

## **PROPOSAL SHEET FOR**

### **The Coalition to Void and Nullify the Obama Administration's Corrupt Financial Fraud Enforcement Task Force**

**August 6, 2019**

#### **MISSION**

To right an Obama Administration wrong by voiding and nullifying all indictments brought under the existence of Obama's corrupt Financial Fraud Enforcement Task Force ("FFETF"). The relevant date range for indictments associated with the FFETF is November 17, 2009 through January 20, 2017.

#### **RELEVANT STATUTES**

18 USC §§ 1001-1040

18 USC §§ 1341-1351

#### **DESIRED MEMBERSHIP OF COALITION**

1 Civilian Spokesperson

10 United States Senators

10 United States Representatives

10 Civilians

#### **DESIRED RESULT**

Prior to January 20, 2021, all indictments under the existence of Obama's corrupt Financial Fraud Enforcement Task Force ("FFETF") are voided and nullified. All victims of the FFETF are released from prison forthwith and all civil liberties and rights unconditionally restored.

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#### **I History**

On November 17, 2009, the Financial Fraud Enforcement Task Force (FFETF) was created by Executive Order 13519 by President Barack Obama, at the urging of then Attorney General, Eric Holder.<sup>1</sup>

The press release announcing its creation says, "President Obama established the Financial Fraud Enforcement Task Force (FFETF) in November 2009 to hold accountable those who helped bring about the last financial crisis, and to prevent another crisis from happening."<sup>2</sup>

But, it is not what happened. Instead, the task force attacked small business owners who were themselves victims of the financial crisis.<sup>3</sup>

Over 15,000 small business owners were targeted and attacked by Obama's FFETF.<sup>4</sup>

Prosecution of those 15,000 individuals by the U.S. Department of Justice caused an estimated \$75 billion<sup>5</sup> in financial losses that would have likely stabilized and recovered, but for the DOJ's hammer.

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<sup>1</sup> <https://www.naag.org/publications/naagazette/volume-4-number-2/combating-financial-fraud.php>

<sup>2</sup> <https://www.fincen.gov/financial-fraud-enforcement-task-force-ffetf>

<sup>3</sup> <https://calciainsider.com/obamas-legacy-a-corrupt-doj-task-force/>

<sup>4</sup> Ibid

<sup>5</sup> The FFETF did not leave us with much to go on; no publicly available reports, etc. Anecdotally, it appears the average dollar amount involved in the cases brought by the FFETF is around \$5 million. 15,000 indictments multiplied by \$5 million = \$75 billion. This revelation informs us in two ways: First, the big firms that caused the financial crisis were not held

We estimate these prosecutions collaterally injured another 1.5 million Americans, unnecessarily.<sup>6</sup>

"Victims" of the Obama task force are beginning to realize what really happened and they want the acts of the task force to be retroactively nullified.

## II Mission of Coalition

1. To bring this corrupt Obama Administration task force to light by revealing its destructive actions to the members of the United States Senate and House of Representatives.
2. Once members of the Senate and House are aware of the malicious and destructive actions of the task force, begin a public awareness campaign so the public at large is aware.
3. An envoy representing the Coalition will take a formal written request and proposed executive order to President Trump asking him to void the task force and every indictment stemming from it as "fruit of the poisonous tree."
4. All indicted individuals whose White-Collar investigation began or who were ultimately indicted between November 17, 2009 and January 20, 2017 will fall under the nullifying and voiding executive order.
5. Those individuals in federal prison will be released immediately and their criminal records resulting from the actions of the task force will be expunged.

## III Accommodation for Political Optics

The Coalition recognizes there are two issues that present politically-challenging optics.

1. We believe a small percentage of the 15,000 or so individuals indicted during the task force's existence are actually guilty; perhaps 1,000 of the 15,000 are bona-fide criminals.

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accountable, otherwise the average dollar amount would be much larger. Second, attacking small business owners will not prevent another crisis.

<sup>6</sup> Again, anecdotally, we estimate that each indictment collaterally hurt 100 others, ie, family, friends, investors, beneficiaries, stakeholders. Had these cases been handled like most would have been handled pre-task force, in civil proceedings, those injuries might have been avoided and investments would have recovered in time. See footnote 3.

We believe the other 14,000 individuals or so are actually innocent. On principle, guilty and innocent alike must be released because the task force was not benevolent in its intent; the task force was corrupt. Therefore, every indictment should be considered corrupt and "fruit of the poisonous tree." The Coalition must rely on Benjamin Franklin's maxim that it is better that, "100 guilty Persons should escape [prosecution] than that one innocent Person should suffer [prison]."[7] White-Collar felons are the least likely to recidivate. Most White-Collar felons have spent substantial time in prison. The release of task force victims should not be misconstrued as being easy on financial crime.

