took over the U.S. Attorney's Office for the Eastern District of New York, according to records.

In court papers, Mr. Oberlander and Mr. Lerner noted that Sater faced nearly 20 years in prison and a mandatory $40 million in restitution and $80 million forfeiture, but the sentencing judge imposed no restitution or confinement. And victims weren't at the hearing to object because they were never told about the sentencing in the first place, according to the attorneys' Supreme Court petition.

Ms. Lynch wasn't U.S. attorney during the sentencing hearing, but her office has since fought efforts to unseal records in the case.

Mr. Fallon also said many of the key developments in the case "occurred outside of Ms. Lynch's stints as U.S. attorney," first in 1999 and again in 2010. Still, court records show numerous examples of Ms. Lynch's office pushing to keep details about the case from becoming public.

The government's arguments for keeping records sealed — many of them redacted or under seal — have been upheld in rulings by the U.S. District Court in Brooklyn and by the Court of Appeals for the Second Circuit despite arguments pushing for more transparency from victims' rights and press groups.

'Most serious matters of national security'

Robert Wolf, an attorney for Sater, said his client provided "extraordinary cooperation" after his 1998 guilty plea, including working on "the most serious matters of national security, battling our greatest enemies at tremendous risk to his own life and for the benefits of all citizens of our country."

In an email, Mr. Wolf called the $25,000 fine Sater was ordered to pay "more than merited" and a "measure of gratitude" for unspecified cooperation that saved "potentially tens of thousands, if not millions, of our citizens' lives."

Neither Sater's lawyer nor the Justice Department would discuss the nature of his cooperation.

Mr. Wolf said Sater has gone on to build a business and has been a "model citizen."

"From job creation to philanthropy, Mr. Sater has been clear of all legal allegations," he said.

Mr. Wolf also discounted what he called "sham concerns" about victims' rights, accusing the attorneys suing Sater of a "legal shakedown" aimed at using the threat of public disclosure to force a lucrative settlement deal.

Mr. Oberlander, however, said in an email that the case provides a troubling example of prosecutors evading federal forfeiture and restitution laws as a reward for cooperation.

“And Ms. Lynch’s office refuses to notify crime victims of their restitution rights when restitution and notice to victims are mandatory under federal law,” he said.

Mr. Lerner said the Sater case was “no mere aberration,” charging that “Ms. Lynch’s success as a prosecutor has been dependent upon her office’s repudiation of constitutional and statutory law.”

The Supreme Court petition filed by Mr. Lerner of behalf of Mr. Oberlander also details the involvement in the Sater case of two other Justice Department officials — Marshall Miller, principal deputy assistant attorney general in the criminal division, and Leslie Caldwell, assistant attorney general in the criminal division.

Mr. Miller was the victims’ rights coordinator for the federal prosecutor’s office in Brooklyn, while Ms. Caldwell, a former prosecutor in the office, later represented Sater at his sentencing.

At the sentencing hearing, Ms. Caldwell said Sater was “really deserving of the full measure of leniency” given the “extraordinary circumstances of his cooperation,” according to transcripts.

Outside concerns

While attorneys debate Sater’s sentencing deal, two outside groups — the Reporters Committee for the Freedom of the Press and the National Organization for Victim Assistance — have filed briefs in recent years pushing for more transparency in Sater’s case and questioning whether the secrecy has limited public oversight and stifled the voice of victims.

In a May letter to judges on the 2nd U.S. Circuit Court of Appeals, attorneys for the Reporters Committee said they first challenged the “super sealing” of the Sater case in 2012.

Some records were later unsealed in March 2013, but the district court left about 25 percent of the records under seal after secret “ex parte” meetings closed to the press, public and the attorneys who were seeking to unseal the documents, according to the committee.

Ms. Lynch’s office argued that Sater’s safety was one consideration for sealing, but the Reporters Committee said the information about his case already was available and the subject of media reports, which undercut that argument.

“When the press and public have no way of holding courts accountable for giving informants special treatment, secret defendants can abuse the system and endanger the public,” Bruce D. Brown, the committee’s executive director, wrote in a letter in May.

In 2012, two years into Ms. Lynch’s tenure at U.S. attorney, Mr. Cassell filed a separate brief on behalf of the National Organization for Victim Assistance. They argued that Ms. Lynch’s office appeared intent on preventing the public from learning anything about how prosecutors treated crime victims in the case.

The victims’ rights group said it had asked Ms. Lynch’s office whether it followed through on restitution for crime victims as the law requires in the case. The group received no explanation other than a brief email to Mr. Cassell saying the office “complied in all aspects of the law.”

“At this point,” the attorneys argued, “the government is using the alleged sealing orders it may (or may not) have obtained in this case not as a legitimate law enforcement tool but rather as an excuse for obscuring what happened.”

Mr. Cassell a year later asked the House Judiciary Committee’s Subcommittee on the Constitution to inquire into the matter. But that didn’t happen.

In a statement, the Judiciary Committee said it incorporated Mr. Cassell's concerns into legislation improving services for crime victims at all federal prosecutors' offices. But the House panel never contacted Ms. Lynch's office directly.

