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TELEPHONE INTERVIEW OF: LARRY GOMEZ

Friday, June 8, 2007

Washington, D.C.

The interview in the above matter was held at 2148,
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Appearances:

For U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON THE
JUDICIARY:

ELLIOT M. MINCBERG, CHIEF COUNSEL, OVERSIGHT AND
INVESTIGATIONS

STEWART JEFFRIES, ANTITRUST COUNSEL

FOR U.S. SENATE COMMITTEE ON THE JUDICIARY:

ZULIMA ESPINEL, MAJORITY COUNSEL

HANNIBAL KEMERER, MINORITY
COUNSEL

FOR THE U.S. DEPARTMENT OF JUSTICE:

M. FAITH BURTON, SPECIAL COUNSEL, OFFICE OF LEGISLATIVE
AFFAIRS.

JOSEPH H. "JODY" HUNT, DIRECTOR, FEDERAL
PROGRAMS BRANCH

Mr. Mincberg. We can go on the record. This is an
interview of Larry Gomez, currently the interim U.S. Attorney
for the District of New Mexico, being conducted as a
House-Senate interview pursuant to procedures that have been
agreed upon and recorded in prior interviews.

I am going to ask before we get started that everybody

on the call identify themselves, in addition to Mr. Gomez, who has done so for the court reporter already, and will ask him to do that officially for the record shortly. I'm Elliot Minberg representing the House Judiciary Committee majority.

Mr. Jeffries. Stewart Jeffries, representing the House Judiciary Committee minority.

Ms. Espinel. Zulima Espinel, representing the Senate Judiciary majority.

Mr. Kemerer. Hannibal Kemerer, representing the Senate Judiciary minority.

Mr. Minberg. For the record, Faith and Jody.

Ms. Burton. Faith Burton for the Department of Justice legislative affairs.

Mr. Hunt. Jody Hunt for the Department of Justice.

Mr. Minberg. I should say, by the way, as a general caution that the reporters have asked, since we are doing this by phone, if anyone interjects, which we hope won't happen during the questioning with an objection or a request for clarification, please identify yourselves so that the court reporters will know who is speaking since they unfortunately can only see Stewart and me.

As I said a minute ago, this is an interview pursuant to the procedures agreed upon by the House and Senate Judiciary Committees and the Justice Department.

Mr. Gomez, let me just go over a few preliminary things you before we get started. First of all, if I or anybody else asks you any questions that you don't understand or are

unclear because of phone transmission or whatever, please let us know and we will attempt to clarify. Otherwise, we will assume that you do understand. Does that make sense?

Mr. Gomez. That makes sense.

Mr. Mincberg. Second, if at any time you want to take a break for any reason, just let whoever is questioning you know, and we'll try to get to the end of the line of questions and we'll be happy to accommodate you, okay?

Mr. Gomez. That is okay also.

Mr. Mincberg. Finally, as I referred to before, your testimony today is being taken as part of an authorized investigation under the jurisdiction of the Judiciary Committees of the United States House of Representatives and Senate. Do you understand, Mr. Gomez, that any knowing and willful misstatement that you provide in your testimony including any omission of material information that renders any statement misleading would be a violation of Section 1001 of Title 18 of the United States Code, which is a felony and could be prosecuted in Federal court?

Mr. Gomez. I understand that.

Mr. Mincberg. Thank you very much.

EXAMINATION

BY MR. MINCBERG:

Q Mr. Gomez, would you state your full name for the record?

A My full name is Larry Gomez.

Q And you are, in fact, currently serving as interim U.S. Attorney for the district of New Mexico, is that correct?

A That is not correct.

Q I'm sorry.

A I am by operation of statute.

Q I'm sorry, please state that again.

A I'm the acting U.S. Attorney by operation of statute.

Q Can you explain that?

A There is a statute that -- I have not been selected as interim. The statute provides a succession plan, that if we no longer have a U.S. Attorney, the first assistant is designated as the acting U.S. Attorney.

Q So you are serving as acting U.S. Attorney pursuant to that statute.

A Yes, sir. I believe that term is for 210 days.

Q And you're located where in New Mexico, sir?

A Albuquerque.

Q Can you give us your business address?

A It is suite 900, 201 Third Street, Albuquerque, New Mexico, 87103.

Q And can you tell us how long you have served in your current position as acting U.S. Attorney?

A Since I believe February the 28th of this year.

