

# Big Bad Sheriff Is in Town

BY PETER GEMMA

John Fund comes at the topic of Obama's Justice Department with excellent credentials. A 20-year veteran of the *Wall Street Journal*, including as a member of its editorial board, he is the author of several books, including *Stealing Elections: How Voter Fraud Threatens Our Democracy*. Hans von Spakovsky, holds a J.D. from the Vanderbilt University Law School, is a former member of the Federal Election Commission, and served six years in the Civil Rights Division of the U.S. Department of Justice.

They are the co-authors of *Obama's Enforcer: Eric Holder's Justice Department*, and it is well worth the read.

Attorney General Eric Holder, the first attorney general in history to be held in contempt by the House of Representatives, seems like an easy target. That action was a result of Holder's Operation "Fast and Furious," probably the most reckless law enforcement operation ever carried out by the Justice Department (DOJ). It was a gunrunning scheme to arm bandits in Mexico and then trace the weapons. They lost track of the guns, and it led directly to the death of an American border agent and many Mexican citizens. Holder was held in contempt by Congress because of his refusal to turn over information and documentation about this operation gone wrong, saying that he knew nothing about it.

Holder's tenure has been controversial—probably the most contentious in decades. On February 10, 2014, Holder announced increased protection of same-sex spouses, including equal treatment as opposite-sex spouses in "court proceedings, prison visitation, and law-enforcement benefit programs even in states that don't recognize same-sex marriages."<sup>1</sup> DOJ's Civil Rights Division sent out letters to universities saying that it expected them to punish "any unwelcome con-

duct of a sexual nature," which could include asking for a date and being turned down;<sup>2</sup> and dropping a voter intimidation case against members of the New Black Panther Party who were menacing voters at a polling station in Philadelphia during the 2008 election. The incident was caught on videotape.<sup>3</sup>

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## OBAMA'S ENFORCER

Eric Holder's Justice Department

By John Fund and Hans von Spakovsky

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The authors reveal the workings of a little-known division of the Department of Justice that costs taxpayers millions of dollars each year. The Environment and Natural Resources Division (ENRD) is redistributing its financial resources (our money) into costly and wide-reaching regulations without any congressional oversight or public comment.

The ENRD is the division of the DOJ is responsible for the raid on Gibson Guitar Corporation, which nominally dealt with the legality of materials imported from Madagascar. Part of the settlement that Gibson Guitar reached with the DOJ in order to continue as a going concern, was to pay out \$50,000 to the National Fish and Wildlife Foundation. John Fund and Hans von Spakovsky write:

Instead of making a payment to the U.S. Treasury Department for the American taxpayer, Justice in essence extorted money from Gibson Guitar to help fund the National Fish and Wildlife Foundation, a congressionally created private charity that hands out funds to some of the nation's largest environmental organizations, as well as some of the smallest.

The authors observe, "basically, the Justice Department used its authority to engineer a settlement of government claims requiring the defendant to provide

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benefits to a private group that was not involved in the lawsuit and was not injured by the defendant's actions."

Fund and von Spakovsky explain it this way: special interest advocacy groups sue the Environmental Protection Agency (EPA). The EPA, represented by the lawyers of the ENRD, chooses not to defend itself against such lawsuits. The EPA and the environmentalist groups who sued them agree to a "settlement" on terms favorable to those groups. From 2009 to 2012, at least sixty such cases resulted in, "more than 100 new federal rules, many of which are major rules with estimated compliance costs of more than \$100 million annually."

The authors, quoting a lawyer who defended a small village against the government in such a case, assert:

The Justice Department's history of repeatedly taking frivolous and losing arguments—and recycling these same losing arguments—can only be explained by an intentional strategy of trying to make this litigation so lengthy and so expensive that landowners will let the government simply take their land without being compensated...[h]e says he is aware of at least twenty cases that Justice lawyers have lost in which they made "essentially the exact same losing argument" each time. The cost to taxpayers...has been enormous.

