

**Statement of Janice K. Fedarcyk  
Fedarcyk Consulting LLC  
Before the Senate Judiciary Committee  
Attorney General Nomination  
29 January 2015**

Chairman Grassley, Ranking Member Leahy, and Members of the Committee, it's my pleasure to appear before you this morning to speak about my association with the Attorney General nominee, Loretta Lynch. I wholeheartedly endorse her confirmation from the vantage point of someone who worked closely alongside Ms. Lynch in her role as United States Attorney of the Eastern District of New York during my two years as the Assistant Director in Charge, or ADIC, of the Federal Bureau of Investigation's (FBI) New York Office. I served in that capacity from July 2010 through the time of my retirement in August 2012 after 25 years of service in the FBI.

By way of background as the Assistant Director in Charge of the New York Office I was responsible for the largest field office in the FBI and inherent to that are the most complex and sensitive investigations in all of this nation's law enforcement. The New York Office is truly unique in the breadth and depth of the national security and criminal violations investigated. New York was and will remain the target for the terrorism activities of individuals and groups that espouse their violent agenda. From World Trade Center I in 1993 to the terrorist attacks of 9/11 and beyond, we continue to see this terrorist agenda manifested against New York. As a result, the FBI's resources and the considerable talents of the United States Attorney's Offices in both the Eastern and Southern Districts of New York are almost in a daily undertaking to protect this nation's security. I think it important that the Committee also appreciate the magnitude

of the criminal violations the New York Office worked. These violations ranged from complicated and pervasive financial crimes, the insidious and debilitating effects of organized crime, and the violence associated with national gangs and other violent offenders. Given this challenging environment it was a necessity to establish a substantial partnership with Ms. Lynch and her office. Over the course of the next two years, we formed an effective partnership to address not only the national security and criminal threats but also to engage in outreach and liaison with academia, the private sector, and the public to garner their support and make a positive impact within the community.

The basis for my unquestioned support for Ms. Lynch's nomination is founded upon the numerous successes our offices achieved, the close professional and personal relationship that provided me extraordinary insight into Ms. Lynch both as a United States Attorney and as a person. During our association I was privileged to observe her commitment to mission, her personal involvement in issues that invariably arose in our work as well as those within the broader law enforcement community. In supporting the nomination of Loretta Lynch as the next Attorney General of the United States I'd like to comment on three areas that form the foundation of my recommendation: sound judgment; legal acumen; and, independence.

In all of my interactions with Ms. Lynch her approach to addressing and resolving issues invariably involved gathering information to understand the issue, obtaining inputs from affected stakeholders, and making a decision based upon the facts and the law. A good example is how she managed the complicated relationship with the New York City Police Department (NYPD), engaging them as partners in the war against terrorism while

reinforcing the role of the FBI Joint Terrorism Task Force as the lead investigative entity. While not an attorney, I do recognize that Ms. Lynch was nominated and confirmed twice as the United States Attorney for the Eastern District of New York; served on the Attorney General's Advisory Committee and was named as Chair of the Committee in 2013; and, her favorable reviews by the Executive Office for United States Attorneys which called her "exceptionally well-qualified." Lastly, I have never known Ms. Lynch to make a decision based upon politics or outside influences. Ms. Lynch consistently demonstrated fairness, respect for others, and a deep sense of duty. Under her leadership, the United States Attorney's Office, Eastern District of New York, embraced her qualities in their work.

As I previously stated our offices pursued a multitude of criminal and national security investigations. Our offices successfully investigated and executed the arrest of approximately 138 Mafia figures that represented the largest single day operation against the Mafia in history. This is important to note in order to appreciate the magnitude of this historic effort and the commitment of resources, time and coordination implicated in such an undertaking. Similarly, Ms. Lynch's perseverance and support to the FBI and local law enforcement resulted in the recent indictment and arrest of individuals implicated in the 1978 Lufthansa heist of \$6 million in cash and jewelry, reinforcing her dedication to see justice done despite the lapse of time, in this instance 36 years.

Notable other accomplishments spanned the spectrum of the FBI's national priorities and are examples of Ms. Lynch's many successes in the Eastern District including International Terrorism investigations such as Najibullah Zazi, a terrorist who drove explosives from Colorado to New York. In the financial sector significant

accomplishments included the giant construction company Lend Lease indicted for an overbilling scheme that resulted in \$56 million in fines; a bank fraud involving a former CitiGroup Vice President who embezzled more than \$19 million; securities violations by a Long Island-based company that resulted in \$5.8 million in fines; and, a \$92 million mortgage fraud conspiracy by a New York real estate developer. There were also gang investigations that removed violent offenders off the streets of New York, Brooklyn, and Long Island including an operation that arrested 40 individuals charged with narcotics conspiracy and violent crime violations and the indictment of twelve members of the Bloods street gang on racketeering, murder, drug distribution, and firearms charges.

Public corruption undermines trust in our elected officials. Ms. Lynch and her office was deeply committed to the investigation and prosecution of these priority matters as was demonstrated by the indictment of Pedro Espada, former New York State Senator, and his son for embezzlement from a non-profit health care network receiving federal funding; the indictment of New York State Assemblyman William F. Boylan, Jr. with soliciting more than \$250,000 in bribes in exchange for performing official acts; and, the recent conviction of United States Congressman Michael Grimm for concealing \$900,000 in gross income and lying under oath while a Member of Congress.

Ms. Lynch's recognition that task forces brought the best of interagency investigative resources to bear on entrenched crime problems was integral to broader and deeper successes than would have been the case for any one agency or department to achieve alone. During my tenure in New York, these task forces included the nation's largest Joint Terrorism Task Force; Violent Gang Task Forces; the Long Island Gang

Task Force; the Health Care Task Force; and the Financial Fraud Enforcement Task Force, to name a few.

In closing, I recall an appropriate Abraham Lincoln quote, “Character is like a tree and reputation like a shadow. The shadow is what we think of it; the tree is the real thing.” In my opinion Loretta Lynch is the real thing.

Chairman Grassley, Ranking Member Leahy, and Members of the Committee, thank you for the opportunity to come before you today and share my perspective about Ms. Lynch. I respectfully urge you to speedily confirm her as our nation’s next Attorney General of the United States. I am happy to answer any questions.