



Written by [Bob Adelman](#) on January 28, 2015

Questions Senators Won't Be Asking Loretta Lynch, Obama's Attorney General Nominee

Today and tomorrow, President Obama's nominee to replace Eric Holder as attorney general, Loretta Lynch (shown), will face [questioning](#) before the Senate Judiciary Committee. It's highly unlikely that any of those questions will focus on how her office handled the case of Felix Sater while she was U.S. district attorney in New York (details on the Sater case further down). Without that information being obtained, however, her confirmation hearings will miss a vital part of understanding just how Lynch is likely to handle the job as attorney general.



Instead, she is more likely to be asked about Obama's policies using executive privilege not only to impose delays on deporting illegal immigrants, but also to mark up ObamaCare according to his own views, and to launch a war in Libya.

She may well waffle when the questioning becomes too intense, just as she did when Senator David Vitter, one of the committee's members, pressed her on the issue of illegal immigration. He said, "I met with Ms. Lynch earlier this month and didn't get any straight answers from her." He added:

I mean, she would say nothing. If I asked her if the sky was blue, I don't think she would have committed to it.... I found her responses in the conversation about executive amnesty not just frustrating, but unbelievable.

As chair of Obama's legal advisory team, she no doubt directed the president on issues ranging from his unilateral amending of ObamaCare to launching the war in Libya. She also more than likely advised him that he was within his executive authority to defer or delay the deportation of millions of illegal immigrants.

She also surely kept him apprised of Holder's continued efforts to emasculate states' attempts to keep their voting process clean and transparent. Back in 2013, she claimed that voter ID laws in the states were per se racist, saying:

Fifty years after the civil rights movement, we stand in this country at a time when we see people [in the various states] trying to take back so much of what Dr. [Martin Luther] King fought for....

People try and take over the State House and reverse the [gains] that have been made in voting in this country.

She then declared that she was "proud" that Holder's Justice Department had filed suit against North Carolina over its voter ID laws, which allegedly "seek to limit our ability to stand up and exercise our rights as citizens."

Other likely questions from the Senate panel will include asking if she, as the new attorney general, will



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finally begin to enforce the House's contempt citation against Lois Lerner that has been languishing on Holder's desk for seven months. Would she at last come clean on the Fast and Furious scandal?

The mainstream media certainly hopes not. CBS News had its own take on what counts for important:

- the cyber attacks by the Chinese government aimed at America's nuclear power;
- metals and solar products industries;
- how she might "combat social media campaigns used to recruit young Americans into terrorist organizations";
- and how she would handle the ongoing investigation into the Ferguson Police Department.

All important questions, to be sure, but no doubt this primary question will be missing from her interrogation: *What about charges that while she was district attorney in New York, she and her office deliberately and systematically violated two federal laws in the handling of the case of Felix Sater?*

Sater pled guilty in 1998 in a racketeering stock fraud case of having mulcted unsuspecting investors of more than \$40 million. Lynch's office withheld vital information about the case, and its secret settlement, from Sater's victims, making it impossible for them to gain restitution. Her office then stonewalled attempts to determine why Sater was let off on a plea bargain and a minuscule fine, while allowing him to keep the money he stole.

Senators should ask Lynch about the lawsuit that attorney Frederick Oberlander has filed against Sater on behalf of his victims. Wrote Oberlander:

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.

As investigators from the *Washington Times* learned,

Sater faced nearly 20 years in prison and a mandatory \$40 million 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.

Attorneys for a victims' rights group, the National Organization for Victim Assistance, couldn't get past Lynch's stone wall:

At this point, 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.

If the questioning of Lynch is designed to ferret out whether she will just be another Eric Holder, in high heels, members of the Senate Judiciary Committee will fail if they don't include the matter of Felix Sater. All these questions are determined, as Hans von Spakovsky at the *Daily Signal* so eloquently expressed it, "to see whether she actually believes in the limits the Constitution imposes on the executive, or whether she will simply step into Eric Holder's shoes and help the administration continue to defy the rule of law."

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