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Thursday, November 20, 2008

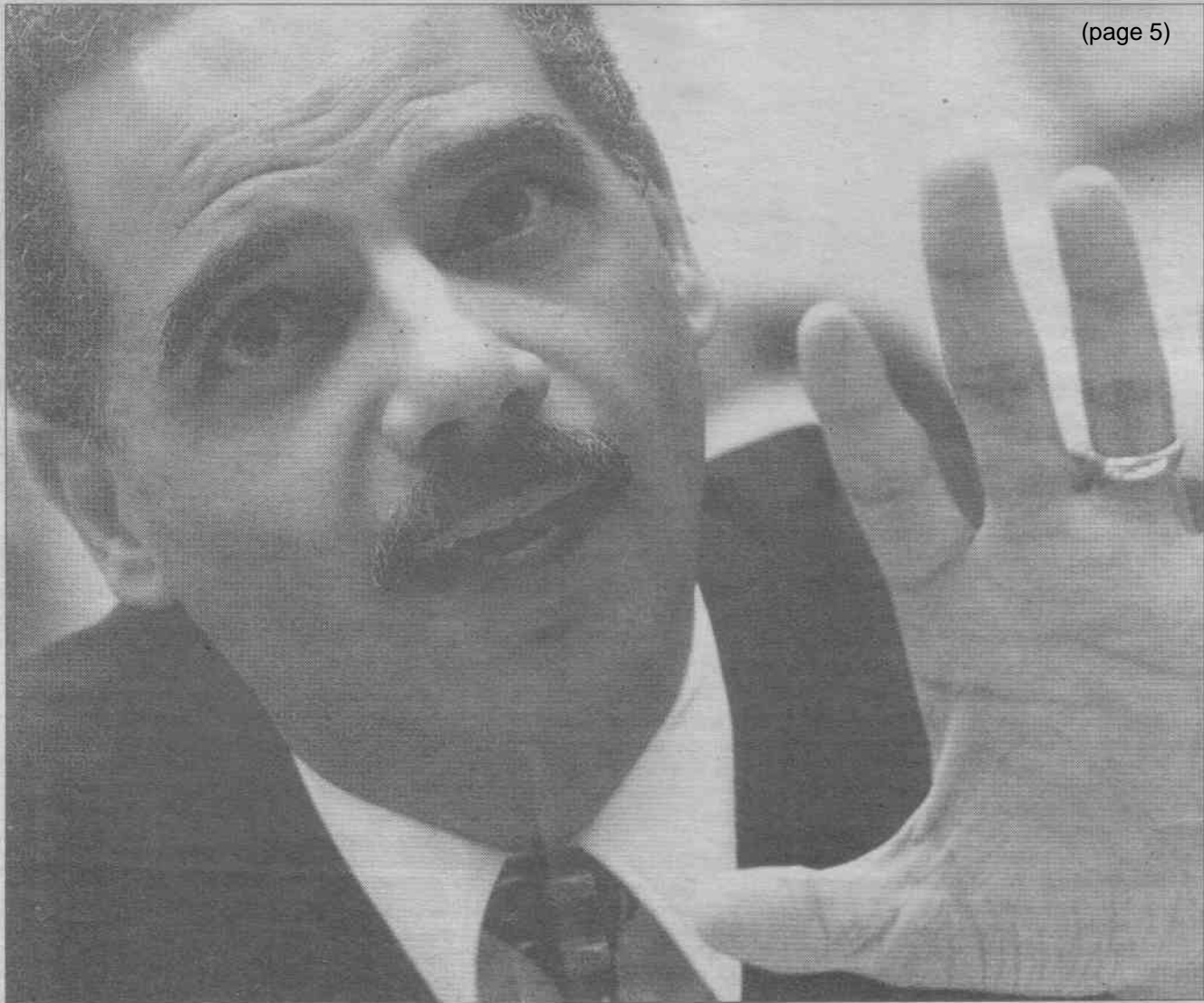
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Eric Holder will face tough grilling from GOP over President Bill Clinton's pardon of Marc Rich. Photo by Harry Hamburg/Daily News

Last-second Bubba pardon may haunt Barack's AG pick

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DAILY NEWS WRITERS

ERIC HOLDER, Barack Obama's choice for attorney general, faces a roasting from Senate Republicans for his role in former President Bill Clinton's last-minute pardon of fugitive financier Marc Rich.

But the GOP's aim isn't to scuttle Holder. It's to make Senate Democrats squirm, sources told the Daily News.

Sen. Arlen Specter (R-Pa.), the top Republican on the Judiciary Committee, said the pardon will "be a factor to consider" if Holder is nominated as the first African-American attorney general, as expected.

"I wouldn't want to articulate it among the top items, but it's worthwhile to look at," he added.

The Bronx-born Holder, 57, a former deputy attorney general under Clinton, gave the green light to the tax cheat's controversial Jan. 20, 2001, pardon. He

was asked to sign off on it just hours before Clinton left office.

With Holder's confirmation all but guaranteed, Republicans hope to make some Democratic Senate Judiciary Committee members uncomfortable by turning their own words about the Rich scandal against them during the confirmation hearing.

In 2001, Sen. Chuck Schumer (D-N.Y.) said Rich's pardon "stands our criminal justice system on its head," while fellow committee member Richard Durbin (D-Ill.) complained it "raises the appearance of impropriety."

Sen. Dianne Feinstein (D-Calif.) had "concerns not only about the Rich pardon, but about a number of [others]" that Holder was forced to assess on Bubba's last day in office.

Rich, a commodities trader, fled the country while being investigated for tax fraud. He was indicted in 1983 by then-U.S. Attorney Rudy Giuliani.

His wife, New York socialite Denise Rich, was a big-bucks Democratic donor during Clinton's presidency.

And one of his pardon lawyers was

Lewis (Scooter) Libby, later Vice President Cheney's top aide, convicted in 2007 of perjury in a CIA leak case.

Holder's ex-boss, Clinton AG Janet Reno, told The News the Rich flap is the worst critics can throw at the veteran lawyer, a former Reagan-appointed judge.

"I have some concerns about it because it's never really evolved," Reno admitted. She advised her ex-deputy to offer a "candid, factual explanation" during his upcoming confirmation hearing.

In a 2001 House hearing, Holder accepted the blame.

Clinton, writing in The New York Times then, said he had "regret that Mr. Holder did not have more time to review the case," but had heard he was "neutral, leaning for" the pardon.

One observer who isn't worried is Holder's mom in East Elmhurst, Queens, who told The News she got a heads-up from her son this week.

"I guess he is one of the best and the brightest," beamed Miriam Holder, 84.

"I told him that I knew he would do quite well," she said.

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