

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewidth.org>
Sent: Thursday, February 05, 2015 11:48 AM
To: gary_barnett@flake.senate.gov
Subject: Your Written Questions for AG Nominee Loretta Lynch -- & Inclusion of Opposition Letters in "the Record" of the Senate Judiciary Committee's Proceedings on the Confirmation

Dear Senator Flake,

This reiterates the message I left two days ago on the voicemail of your counsel, Gary Barnett, assisting you in evaluating the fitness of U.S. Attorney Loretta Lynch for confirmation as Attorney General. As I have received no return call from Mr. Barnett, I am sending this e-mail to him, with a request that it be furnished to you.

At the January 28-29th confirmation hearings, Chairman Grassley announced that you would have seven days within which to submit written questions for U.S. Attorney Lynch to answer. This gives you the opportunity to ask, in writing, that Ms. Lynch respond to the Center for Judicial Accountability's two letters to the Senate Judiciary Committee opposing her confirmation – letters I had sent to U.S. Attorney Lynch with an invitation for her response – and to which she had not responded. These opposition letters, dated December 17, 2014 and January 6, 2015, and the dispositive EVIDENTIARY PROOF substantiating them, are posted on the Center for Judicial Accountability's website, www.judgewidth.org, accessible *via* the homepage hyperlink "CJA's Citizen Opposition to Senate Confirmation of U.S. Attorney Loretta Lynch as U.S. Attorney General". The direct link is here: <http://www.judgewidth.org/web-pages/searching-federal/lynch/2014-opposition-lynch-ag.htm>.

Additionally, I request that you ensure that CJA's opposition letters are included in the record of the Senate Judiciary Committee's proceedings on the confirmation – as likewise all other opposition letters the Committee has received. This, because at the January 29th confirmation hearing, when Ranking Member Leahy held up a pile of supportive letters, requesting "consent" that they be "put in the record" – to which Chairman Grassley responded "without objection" – it did not appear that opposition letters were necessarily among them.

For your convenience, below is my January 27th e-mail entitled "DISPOSITIVE Citizen Opposition to Senate Confirmation of US Attorney Loretta Lynch as Attorney General – & Request to Testify", which I had addressed to you, *via* Mr. Barnett's e-mail – to which I received no response.

I am available to answer questions, including under oath.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-421-1200

From: Center for Judicial Accountability [mailto:elena@judgewidth.org]
Sent: Tuesday, January 27, 2015 4:12 PM
To: 'gary_barnett@flake.senate.gov'

Subject: Dispositive Citizen Opposition to Senate Confirmation of US Attorney Loretta Lynch as Attorney General -- & Request to Testify

Dear Senator Flake,

This follows up my phone call to your office yesterday afternoon, leaving a voice mail message for your counsel, Gary Barnett, in which I summarized the situation and the substantiating EVIDENCE, posted on the website of our non-partisan, non-profit citizens' organization, Center for Judicial Accountability, Inc. (CJA).

Since November 10, 2014 – the first business day after President Obama announced his nomination of US Attorney Lynch as Attorney General – I have repeatedly requested to testify in opposition at the Senate Judiciary Committee's confirmation hearing.

The Committee's two-day hearing begins tomorrow – and I have received NO response to my requests to testify. This, notwithstanding my December 17, 2014 letter to the Committee, reiterating those requests, is the ONLY opposition letter requesting to testify that the Committee has posted on its webpage for the confirmation:

<http://www.judiciary.senate.gov/nominations/executive/pn2136-113>.

Not posted by the Committee is my January 6, 2015 letter to it, highlighting that I had received NO response to the December 17, 2014 letter, enclosing my January 5, 2015 letter to President Obama, and expressly requesting that the Committee address my assertion therein:

“the Senate Judiciary Committee's own vetting is a fiction and its confirmation hearings essentially rigged to ensure confirmation, which it does by excluding opposition testimony from members of the public have dispositive evidence of nominee unfitness, such as corruption and ethics breaches.

At bar, NO Senator can vote for U.S. Attorney Lynch's confirmation based on the evidence here presented.” (capitalization in the original).

All these letters – and the mountain of EVIDENCE substantiating them – are posted on CJA's website, www.judgewatch.org, accessible *via* the prominent homepage link: “CJA's Citizen Opposition to Senate Confirmation of U.S. Attorney Loretta Lynch as U.S. Attorney General”. Here's the direct link: <http://www.judgewatch.org/web-pages/searching-federal/lynch/2014-opposition-lynch-ag.htm>.

I believe that you – and your fellow rank-and-file Senate Judiciary Committee members – may be completely unaware of these letters and that Senators Grassley and Leahy, in their positions as Chair and Ranking Member, withheld them from you. Certainly, from the letters, you can speedily determine that under their “leadership”, neither Republican nor Democratic committee staff did any APPROPRIATE VETTING of Ms. Lynch's fitness. At minimum, APPROPRIATE VETTING required that Committee counsel and investigators interview me – which they never did – and that they make findings of fact and conclusions of law with respect to the EVIDENCE I had furnished – which they plainly did not do, nor furnish same to Committee members. Had they done so, the Committee's 18 rank-and-file Republican and Democratic members would have recognized, unanimously, that NO HEARING WAS NECESSARY, as the nomination had to be summarily rejected, absent its withdrawal by the President or withdrawal by Ms. Lynch.

On behalf of your constituents – and the People of the United States of America – to whom you owe a sacred duty to scrutinize Ms. Lynch's fitness to be this nation's highest law enforcement officer, I request that you take immediate corrective steps. If, based upon the December 17, 2014 and January 6, 2015 letters, tomorrow's confirmation hearing is not cancelled so that you and your fellow rank-and-file Senate Judiciary Committee members have sufficient opportunity to personally review them and the DISPOSITIVE EVIDENCE on which they rest, I request to be “invited” to testify in opposition, as I have repeatedly requested.

In any event, I respectfully request to know what criteria – if any – Chairman Grassley and Ranking Member Leahy used in determining who they would “invite” to testify in opposition – and who they have already “invited” as opposition witnesses. Inasmuch as my December 17, 2014 letter is the ONLY opposition letter requesting to testify

that the Committee has posted, it would appear that such opposition witnesses, if any, did not make written request. Is that correct? And, if so, were they solicited to testify?

It goes without saying that if the confirmation hearing proceeds tomorrow, Ms. Lynch must be interrogated about the December 17, 2014 and January 6, 2015 letters, which I sent her, expressly inviting her response. She has not responded – and the reason, obvious from the letters and the DISPOSITIVE EVIDENCE substantiating them, is that she cannot do so without admitting to her corruption and unfitness.

I am available to answer questions.

Thank you.

Elena Sassower, Director
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