Who is in charge of this scam and many other radical programs? Former Department of Justice Civil Rights Division attorney J. Christian Adams, in his book, *Injustice: Exposing the Racial Agenda of the Obama Justice Department*,<sup>4</sup> describes how racist zealots have hijacked the DOJ and rarely enforce laws when it's not politically beneficial for them. Adams said résumés from the 130 newly hired lawyers in Eric Holder's Civil Rights division indicate they "were deeply steeped in left-wing activism" before they got what are meant to be apolitical careers at the DOJ. Adams states:

Blackness is another issue entirely apart from class in America. No matter how affluent, educated, and mobile (a black person) becomes, his race defines him more particularly than anything else. Black people have a common cause that requires attending to, and this cause does not allow for the rigid class separation that is the luxury of American whites. There is a sense in which every black man is as far from liberation as the weakest in that his weakness is attributable to racial injustice.

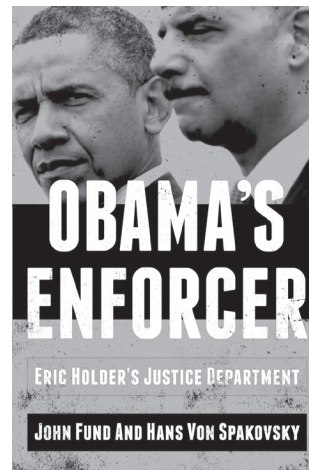
But leadership starts from the top, and within the bowels of the Justice Department, bureaucrats take heed of Holder's message.

At an American Constitution Society gathering in

2004, Holder made the following comments:

- "Conservatives have been defenders of the status quo, afraid of the future, and content to allow to continue to exist all but the most blatant inequalities."
- Conservatives are "breathtaking" in their "arrogance," which manifests itself in such things as "attacks on abortion rights," "energy policies that are as shortsighted as they are ineffective," and "tax cuts that disproportionately favor those who are well off and perpetuate many of the inequities in our nation."
- Conservatives have "made a mockery of the rule of law."<sup>5</sup>

Reading this book can inject feelings of fear and loathing (if you don't already have them) of how the world works in Washington, D.C. In *Obama's Enforcer*,



Fund and von Spakovsky write, "The administration can essentially short-circuit the regulatory process and implement whatever rules the administration wants by throwing the case, failing to defend, waving the white flag of surrender, and agreeing to a settlement that has what both sides (who are really on the same side) want. There is no participation by the public, the business world, or anyone else in

the national economy that would be affected by the new regulation."

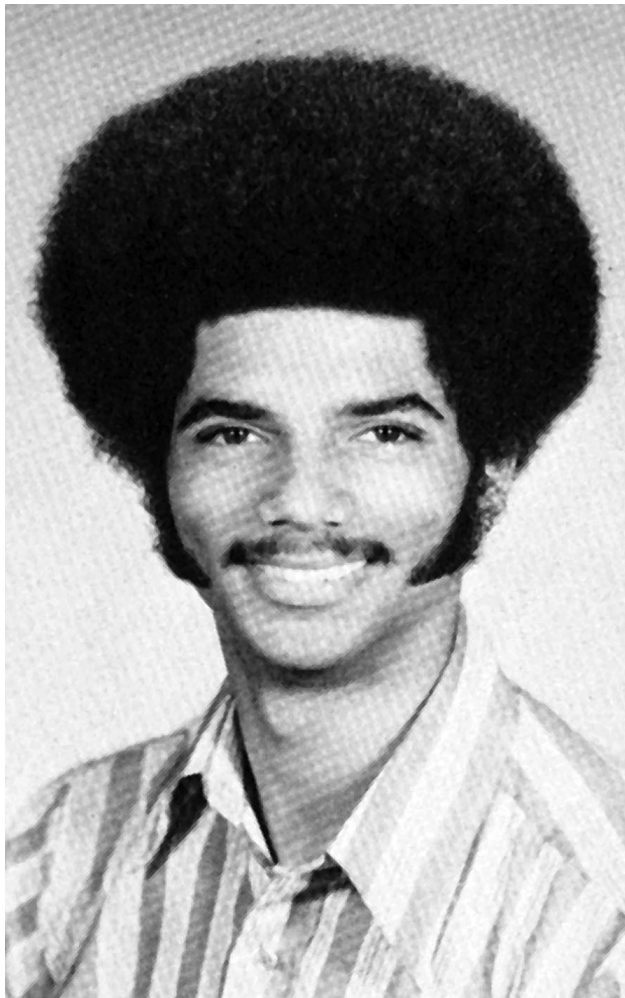
According to the "What the Founders Think" website, "Eric Holder also oversees the Bureau of Prisons, the Federal Bureau of Investigation (FBI); the Bureau of Alcohol, Tobacco, Firearms and Explosives; the U.S. Marshals Service; the Drug Enforcement Administration ... In essence, the Justice Department is the largest law enforcement agency in the world, with investigators and agents, lawyers, and prison officials all combined in one government department."<sup>6</sup> It has 114,000 employees (9,000 hired since Holder started his tenure), and a budget of \$27 billion.