2. The media is likely to view the nullification of 15,000 White-Collar "criminals" as favoritism towards likely white male Republican voters. As a counter-balance, we propose that those individuals indicted on non-violent marijuana-related charges during the Obama Administration should also be released from prison with voided indictments if the individual would not now be charged by the State in which they lived at the time because of new marijuana legalization laws.

We believe that an executive order covering these two categories will, on balance, be viewed as fair by the media.

#### **IV CONCLUSION AND REQUEST**

The Obama task force was created secretly. It was deployed with malicious and mischievous intent to torment small business owners under the guise of punishing crimes that caused the "2008 Great Crash." The truth is, none of those responsible for the crash was held accountable.[8] The task force did not do what it was created to do. Instead, the Obama Administration, at the hand of Eric Holder, attacked small business owners and made them symbolic, ceremonial lambs for the slaughter. This grave injustice must be corrected.

We respectfully ask that you join us, and help us, advocate to the President of the United States to issue an Executive Order voiding and nullifying all White-Collar indictments in which the task force was involved to any extent that occurred between November 17, 2009 and January 20, 2017.

**PROPOSED VERBIAGE OF THE PRESIDENTIAL EXECUTIVE ORDER NULLIFYING THE  
TASK FORCE AND VOIDING ALL ASSOCIATED INDICTMENTS:**

**Nullification of Executive Order 13519**

By the authority vested in me as President by the Constitution and the laws of the United States of America, in order to strengthen the public's confidence and trust in its justice system, I hereby declare Executive Order 13519 and the creation of the Financial Fraud Enforcement Task Force ("FFETF") on November 17, 2009, retroactively null and void and further order the following:

Section 1: Nullification. The Financial Fraud Enforcement Task Force did not follow the scope of Executive Order 13519 to hold those responsible for the financial crisis of 2008. Instead, it predominantly and maliciously acted outside the scope of its creation by targeting thousands of small business owners who played no role in causing the crash, yet suffered the consequences of it, like most Americans. They merely needed time to recover. These business owners became easy targets of the FFETF. They were sacrificed to placate the public, giving the false appearance that the government punished those who caused the crash, which was both false and unjust. These thousands of convictions based on false pretenses has caused untold devastation to their families, employees and investors. The consequences of Executive Order 13519 are so far-reaching and harmful to the public's trust in the Department of Justice that it must be rendered null and void to right the wrong.

Accordingly, Executive Order 13519 is hereby retroactively rendered null and void along with all its consequences.

Section 2: Implementation. Not later than sixty days (60) following the execution of this order, the Deputy Attorney General shall identify every citizen prosecuted of an alleged financial crime pursuant to federal statutes 18 USC §§ 1001-1040 and 18 USC §§ 1341-1351, between the dates of November 17, 2009 and January 20, 2017, and inform each affected citizen concerning the significance of this order; specifically, that his or her indictment will be dismissed with prejudice. The notice shall include an explanation of the restoration of his or her rights and civil liberties.

Section 3: Release from Prison Pending Dismissal of Indictments. Each Warden is ordered to release each affected citizen currently incarcerated pending dismissal of indictment within ninety days (90) following the execution of this order. The Deputy Attorney General shall provide a list of those individuals to be released to each respective Warden coincident with the notification to affected individuals as ordered in Section 2 herein.

Section 4: Dismissal of Indictments. Not later than one hundred eighty days (180) following the execution of this order, under direction of the Attorney General, each United States Attorney shall submit to each United States District Court a motion to dismiss with prejudice those indictments connected with the citizens identified in Section 2.

Section 5: Notification of Dismissal. Not later than two hundred forty days (240) following the execution of this order, upon dismissal of the indictment, the United States Attorney in each respective United States District, is ordered to promptly notify each affected citizen by letter of the dismissal of the indictment.

Section 6: Removal of Online Press Releases. The Attorney General is ordered to instruct any Department of Justice-issued press releases about the conviction, sentencing, and/or incarceration of a task force victim be removed and scrubbed from the Internet not later than ninety days (90) following the execution of this order.

Section 7: Marijuana Cases - Collateral Releases. Citizens federally prosecuted in states in which recreational marijuana use is now legal, and/or in which prosecution of marijuana cases would not likely be prosecuted federally today, such individuals currently in prison shall also be released from federal custody within one hundred eighty days (180) following the execution of this order. Only non-violent offenders will benefit from these proposed releases. The Deputy Attorney General is ordered to identify those marijuana cases that fit this criteria and submit a list for immediate sentence commutation.

[Optional Section 8. The Attorney General is ordered to research whether, and to what extent, Justice officials involved in the FFETF may also have participated in the ENRON Task Force, and any subsequent prosecutions leading up to the FFETF, resulting in tainted, unfair, or politically motivated convictions, and shall deem those as covered by this order.]

This order shall be implemented consistent with applicable law.

This order is not intended to, and does not create any right or benefit, substantive or procedural, enforceable at law or equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.