"The committee takes such requests seriously, and the precedent is often to use alternate strategies other than a formal congressional inquiry," the committee said in an email statement — though the committee said it "is also open to examining this issue further and has not ruled out sending an inquiry to the U.S. attorney's office regarding its handling of victims' rights."

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BREAKING: Was Loretta Lynch Complicit in Wrongful Conviction Cover-up?

The AG nominee charms Senators while innocent man languishes in prison

By Sidney Powell | 02/12/15 5:40pm
Comment

U.S. Attorney for the Eastern District of New York Loretta Lynch is sworn in before testifing during her confirmation hearing before the Senate Judiciary Committee January 28, 2015 on Capitol Hill in Washington, DC. (Photo: Alex Wong/Getty Images)

Just last week, Loretta Lynch assured the Senators of the Judiciary Committee that she would be different from Eric Holder. She said she would make a “full and fair review of every matter” brought before her.

Loretta Lynch smiled warmly at the Senators. Deftly parrying the hard questions, she pledged to be independent and follow the rule of law. Yet while she convincingly promised to “seek Justice—not convictions,” an innocent father of three languished in his sixth year of prison as a

result of egregious injustice at the hands of prosecutors from her district and a complete system breakdown.

We have learned that she knows about and has refused to acknowledge—much less address—these wrongs. Indeed, at least two former United States Attorneys can attest to this extraordinary injustice and her refusal to resolve it. She would not respond to them herself, and her subordinates see nothing wrong with the prosecution or its result.

This case of prosecutorial misconduct, abuse of power, and judicial complicity was brought to me by a friend. It illustrates everything that can and does go wrong in our criminal justice system: politically motivated prosecutions; targeting of individuals; over-criminalization (making a crime out of business judgment, innocent mistakes, or less); abusive and headline-grabbing prosecutors gone wild; negligent, complicit or flat-out biased judges. The results aren't pretty: a family devastated, lives ruined, and the needless, long-term imprisonment of someone who was and still should be a productive, tax-paying member of our society.

Rabid prosecutors from the Eastern District of New York—now Ms. Lynch's office—brought this case as part of the massive effort of the Corporate Fraud Task Force formed by the Department of Justice in July 2002. That Task Force racked up 1300 convictions of businessmen in six years, appeasing the outrage after the implosion of Enron. Like the Enron Task Force, they were given extraordinary resources, and their mission was to target high-profile individuals and companies. The highest value targets had CEO or CFO behind their names.

Bradley Stinn was the Chief Executive Officer of Friedman's Jewelers. Brad is the father of three children. He was their athletic coach, a devoted husband, and well-respected citizen. He has been in federal prison for six years now on a trumped-up case built on smoke and tied with baling wire by prosecutors known for their abusive, roughshod tactics. Prosecutors were determined to extract the pound of flesh from Bradley Stinn—and they've done more than that. His wife and three children have been devastated.

Mr. Stinn did not take a dime from anyone, and he didn't sell a share of his stock. The charges of wire fraud, securities fraud, and mail fraud, which require theft of money or property, were based on him receiving his salary and a bonus—knowingly paid to him by the company. He did not steal those—and the statutes don't criminalize people's salaries and bonuses. If they did, everyone is a criminal.

Not only did Mr. Stinn not steal anything, he lost heavily when Friedman Jewelers' stock eventually went down. Ironically, he was required to pay "restitution" in excess of $4 million, although he took nothing from anyone. The Stinns were forced to sell their home, and their savings were wiped out. His wife and three children now live with relatives and face every day without the husband and father they love.

Indicted by United States Attorney Benton Campbell, a member of the notorious Enron Task Force cabal about which I have written at length, Assistant United States Attorneys Seth Levine and then Scott Klugman used every trick in their dirty books. They threatened to prosecute witnesses who would have testified in defense of Brad Stinn. The prosecutors yelled, screamed, and intimidated people at will. They refused to provide documents that were favorable to the defense—with rare exceptions, which they grudgingly produced and heavily redacted.

It appears that the government's case was a sham—enabled by a federal judge who, despite her generally good reputation, in this case seemed biased at best. As in the prosecutions of Senator Ted Stevens and the Merrill defendants in my book *Licensed to Lie*, it was the prosecutors who

were running a fraud. And as in the Merrill case, the judge appears to have been running a railroad, and the Second Circuit panel just rode the train.

Peeved with the defense overall, Judge Nina Gershon sentenced Bradley Stinn to twelve years in prison, while those who admitted committing multiple real frauds, lying, cheating and stealing, walked out of the courtroom with sentences of probation. Justice for all?

Two former United States Attorneys wrote Ms. Lynch specifically. One of them had been her supervisor. Rather than examine the case for misconduct, order the release of the files, agree to vacate or reduce the twelve-year sentence, or take any other investigative or corrective action, Ms.

Lynch did not even reply.

At least three outstanding lawyers, two of whom are former United States Attorneys, repeatedly wrote the various United States Attorneys including Ms. Lynch, the Solicitor General, Attorney General Holder, and the Department of Justice Office of Professional Responsibility, pleading for review of the outrageous conduct, suppression of evidence believed favorable to the defense, and the barbaric sentence imposed in this case.