Q And that was the date that Mr. Iglesias resigned as U.S. Attorney, is that correct?

A Yes, sir.

Q Now prior to that time, what position were you serving in?

A I was serving as the first assistant and as the criminal chief.

Q And can you tell us how long you have been serving in those positions?

A Since I believe the fall of 2001.

Q And can you trace for us your legal career prior to getting that position in the fall of 2001?

A I was, prior to being a Federal prosecutor, I was a State prosecutor for a couple of years. I started in the U.S. Attorneys office, I believe, in September of 1979. I was a line assistant. During the subsequent years I was a deputy criminal chief, I was one time under the Lutz administration a deputy criminal chief, under Don Svet, I was the first assistant, and between Don Svet and John Kelly I was the acting or interim U.S. Attorney for approximately 10 months.

Q And that would have been approximately when?

A That would have been in 1993. Then during the Kelly years, I was a line assistant assigned to the narcotics section.

Q Then what happened after that?

A Then David Iglesias was appointed the U.S. Attorney and he asked me to serve as first assistant and criminal chief.

Q And that, again, would have been in the fall of 2001, is that correct?

A Yes, sir.

Q How many U.S. attorneys in New Mexico have you served under?

A President Carter was the President. So I served under, I believe, seven of them.

Q Seven U.S. attorneys, all in the district of
New Mexico?

A Yes, sir.

Q I take it your entire legal career, at least as a Federal prosecutor, has been in New Mexico.

A It has been.

Q Now I want to start out if I could by talking a little bit about the operation of the office during Mr. Iglesias' tenure, and I am going to start with the final EARS, EARS evaluation report that was done in late 2005. Do you recall that generally?

A I do.

Q I am going to read to you for the record the kind of concluding or penultimate paragraph right at the beginning of the report under the heading, "United States Attorney and management team."

"The United States attorney was experienced in legal, management and community relations work and was respected by the Judiciary agencies and staff. The first Assistant U.S. Attorney, (AUSA), appropriately oversaw the day-to-day work of the senior management team, effectively addressed all management issues, and directed the resources to accomplish the Department's and the United States attorneys' priorities.

The USAO had a well-conceived strategic plan that complied with Department priorities and reflected the needs of the district.

Do you agree with that conclusion, Mr. Gomez?

A I do.

Q Is there anything in that conclusion at all that you can find that suggests that the delegation or management of the district was, in any way, inappropriate?

A Let me make a comment about the senior management team. The senior management team consisted of many senior AUSAs who are career people with probably either line experience or management experience as prosecutors, would be State or Federal, probably in excess of two centuries of experience.

Q I appreciate that. I think -- and I think you are implicitly answering my question, but I want to go back and see if I can get you to be a little more specific for the record. Is there anything in the paragraph I just read to you that suggests in any way to you that the delegation or management going on in the U.S. attorneys office under Mr. Iglesias' tenure was inappropriate?

A It was not inappropriate.

Q And there is nothing in there that suggests that?

A No, sir.

Q Can you explain in general the operation of the office during Mr. Iglesias' tenure?

A The only thing I would have to say, we were again, as a border district, we have responsibility over 22 recognized Indian tribes. We do a lot of reactive work. I think we did an excellent job addressing the border issues and also the challenge of being responsible for prosecutions. Again, it is a credit to the management team that was here and, more importantly, credit to the support staff and to the line assistants that work day in and day out in this office.

Q Absolutely. Now during the period that Mr. Iglesias was U.S. attorney and you were first assistant, when he was in town about how frequently would you meet with him?

A I would meet with him often. When he was here, he was in the office, and I would stay in daily contact with him.

Q Would you describe him as fully engaged?

A I believe he was fully engaged.

Q When he was out of town, how often would you talk?

A I would say generally every day.

Q Would that apply also when he was on Navy duty?

A Yes.

Q When he was out of town, including on Navy duty, did you receive communications from him by e-mail?

A It would be by phone.

Q Usually by phone?

A Yes, sir. And I think he had a BlackBerry, and of course with the BlackBerry, he would stay in touch with e-mail communication. So there was some of that, but I preferred to speak with the phone if I could.

Q Did you think that Mr. Iglesias overdelegated authority to you?

