

Gonzales aide stonewalls on White House role in firing of US attorneys

Patrick Martin
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The former Justice Department liaison with the White House testified under oath before a congressional committee Wednesday and denied ever having discussed the firings of eight US attorneys with then White House counsel Harriet Miers or Bush's top political aide Karl Rove.

Monica Goodling, who quit the department last month as the political backlash mounted from the firing of the eight attorneys, invoked her Fifth Amendment right not to testify after she was sworn in as a witness before the House Judiciary Committee. Committee chairman John Conyers, a Democrat from Detroit, then cited a court ruling allowing him to give Goodling limited immunity from prosecution for anything she said to the committee, so long as she did not commit perjury.

Goodling's testimony was inherently implausible and self-contradictory. While serving as the highest official link between the White House and the Justice Department, in her capacity as a counselor to Attorney General Alberto Gonzales, she claimed not to have had a meeting on any subject with the top attorney at the White House, Miers.

Goodling said she had intervened in Justice Department hiring and firing decisions based on her right-wing Republican political loyalties, admitting that she had "crossed the line" in violating civil service rules. But she claimed that her politically motivated actions were not taken at the direction of the top political operative in the Bush administration, Rove, who was deeply involved in the selection and dismissal of the US attorneys.

The most glaring contradiction is between Goodling's claim that she was only a minor figure in the attorney firings and her decision to take the Fifth Amendment, an extraordinary and unprecedented action for a leading official in the Department of Justice, the chief law enforcement agency in the federal government. If she played no decision-making role in the firings, for what crime could she fear prosecution?

The 33-year-old Goodling had no prosecutorial experience, only a law degree from Regent University, the college run by Christian fundamentalist Pat Robertson, when she was appointed to a public affairs position at the Justice Department. But she was well-connected politically, part of a network of hundreds of ultra-right lawyers in the Federalist Society who have filled positions in the Bush administration.

Besides minimizing her own responsibility, Goodling also sought to exonerate Gonzales himself, while focusing blame on the deputy attorney general, Paul McNulty, who has announced his

resignation, set for later this summer. McNulty seems to have been selected as the fall guy to contain the mounting scandal over the firing of the prosecutors.

She placed responsibility for drawing up the list of US attorneys to be fired on another now-departed official, Gonzales's chief of staff Kyle Sampson, who resigned in March. Sampson has said that he merely gathered names suggested by other senior Justice Department officials and proposed none himself.

Goodling did make one statement tending to implicate Gonzales in a political cover-up. She testified that Gonzales sought to review with her his version of the prosecutorial firings story shortly before she left the Justice Department in March. "It made me a little uncomfortable" that he was trying to talk with her about his recollections, she said. "I just did not know if it was appropriate for us to both be discussing our recollections of what had happened."

Goodling's statement contradicted Senate testimony delivered by Gonzales last month when he said that he had not "talked to witnesses because of the fact that I haven't wanted to interfere with this investigation and department investigations." Democratic Representative Adam Schiff noted that it "certainly has the flavor of trying to get their stories straight."

One thing is clear: since every top Justice Department official has now testified under oath, including Gonzales himself, that they did not personally select any of those to be fired and relied on the recommendations of other top Justice officials, some or all must be guilty of perjury. The list did not draw itself up.

Goodling admitted to attending the November 27, 2006 meeting of top Justice officials, including Gonzales and McNulty, which ratified the decision to fire seven US attorneys. (The eighth was dismissed in June 2006). But she told the Judiciary Committee, "The truth is I do not know why" the seven were selected.

In her testimony against McNulty, Goodling said that the deputy attorney general had knowingly misled Congress in his testimony at a hearing in February when he claimed that the White House had minimal involvement in the purge of US attorneys. "I believe the deputy was not fully candid about his knowledge of the White House's involvement," she said.

In particular, she said that McNulty was well aware that Karl Rove had pressed for the replacement of the US Attorney in Little Rock, Arkansas, H. E. Cummins, who was replaced by a former Rove aide and official of the 2004 Bush reelection campaign, Tim Griffin. McNulty has blamed Goodling and Sampson for his false

testimony, declaring that he based himself on their assurances that the White House was not concerned in the firings.