Two former United States Attorneys wrote Ms. Lynch specifically. One of them had been her supervisor. Rather than examine the case for misconduct, order the release of the files, agree to support vacating or reducing the twelve-year sentence, or take any other investigative or corrective action, Ms. Lynch did not even reply.

Neither did Attorney General Holder, and the Department's "Office of Professional Responsibility" refused to investigate because no judge had found any misconduct. (Wait for Parts II and III of this series).

As a "favor" to one of the former United States Attorneys, Ms. Lynch's subordinates, prosecutors James McGovern, Marshall Miller, and Ilene Jaroslaw, did speak by telephone with him. They were adamant that nothing was wrong in this prosecution, and they shifted the burden to the defense to "come up with something to chew on."

That's difficult to do when even the SEC, which decided not to file so much as a civil complaint against Brad Stinn, refuses to release the documents that caused it to decline any case against him. And of course, Ms. Lynch's office still refuses to release notes, grand jury testimony, and unredacted information of inconsistent statements by their "cooperating" witnesses—the admitted liars, thieves, and fraudsters to whom they gave "get out of jail free cards." The prosecutors had even instructed agents not to take notes of "cooperators'" statements.

According to well-respected attorneys, it is common knowledge that the Eastern District of New York engages in such abusive and wrongful tactics. In fact, many of the prosecutors there are proud of it. If a criminal "cooperates" in the Eastern District of New York—which means saying what the prosecutors want said—then the cooperator gets his "get out of jail free" card.

So as Ms. Lynch awaits her confirmation as our new Attorney General, Brad Stinn is helping other inmates get their GED in prison. He faces an additional six years for receiving his agreed compensation. His wife and his children are forced to bear the unbearable pain of his absence from their daily lives and his unjust imprisonment.

The mob mentality of Eastern District of New York is already running the Department of Justice. If confirmed as Attorney General, Ms. Lynch will join a cabal of former Eastern District of New York prosecutors—her colleagues who proudly used these abusive tactics. She goes way back with them. Mr. Obama and Mr. Holder have stacked the Department hierarchy with prosecutors known as "terrors"—including Leslie Caldwell, head of the criminal division, and Andrew Weissmann, now chief of the powerful fraud section—gearing up for War on Wall Street (and Main Street) Part II.

Abusive and wrongful prosecutions cut across party, political, and socio-economic lines. Innocent people are imprisoned while families are destroyed. The Innocence Project and other good lawyers are freeing people weekly who have lost the better part of their lives in prison for crimes they did not commit. It is far too hard to correct these injustices.

The notion that everyone in prison deserves to be there has taken a beating lately. The subject of the megahit podcast Serial, Adnan Syed, was just granted an appeal after 15 years in prison. And the *New York Times* recently published a piece entitled "The dollar value of a stolen life" a story arising from New York's recent payment of $17 million dollars to three men who spent a combined 60 years in prison—wrongly convicted by Ms. Lynch's now infamous counterpart in the Brooklyn District Attorney's office.

There is no similar remedy against federal prosecutors yet. Bradley Stinn can't even get the evidence and grand jury transcripts that will likely exonerate him. What will it take? Who will stop this?

Senators, take note.

If Ms. Lynch meant what she said in her confirmation hearings, she should produce all of the Stinn files now—including the grand jury transcripts and the documents from the SEC—and agree to Brad Stinn's immediate release from prison. Perhaps the Senators will demand the documents.

It's time to let Justice roll . . . like a mighty stream.

Sidney Powell worked in the Department of Justice for 10 years and was lead counsel in more than 500 federal appeals. She served nine U.S. Attorneys from both political parties and is the author of Licensed to Lie: Exposing Corruption in the Department of Justice.

http://www.washingtonpost.com/politics/panel-to-hear-appeal-on-obama-immigration-actions/2015/04/17/d3c23fae-e488-11e4-81ea-0649268f729e_story.html

Justice lawyers make appeal to lift stay on Obama immigration actions

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President Obama announces executive actions on U.S. immigration policy during a televised address from the White House in November 20, 2014. The plan has been blocked by a court in Texas. (Jim Bourg/Reuters)

By David Nakamura April 17 at 2:27 PM

NEW ORLEANS — The Obama administration on Friday urged a federal appeals court to lift a lower court ruling that has blocked the government from

implementing the president's executive actions to shield undocumented immigrants from deportation and to grant them work permits.

In a rare oral argument before a three-judge panel of the U.S. Court of Appeals for the 5th Circuit, Justice Department lawyers argued that a federal judge in Texas erred in February when he halted President Obama's deferred-action program as he deliberates over a lawsuit filed by 26 states.

"The district court decision was wrong as a matter of law," said Benjamin Mizer, the lead attorney for the Justice Department on the case.

The Obama administration has appealed Judge Andrew Hanen's injunction and is asking the appeals panel to stay the order, in hopes that federal agencies can begin enrolling immigrants in the broader deferred-action program.

Texas Solicitor General Scott Keller, whose state is leading the lawsuit, argued that the president abused his authority when he announced plans in November to dramatically expand a deferred-action program started in 2012 for immigrants brought to the United States illegally as children.