A I don't think so. Again, he came into an office with many experienced Federal prosecutors, and it wasn't just me that was involved with the management of this office, my deputy criminal chief was the former first assistant under Norman Bay, and a number of these supervisors have been supervisors in previous administrations. I think David walked into an office with lots of experience not only in the courtroom, but leadership skills, people skills and very

committed to the work of the Department of Justice.

Q So I take it obviously you never suggested to him that he was over delegating authority.

A No. And he was the U.S. attorney. I understand chain of command. I have worked in this Department of Justice structure for many years, and I know the flow of authority and the chain of command.

Q And until Mr. Iglesias was asked to resign, did you ever hear anyone suggest that he overdelegated authority?

A No. You know, you asked me about him being in the office. It was his practice to have a Monday morning meeting with all supervisors and we would connect with Las Cruces by a video conferencing system. He would also have the appellate chief, the two SLC's in there, and the administrative officer. These were his meetings that he ran every Monday morning at 9 o'clock.

Q Overall, how was the morale in the office during Mr. Iglesias' tenure?

A I believe it was good.

Q Based on your experience with a number of U.S. attorneys how would you rate his performance and effectiveness?

A I would rate him very good. I think he recognized he came into a large district, he recognized the talent that he had, and he let those people do their job.

Q What was your reaction when he told you he was told to resign?

A Complete surprise. I never saw it coming. It was a complete surprise. Based on we had an '02 evaluation, we had

the '05 and got the results in '06. It was a complete surprise.

Q When did you first hear the charge that Mr. Iglesias was an absentee landlord or that he overdelegated authority?

A I heard that I think when the committee or committees started their work.

Q You're talking about the House and Senate committees?

A Yes, sir.

Q How would you respond to that charge?

A Again, I don't think it is accurate. I think he was engaged in his office. He was involved in the hiring, he was the final say-so on hiring on AUSAs, he was kept informed on all resource issues, case issues, anything that involved this large district, and that I think that is reflected in the evaluation by our peers in these EARS reports that were done during his tenure as U.S. attorney.

Q Very good. Thank you. I want to turn to a little bit of a different subject now. Do you recall the Attorney General coming to visit your district in July of '06?

A I do.

Q What do you recall about that visit?

A I recall he had planned to come before, apparently something came up and he couldn't come and then he came in '06, you know, he was well received. Also, everything that he said about this office was positive. There was never any suggestion that we were not performing well or not performing adequately with anything that we were tasked to do. Again, it was basically kudos to the office, and he met with -- we have

an all-hands meeting and he addressed the members of the office and he met, I believe, with all the supervisors and echoed in those meetings, he basically communicated that we were doing a really good job.

Q I take it the Attorney General had people with him from Washington?

A He did.

Q Approximately do you recall how many?

A I would like to recall maybe four or five.

Q Did any of them express any negative concerns?

A No, sir.

Q Again, by negative concerns, I mean about the office and its functioning or about Mr. Iglesias.

A Right. Nothing about what we were tasked to do or the management of the office, whether it be first assistant to the U.S. attorney or the branch chief in Las Cruces, any aspect of management, there was not a negative communicated to us at all.

Q Was there any concern expressed about moving cases or about any concern by Senator Domenici about whether cases were being moved?

A No. When the AG was here?

Q Yes.

A No, no.

Q Okay. Speaking of Senator Domenici, did Mr. Iglesias ever tell you, I'm switching now to a different subject, did Mr. Iglesias ever tell you about telephone calls that he received from Senator Domenici

and Representative Wilson shortly before the election in November of '06?

A He did.

Q When did he tell you about that?

A My best recollection is it was -- I think it was somewhere early to mid October '06. He called me to his office and he said I received phone calls from Wilson and Domenici and -- so that was the approximate time when he communicated that to me.

Q And tell us what you recall about what he said to you and what you responded.

A Generally what I recall was that Congresswoman Wilson had asked him about sealed indictments. He just listened to her and didn't communicate any information about any sealed indictments or the operations of the Federal grand jury and then he told me that -- that thereafter he received a call from Senator Domenici I guess inquiring about a corruption case that we had, and my recollection is David communicated -- the investigation, it was in the newspaper, because there was a search warrant going on at the State courthouse, so there was basically information out there that our office had a public corruption case. And my recollection is that Domenici hung up on him and that is basically what I recall about that conversation as far as David communicating that information to me.

Q Do you recall anything -- in addition to his recounting to you the contents of what had happened, did the two of you discuss your reactions to it, what to do about it or anything of that nature?