He's a powerful man with a radical agenda and has some fringe troublemakers as friends. For example, Holder praised left-wing activist Rev. Al Sharpton "for your partnership, your friendship, and your tireless efforts to speak out for the voiceless, to stand up for the powerless, and to shine a light on the problems we must solve, and the promises we must fulfill."

“Partnership” is an odd word to use for the head of a government agency, especially one that is supposed to be strictly neutral.

The authors sum up Holder’s legacy:

As a longtime, current employee of the Justice told us, Mr. Holder and his subordinates have “racialized and radicalized” the department “to the point of corruption.”...They have embedded politically leftist extremists in the career ranks who have an agenda that does not comport with equal protection or the rule of law; who believe that the ends justify the means; and who behave unprofessionally and unethically. Their policy is to intimidate and threaten employees who do not agree with their politics, and even moderate Democrats have left the department, because they were treated as enemies by administration officials and their lackeys. Another black employee who has worked for the Justice Department for decades said to me, “There is no justice left in Justice under this administration.”



Eric Holder Jr., as a radical activist at Columbia University.

To undo his policies and weed out his personnel, will take some doing, and Loretta Lynch, his successor, seems to be in the Holder mold. Consider:

- She did not want the U.S. to turn back to the days of “racism and bigotry” through voter ID laws, but also through discipline policies in schools. “They take our babies, minority children, black children, Hispanic children, and they put them out of school before they have a chance to learn...”<sup>7</sup>
- When Lynch was a student at Harvard, she was a part of a club that has a reputation for being not only sympathetic to black supremacists, but terrorist sympathizers as well. On several occasions, the group brought over leaders from the Palestinian Liberation Operation (PLO). However, the club would not allow Jewish students in to hear the speakers.<sup>8</sup>

It is still to be seen if she is even more radical than Eric Holder.

And then there’s Holder himself. He will transition from government to the “private sector,” (in reality the “One Percent” power brokers), with a top lobbying job with Wall Street finance giant JPMorgan Chase. Holder will have morning coffee with CEO Jamie Dimon and board members, while earning an annual salary of \$77 million plus bonuses for a job well done.

In *Obama’s Enforcer: Eric Holder’s Justice Department*, John Fund and Hans von Spakovsky say that Eric Holder, “pursued a militant civil rights agenda intended to help Democrats win elections and implement a socialized America where racial, ethnic, and sexual quotas are required in everything from college admissions to public employment to school discipline.” He should do well among Wall Street’s political elites. ■

**Endnotes**

1. <http://www.politico.com/story/2014/02/eric-holder-same-sex-couples-courts-103289.html#ixzz2t7hzNhbQ>
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