"If this passes muster, future presidents will be able to write all sorts of laws," Keller said.

The hearing, which is rare for appeals court rulings on procedural matters, lasted 2 1/2 hours — about half-an-hour longer than expected — as the judges peppered the lawyers with questions. The courtroom was full to capacity with an audience of 100 journalists and immigrant rights activists.

An estimated 200 activists rallied outside the courthouse, their chants, drumming and music audible inside the courtroom. Judge Jerry Smith

adjourned the hearing at about 12:30 p.m., but he did not say when the court would issue its ruling on the stay request.

The stakes are high for Obama, whose move to reshape U.S. immigration policies through his executive authority stands as one of the most important and boldest initiatives of his second term. After Congress failed to pass a comprehensive immigration overhaul last summer, Obama declared that he would act unilaterally over fierce objections of Republicans.

The fate of Obama's immigration actions could set the stage for a debate over the issue in the 2016 presidential race. Latinos and Asian Americans, both fast-growing subsets of the electorate, overwhelmingly supported Obama in 2008 and 2012, worrying some GOP leaders who hoped the issue would be put to rest by next year.

No matter what the 5th Circuit decides, the legal fight is far from over. Hanen is still deliberating over the constitutionality of Obama's executive actions, and his decision is likely to be appealed — perhaps ultimately to the Supreme Court.

"It's important to remember this is not just about a lawsuit," said Marielena Hincapié, the executive director of the National Immigration Law Center, who was among those in New Orleans. "It's about individual members of the community that have deep ties and their ability to achieve stability, dignity and respect. We want to lift up that human face and not let it get lost in the legal proceedings."

Administration officials acknowledged that they face a difficult task in the 5th Circuit, perhaps the nation's most conservative appellate court. The three-judge panel has two Republican appointees and one Obama appointee.

Among them is Smith, who was appointed by President Ronald Reagan. He gained attention three years ago during a case involving the Affordable Care Act when he assigned Justice Department lawyers to file a three-page memo over whether federal courts have the right to overturn congressional laws, after Obama said it was unprecedented. Obama later clarified his remarks.

Obama's executive actions aim to allow up to 5 million undocumented immigrants, who have otherwise not broken the law, to apply for three-year renewable waivers from deportation, with many of them to be eligible for work permits. To qualify, they must be parents of U.S. citizens or legal permanent residents or must have arrived in the United States as children.

In their lawsuit, the states argued that the federal government abdicated its law enforcement responsibilities and failed to file proper public notice for a federal rule change. The states also argued that they would incur economic costs, mostly in the form of driver's licenses to those who qualified for deferred action.

The Obama administration countered that it has deported more than 2 million immigrants but that the federal government does not have enough resources to deport all of the more than 11 million in the country. And it said the economic benefits from the immigrants working and paying taxes would more than offset any potential costs.

Legal experts said it is extremely rare for appeals courts to schedule oral arguments on stay requests.

"It is important symbolically and practically to have that argument" in such a high-profile case, said Carl Tobias, a law professor at the University of

Richmond. “I suspect it’ll be very hot and heavy. The lawyers will not have much time to talk. The judges will pepper them.”

Although the court is being asked to rule on the administration’s stay request and not the broader constitutionality of Obama’s actions, the two are largely intertwined and the panel is likely to ask questions about at least some of the core tenets of the president’s rationale, analysts said.

In the politically charged atmosphere, “the judges need to be very careful in a case like this,” said Michael McConnell, director of the Constitutional Law Center at Stanford Law School. “They want to make sure they’re deciding on the basis of law, and not policy disagreements, and they want it to be seen as they are being careful. They will be accused of being political no matter what they do, but at least they’ll by giving the administration all the time in the world to defend itself.”

David Strauss, a law professor at the University of Chicago, was among a number of lawyers who signed a letter supporting Obama’s actions on immigration. But he acknowledged that the administration is facing a tough road in the 5th Circuit.

“There are conservative judges who think this is an aggressive abuse of authority by a president who needs to be reined in,” Strauss said. “I can’t imagine the administration is happy seeing Jerry Smith.”

http://www.wnd.com/2015/04/senate-just-rewrote-the-constitution/

WND EXCLUSIVE

SENATE 'JUST REWROTE' CONSTITUTION TO GIVE OBAMA MORE POWER

'Now we need a supermajority to override the president'

Published: 1 day ago

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The bill that would enable Congress to review any nuclear deal with Iran is coming under fire for allegedly altering the Constitution's re.rements for treaties.

One prominent talk-radio host even is accusing the U.S. Senate of rewriting the Constitution to allow approval of a treaty with only one-third of the Senate, plus one.

WND has reported the Obama administration has been fighting any attempt b

http://conservativetribune.com/holder-move-against-vets/

BREAKING: Eric Holder Busted in Shockingly Illegal Move Against Our Vets

Veterans are facing a new challenge to their Second Amendment rights, thanks to Eric Holder and a new category on the gun ban list maintained by the Department of Justice.
Chairman of Senate Judiciary Committee Sen. Chuck Grassley wants Holder to explain why the gun ban list has a "mental defective" category that includes a surprising number of military veterans and their dependents.
"It's disturbing to think that the men and women who dedicated themselves to defending our freedom and values face undue threats to their fundamental Second Amendment rights from the very agency established to serve them," Grassley said earlier this week.