Virtually all the questions at the Judiciary Committee hearing focused on attempting to disentangle the conflicting and contradictory statements of the Justice Department officials. While committee Republicans generally solidarized themselves with Gonzales, the Democrats made no serious effort to shed light on the broader political meaning of the purge of US attorneys: the systematic effort by the Bush White House to politicize prosecutorial decision-making and to use the US attorneys as agents of a Republican voter-suppression campaign for the 2006 elections.

In the week preceding the hearing, two of the fired attorneys, John McKay of Seattle, Washington, and David Iglesias of New Mexico, have publicly charged that the dismissals were part of an illegal campaign to depress the Democratic vote in the 2006 elections by bringing bogus corruption and vote-fraud cases against Democratic politicians and interest groups aligned with the Democratic Party.

In a speech at Loyola College of Los Angeles May 17, McKay said that the firings of Iglesias and the US Attorney in San Diego, Carol Lam, were “potential obstruction-of-justice cases.” Iglesias was removed for refusing to initiate voter fraud prosecutions in New Mexico in the run-up to the 2006 elections, while Lam was fired after she successfully prosecuted one California Republican, Congressman Randy Cunningham, for bribery, and had begun investigations into two other Republican congressmen.

Citing published reports about email traffic between the White House and the Justice Department at the time of Ms. Lam’s firing, McKay said, “That is powerful circumstantial evidence of a crime ... I believe we will see a criminal investigation.”

McKay said that he himself had been pressured to investigate the narrow victory of Democrat Christine Gregoire in the 2004 Washington gubernatorial election. “My job is to look at the evidence, and frankly, there wasn’t any evidence of a crime,” in Gregoire’s 129-vote victory, he said.

He added that it was “incomprehensible” that attorney general Gonzales claimed he did not know why eight of the 93 prosecutors were fired. “He’s either not telling the truth and covering something up, or he’s incompetent,” McKay said. “The disrespect to the rule of law here is so obvious”

In interviews with the *Los Angeles Times* and the *Washington Post*, Iglesias described how a top Republican lawyer in New Mexico invited him to a luncheon meeting to pressure him to initiate vote-fraud prosecutions against Democrats, although he had concluded that there was no solid evidence to back such charges. “I believe the primary reason for my forced resignation is that I was not engaged in filing criminal complaints ... in advance of the ’06 election,” Iglesias told the newspapers.

According to emails released to congressional investigators, the New Mexico Republican lawyer, David Rogers, had complained about Iglesias to the Justice Department, and the matter was referred to Goodling and a White House aide to Rove. Rogers and another New Mexico Republican lawyer met with Matthew Friedrich, a senior counselor to attorney general Gonzales, and demanded the ouster of Iglesias.

New Mexico’s Republican US Senator Pete V. Domenici was also involved in pressuring the Justice Department and the Rove to fire Iglesias. The former US attorney told the *Times* that in his opinion, “all roads lead to Rove.”

The *Washington Post* also reported that the Justice Department had considered firing as many as 30 prosecutors as part of the political purge, before narrowing the list down to nine—one pressured to resign in February 2006, one fired in June, and the seven in December.

In an editorial May 21, the *New York Times* spelled out the political implications of the purge. “It is now clear that United States attorneys were pressured to act in the interests of the Republican Party, and lost their job if they failed to do so,” the newspaper wrote. “The firing offenses of the nine prosecutors who were purged last year were that they would not indict Democrats, they investigated important Republicans, or they would not try to suppress the votes of Democratic-leaning groups with baseless election fraud cases. It is hard not to see the fingerprints of Karl Rove. A disproportionate number of the prosecutors pushed out, or considered for dismissal, were in swing states. The main reason for the purge—apart from hobbling a California investigation that has already put one Republican congressman in jail—appears to have been an attempt to tip states like Missouri and Washington to Republican candidates for House, Senate, governor and president.”

Despite the staggering implications of this case for democratic rights and the right to vote—the campaign outlined by the *Times* would be ample grounds for impeachment of all those concerned, as well as criminal prosecution—the congressional Democrats are seeking to confine their investigation to pressuring for the resignation of Gonzales, a step that they would gladly accept as marking an end to the affair.



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