Grassley maintains "inconsistent application of standards and weak due process protections" by the Department of Veterans Affairs are responsible for "a disproportionate number of names" being placed on the federal gun ban list.

All federal agencies must provide names of individuals who are dangers to themselves or others to the National Instant Criminal Background Check System, where they are placed in "mental defective" category to keep themfrom buying guns legally.
Veterans "are particularly singled out," Grassley said, but they should not have to "prove that they have the ability to exercise their Second Amendment rights."

As of June 1, 2012, "99.3% of all names reported to the NICS list's 'mental defective' category were provided by the Veterans Administration, even though all federal agencies are re.red to provide names," Grassley wrote.

The senator wants Holder to explain this oddity as well as the process the Department of Justice uses to get names on the list — a process that seems too loose, according to Grassley.

Grassley claimed the VA added individuals to the ban list even if all they needed was financial assistance managing their benefits (H/T The Washington Times).
The senator pointed out that veterans or their dependents "shouldn't lose their constitutional rights because they need help with bookkeeping."

It sure seems sketchy to us and we agree with Grassley that of all people, our veterans should not have to endure this type of treatment.

Mark Levin: Loretta Lynch completely disqualified herself today

Posted by The Right Scoop on Jan 28, 2015 at 6:44 PM in Politics | 76 Comments
By The Right Scoop

Mark Levin opened his show on the Loretta Lynch nomination hearing today, saying that she completely disqualified herself based on her answers to several questions, but especially one where she claimed illegals have as much right to work here as American citizens.

Read more: http://therightscoop.com/mark-levin-loretta-lynch-completely-disqualified-herself-today/#ixzz3XhN8T4AB
http://www.washingtontimes.com/news/2015/jan/22/senate-urged-to-ask-loretta-lynch-about-stock-frau/?page=all#!

http://cnsnews.com/commentary/richard-kelsey/lynch-disqualifies-herself-acquiescing-obama-s-executive-amnesty

Elections have consequences. Mr. Obama's historic 2008 election and re-election in 2012 entitle him to choose the appointees he wants for the open positions in our government. In the case of Attorney General and most appointments, the senate must advise on and consent to those appointees. I have long held the belief that a president's appointments should be confirmed if the individual is qualified.

Subjecting a nominee to a political or philosophical litmus test is improper, in my view. After all, one should rightly expect that the elected president has the right to choose qualified individuals whose views and policy prescriptions are consistent with the President. To the winner goes the spoils.

The political reality of the appointment process changed when Democrats refused to support the Supreme Court appointment of Robert Bork, solely and expressly on partisan, ideological grounds. Robert Bork was the most qualified jurist in American history not to be confirmed. The shift from opposing appointees on grounds of qualification to opposing them on grounds of political beliefs became known as "Borking." It's an unpleasant reality in our modern society when political views themselves disqualify otherwise qualified nominees. It is further evidence of the failure of both parties and the steep decline in substantive bipartisanship that use to permit the parties, on occasion, to simply do the right thing for our country.

This analysis brings us to the curious case of Loretta Lynch. By nearly every calculable measure, Ms. Lynch holds the necessary qualifications to be the Attorney General of the United States. Her resume is impressive, and her career is substantial. She holds political views with which I disagree, and she embraces a view of division and anger on some issues that I find unhelpful to her prospective post. To be sure, if I were President, she would not have been my nominee for the Attorney General of the United States. Unfortunately for Ms. Lynch, she also arrives at the wrong time in history, appointed by the wrong President. These facts have to be considered as part of her nomination hearing process.

After six years of President Obama, Americans have seen an unprecedented attempt to expand Presidential power. Discarding the Constitution for his own pen and phone, this President has attempted to convert the subtle shift in executive power we have seen over decades and across parties into an imperial presidency. The President believes that he may act unilaterally on treaties, war, prisoner exchanges and U.S. immigration policy. He has peered into the Constitution and found that his powers have no limits. This may be why he lost both the House and the Senate, and since 2010, has remarkably caused 28 U.S. Senators to be fired and replaced by an even more unpopular party.

Now, the President nominates Ms. Lynch for Attorney General. The Attorney General, it should be noted, might be appointed by the President, but he or she is not counsel to the President. The job of the Attorney General is to enforce federal and constitutional law on behalf of the people. Simply put, the Attorney General must be strong enough to protect America from all sorts of crimes. Most importantly, the Attorney General, particularly the next Attorney General, must be prepared to protect the United States from an imperial president and presidential abuses under the Constitution.

In her hearing, Ms. Lynch disqualified herself from this position when she agreed that the President had the Constitutional right through executive action to gut the entirety of immigration law and create de facto amnesty on his own for millions of illegal aliens. Ms. Lynch's position is not a political view; it is a legal view that is demonstrably false. By admitting that she is not prepared to protect and defend the Constitution of the United States, she has disqualified herself from serious consideration for the job to which she has been nominated.

The issue of executive amnesty is one where innumerable partisans have taken differing positons on the legality of the President's executive fiat. Most of these views are rooted, sadly, in political bias, academic tomfoolery, or just shameless promotion of economic interest. The President has no power granted him to create executive amnesty of the kind he has foisted on America. And no, prior Presidents did not do this, and even if they had, their violation of the law is not a justification for additional Presidential overreach.

Ms. Lynch was asked a simple legal question. It was one for which she had ample time to prepare. She failed to get that Constitutional question correct. She either does not know the right answer, or she is unwilling to stand up for the Constitution and the limits it puts on Presidential power. In either scenario, she cannot be confirmed.

Richard Kelsey is an Assistant Dean at George Mason Law School. A former Virginia state court law clerk and commercial litigator, Dean Kelsey was also the CEO of a technology company. He teaches legal writing and pre-trial practice. He is a regular commentator on legal and political issues in print, and on radio and TV. His Twitter handle is @richkelsey.

ILLEGAL IMMIGRATES HAVE A TO WORK, MORE THAN THE RIGHT OF THE CLASS PLAINTIFF BRIDGEWATER A UNITED STATES CITIZENS

http://www.ringoffireradio.com/2015/01/loretta-lynch-vetting-underway-wall-street-cant-wait/

ALL ALTERED, AMENDED, DELETED, DESTROYED RECORDS.

OBAMA DENY VETERAN GUN RIGHTS,

ALL VOTED FOR A THIRD TERM OF OBAMA – THE US CONSTITUTION

PROHIBITS A THIRD TERM

http://www.pbs.org/newshour/rundown/capitol-hill-sees-outbreak-bipartisanship/

WASHINGTON — Suddenly, bipartisanship has broken out on Capitol Hill.

On Iran, Medicare, education and trade, Republicans and Democrats have come together to make deals, and that's something rarely seen lately.

"It's great," Republican Sen. John Cornyn of Texas said after the Senate followed the House's lead this past week in overwhelmingly passing a bill overhauling the Medicare payment system for doctors. "There's just a huge pent-up demand to actually get something done, on both sides."

The same day as the Medicare vote, the Senate Foreign Relations Committee unanimously approved legislation empowering Congress to review and possibly reject an emerging Iran nuclear pact. Those breakthroughs were followed two days later by unanimous approval of a rewrite of the No Child Left Behind education law in the Senate's education committee, and the announcement of a long-sought bipartisan deal allowing President Barack Obama to negotiate trade accords for Congress' review.

Congress-watchers are applauding.

"Democracy had a pretty good week, and it's been a long time," said Jason Grumet, president of the Bipartisan Policy Center.

But no one's declaring partisan bickering over, and the moment may not last long, especially as campaigning picks up ahead of next year's presidential and congressional elections.

Indeed, even as lawmakers sealed deals on some issues, they were gridlocked elsewhere.

Obama, at a news conference Friday, highlighted the contradiction. He hailed "some outbreaks of bipartisanship and common sense in Congress" and then bemoaned the Senate's delay in approving his nominee for attorney general, federal prosecutor Loretta Lynch.

"There are times where the dysfunction in the Senate just goes too far," Obama said. "Enough."

Lynch may get a vote as soon as this coming week. Lawmakers seem to be close to a compromise on a human trafficking bill that has bogged down on a dispute over abortion, and Republican leaders had decided to put off the Lynch vote until the trafficking measure was resolved – a linkage Democrats decried.

That's the kind of partisan head-butting that often seems more common and is certain to continue in the months ahead in some areas, such as negotiations on a combined House-Senate budget. Republicans in the House and Senate celebrated passing balanced budgets last month, but the nonbinding blueprints were approved over the protests of Democrats and without their votes.

House Democrats also lamented as Republicans passed a repeal of the estate tax this past week, though several other low-profile IRS bills won bipartisan approval. The new Congress got off to an ugly start when lawmakers came perilously close to partially shutting down the Department of Homeland Security because of Republican objections to Obama's executive actions limiting deportations for millions of immigrants in the U.S. illegally, though the final vote to fund the department was bipartisan

Yet amid such familiar disputes, lawmakers have also found opportunities to get along.

In addition to the bills advanced this past week, Democrats joined with Republicans earlier in the year to send Obama measures such as a bill authorizing the Keystone XL oil pipeline, which the president vetoed, and one to extend a terrorism risk insurance program, which Obama signed.

Grumet attributes the accomplishments in part to old-fashioned dealmaking and an institution-wide desire to claim some achievements.

Republicans who took control of the Senate in January and increased their majority in the House say they have tried to allow Congress to function more openly, with more work done at the committee level and more chances for lawmakers of both parties to offer amendments.

"We're getting the Senate up and running and back functioning again, and we're on the cusp of passing some very significant legislation on a bipartisan basis that we can put on the president's desk," Senate Majority Leader Mitch McConnell, R-Ky., said in an interview.

Democrats are reluctant to give too much credit to the GOP, noting that there were also bipartisan achievements under Democratic control, such as Senate passage of an immigration overhaul in 2013, although it died in the House. Some Democrats said the GOP, and Congress, are benefiting from low expectations after a period of partisan gridlock ahead of the 2014 midterm elections.

"It's like we set the standard at the idea that there's never any bipartisanship, so now that there's some bipartisanship we're acting like it's the beginning of a big new era," said Adam Jentleson, spokesman for Senate Democratic leader Harry Reid of Nevada.

Congress' ability to deliver in a bipartisan fashion will be tested in the weeks ahead. Lawmakers face tough tasks in getting the education and trade bills to Obama. Also, there are deadlines

ahead for action on the highway trust fund, the Export-Import bank, the nation's borrowing limit and the annual spending bills needed to fund the federal government.

There is hope for legislation on cybersecurity, but scant expectations of major legislative achievements beyond the must-do items.

Still, the recent bipartisan legislating has some people believing Republicans and Democrats do remember how to work together.

"Without venturing a prediction, I have high hopes," said Sen. Tim Kaine, D-Va. "We've got a lot more work to do."

ALL KNEW AND WHERE AWARE AND SUBJECT TO ASSET FREEZES,

http://www.freerepublic.com/focus/bloggers/3280824/posts

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Egyptian Government files suit against Barack Obama and Hillary Clinton

Coach is Right ^ | 4/19/15 | Doug Book
Posted on **Sunday, April 19, 2015 11:07:59 AM** by **Oldpuppymax**

On March 11th, Coach is Right staff writer Ed Wood wrote the following in his CiR piece "All Quiet on the Western Front:"

In addition to raining spiteful criticism upon Israeli Prime Minister Benjamin Netanyahu…President Obama has also chosen to petulantly ignore Egyptian President General Abdel Fatah al-Sisi as he demonstrates his own leadership abilities on the world stage.

For years, Egypt and Israel have been our strongest (and perhaps only) allies in the Middle East. We have given Egypt upwards of $1.5 BILLION annually, second only to Israel in foreign aid commitments.

But this was before the newly elected President Obama went to the University of Cairo in 2009 where he ignited the Arab Spring uprisings, challenged terrorists to undermine existing Middle East rulers and in particular, supported Muslim Brotherhood candidate Mohammad Morsi as Egypt's next president.

Then came the fiery pictures of rioting in Cairo's Tahrir Square which accompanied the ouster of Morsi and the installation of Egypt's current President General Abdel Fatah al-Sisi. In 2013, TIME magazine named al-Sisi their "Person of the year" as he became the first president in Egyptian history to attend the Christmas Mass and give a speech at the Coptic Orthodox Christmas service in Cairo, where he called for unity and wished Christians a merry Christmas.

But President Obama–a professed Christian—continues his petty show of displeasure with the nation which dared toss his hand-picked thug, Mohammed Morsi from office.

Wood notes that al-Sisi is a Muslim, just like 90% of Egypt's population. However, "…he (al-Sisi) does not condone the ideology of radical Islam and has taken on the Muslim Brotherhood while "revolutionizing" Islam within his country."

And "taking on the Muslim Brotherhood" really means something to al-Sisi and the people of Egypt. For Mohammed Morsi is still in jail and...

HOUSE JUDICARY MEMBERS

"We urge you to oppose the nomination of Loretta E. Lynch for Attorney General of the United States," the letter from House Republicans to Senate Judiciary Committee members—a copy of which was provided to Breitbart News—reads. "Article II, Section 2 of our Constitution regarding approving Presidential nominees includes the power, even the obligation, for the Senate to withhold consent when there are questions about a nominee's fitness. Since this important power is vested in the Senate alone, we write to you to express our very serious concerns with Ms. Lynch and to urge each of you to withhold consent and reject her nomination."

http://bridenstine.house.gov/news/documentsingle.aspx?DocumentID=355

More than 20 House Republicans have already signed on to a letter that Rep. Jim Bridenstine (R-OK) is circulating—and planning to send to the Senate Judiciary Committee later this week—calling on Senate Republicans to block the nomination of U.S. Attorney Loretta Lynch to replace Eric Holder as Attorney General of the United States in committee, Breitbart News has learned exclusively.

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Signers of the Bridenstine letter at this time, according to a source in his office, include: Reps. John Ratcliffe (R-TX), Brian Babin (R-TX), Randy Weber (R-TX), Mo Brooks (R-AL), John Fleming (R-LA), Lamar Smith (R-TX), Jeff Duncan (R-SC), Pete Sessions (R-TX), Andy Harris (R-MD), Austin Scott (R-GA), Ted Yoho (R-FL), Louie Gohmert (R-TX), Ted Poe (R-TX), Chris Stewart (R-UT), Paul Gosar (R-AZ), David Schweikert (R-AZ), Roger Williams (R-TX), Steve King (R-IA), Doug LaMalfa (R-CA) and Dave Brat (R-VA). Bridenstine is currently gathering more signatures before his planned public release of the letter later this week.

They note that Lynch has served the country honorably as a U.S. Attorney, but say her testimony during the Senate Judiciary Committee confirmation hearings was troublesome.

"We appreciate Ms. Lynch for her many years of outstanding service to our nation," the House Republicans write. "Nonetheless, having observed her nomination hearing testimony, we can only conclude that she has no intention of departing in any meaningful way from the policies of Attorney General Eric Holder, who has politicized the Department of Justice and done considerable harm to the administration of justice."

They cite specific concerns with Lynch's defense of Holder's handling of Operation Fast and Furious—for which Holder was held in both criminal and civil contempt of Congress due to his refusal to provide documents to Congress, documents that President Obama has now asserted

executive privilege over—and her unwillingness to support the appointment of a truly independent special prosecutor to oversee the investigation of the IRS scandal.

"When given chances to differentiate herself from Attorney General Holder, she chose not to," the House Republicans write.

When asked what she would have done differently from Attorney General Holder's handling of the Fast and Furious controversy, she gave a non-responsive answer, saying "I'm not able to really categorically answer one way or the other as to how that's been managed." And when asked whether, unlike Attorney General Holder, she would appoint a special prosecutor to investigate the targeting of conservative groups by the Internal Revenue Service, she deflected the question, saying "[m]y understanding is that that matter has been considered and that the matter has been resolved to continue with the investigation as currently set forth."

Even more troubling to the Republican House members, though, is Lynch's support of Obama's executive amnesty for millions of illegal aliens—something that Obama has circumvented Congress to do.

"Our larger concern is with Ms. Lynch's apparent unwillingness to stand up to the President and his unconstitutional efforts to circumvent Congress and enlarge the powers of his office," they write.

As Attorney General, Ms. Lynch would be called upon to swear an oath to the Constitution, not to the President. Unfortunately, her largely non-responsive answers to numerous questions about the scope of the President's power to suspend enforcement of the laws give us every reason to doubt that she will be able to fulfill her oath to the Constitution.

The president's executive amnesty policy, they wrote, "gives us great concern" because of the fact that under "the guise of exercising 'prosecutorial discretion,' the President has erected a bureaucratic apparatus to accept millions of applications from illegal immigrants, grant them 'deferred action' from deportation, and then issue them authorizations to work, all without Congress's approval."

"When asked whether she agreed with the legal rationale concocted to justify the President's actions, she said that she found it to be 'reasonable,' the obvious implication being, of course, that she would continue to follow it," the House Republicans write. "And indeed, not once during the hearing did Ms. Lynch ever disavow—or even question—the legality of the President's actions."

They write also that Congress should be expected to reject the president's nominees when he oversteps like he did with amnesty.

Although the President's nominee cannot reasonably be expected to publicly oppose the President's policies, the Attorney General has an independent duty to uphold and defend the Constitution," they write. "We contend that, at the very least, you should reject Ms. Lynch's nomination to register your disapproval with this Administration's persistent, lawless conduct. Refusing to confirm the President's nominees is but one of several important, constitutionally provided tools, and we urge you to employ it here. Anything less would be an abdication of Congress's responsibility to check the President when he exceeds his constitutional powers, as this President has done on countless occasions. A vote for this nominee should fairly be considered a vote in favor of the President's lawlessness and against the will of the American people.

What's more, the House Republicans are asking the Senate Judiciary Committee members to reject Lynch's nomination in Committee—a significant development if that were to happen.

"We respectfully ask that you refuse to vote Ms. Lynch out of the committee, and that you return her nomination to the President," they write.

Several members of the Senate Judiciary Committee have already announced opposition to Lynch's nomination. They include: Senate Majority Whip John Cornyn of Texas, Sen. Ted Cruz (R-TX), Sen. Jeff Sessions (R-AL) and Sen. David Vitter (R-LA). Sen. Thom Tillis (R-NC) said in early February he is undecided on Lynch's nomination, but did say on the campaign trail that he would oppose any nominee for attorney general who supports Obama's executive amnesty—and therefore if he does support her, he would be violating a campaign pledge.

Sen. David Perdue (R-GA) is someone who is expected to oppose Lynch's nomination, though he hasn't given any indication one way or the other yet.

Sen. Jeff Flake (R-AZ) has said he will support Lynch, as has Sen. Orrin Hatch (R-UT). Sen. Lindsey Graham (R-SC) is also likely to support Lynch. The Senate Judiciary Committee's chairman, Sen. Chuck Grassley (R-IA), is likely to personally oppose her in the end given some of her positions, though Grassley hasn't given any indication one way or the other yet how he'll vote.

Since there are 20 members of the Senate Judiciary Committee—nine of whom are Democrats, all likely to support Lynch—there would need to be GOP unity on the committee against her nomination to block it on the committee. So Sens. Flake, Hatch and Graham would need to reverse their current positions on her.

Having House Republicans including Stewart from Utah, Duncan from South Carolina and Schweikert and Gosar from Arizona—home states to Hatch, Graham and Flake, respectively—signing onto this Bridenstine letter means those senators will feel the heat back home no matter what they do.

Sen. Vitter noted in a statement last week that the nomination has been stalled, for now at least, because of new questions about Lynch's role in choosing to not prosecute HSBC bank officials who engaged in money laundering for the Mexican drug cartels, terrorists and the rogue government of Iran. As U.S. Attorney, Lynch instead decided to accept a government fine in a settlement with HSBC–despite the fact she potentially had enough evidence to criminally prosecute the bankers.

Original Article on Breitbart.com