A We did not. You know, at the time Congressman Wilson was running for re-election, she was running against the State AG. It was a very aggressive and contentious election. I know that it was neck-in-neck. I believe during the month of October, I think the poll numbers were showing that Congressman Wilson was behind in some of the polling numbers. So I knew that was out there.

I also was aware that in some of the ads that were being run during the campaign information was being put out in the campaign, basically information about public corruption cases and the lack of public corruption prosecutions by the State AG's office. We had had another public corruption case that we had to retry. Between the trial and the retrial then the AG indicted a number of our witnesses between our first trial and the second trial.

So we were really trying to keep off radar screen and of course stay away from any impact on any public statements that might affect the election and/or our cases.

Q So would it be fair to say that as far as you and Mr. Iglesias were concerned, he had appropriately responded by not disclosing any details, and as far as you were concerned you hoped that would be the end of it?

A I was hoping that would be the end of it. Again, it was ugly and a contentious campaign and we had work to do, and like I said earlier, we are quite the busy district and we didn't want to get pulled into any sort of campaigning or any politics regarding an election. The timing of it, we had a major election just weeks away.

Q Now as I understand it, in general, in U.S. attorney procedures when you receive a request for information, particularly a request that maybe can be provided from a Senator or a Congressman, you usually make a phone call to the office of legislative affairs at the Department of Justice about that?

A I think that is the protocol.

Q I take it though that in this case there was nothing that OLA could have provided them, as far as you were concerned.

A Yes. They could have provided that information.

Q I'm sorry?

A They could have provided that information.

Q They could have -- are you saying they could not have provided anything in addition, given the fact that you had a pending case going?

A Arguably I could see where if, you know, you have a grand jury information, you have either sealed indictments, clearly that would be information that could not be provided because it would reflect the operations of the grand jury covered by Rule 6(e). Also you might have a dissemination that might affect an ongoing Federal investigation that was part and parcel of a Federal grand jury investigation. There could be limitations on what could be provided.

Q Right. So, again, if I'm understanding you correctly, the point is there really would have been no additional information that main Justice could have provided to Senator Domenici or Representative Wilson about the cases

at that time?

A I believe that would be a fair representation of the situation at the time.

Q Okay. Now other than the episode you just described have you ever heard any other concerns directly or indirectly by Senator Domenici relating to Mr. Iglesias?

A I have not.

Q A final general topic for me, are you familiar with Phil Rogers or Mickey Barnett in New Mexico?

A I am more familiar with them now since I have read some articles in the newspaper. Before that, I did not. I had never met them. I'm not familiar with them.

Q But you're now aware that they're Republican lawyers in New Mexico.

A Yes, sir.

Q Had you ever heard that either of them had any concern about Mr. Iglesias or interested in trying to remove him as U.S. attorney?

A I have not.

Q Had you, at the time that Mr. Iglesias was U.S. attorney, had you heard, again, putting aside what you have testified to already by Senator Domenici and Ms. Wilson, had you heard any other concerns expressed by Republican officials or attorneys either about the progress of the corruption cases or about vote fraud cases in New Mexico?

A I had not. Again, my interest is what goes on in this office. I'm not politically active. And so I wouldn't have any sort of information concerning any parties' concern

about the speed in which a case was being processed either by us or the Federal grand jury.

Q Do you recall complaints earlier in '06 about the alleged failure of the office to bring vote fraud cases?

A I know there was a concern from the standpoint -and we always receive phone calls around election time concerning how elections are conducted. Again, those are referred over to the FBI because they are the investigative agency tasked with looking at those. They look at them and then they report back to us.

Q But I take it you don't personally recall hearing complaints from Republican lawyers or others about the alleged failure to bring vote fraud cases?

A I have never had a conversation with Mickey Barnett or Pat Rogers about anything.

Q And so the answer to my question then would be that you don't recall hearing anything like that?

A No, sir.

Q And similarly, I take it that you don't have any direct or indirect information one way or the other about whether there was any interest from Karl Rove or anybody at the White House in removing Mr. Iglesias?

A No.

Q Again, you just don't know one way or the other?

A I don't know.

Q I believe that, in what is I believe record time for these interviews, that I have no further questions of you at this point, Mr. Gomez. I will turn it over to Mr. Jeffries

if he has any questions.

BY MR. JEFFRIES:

Q Hi, Mr. Gomez.

A Mr. Jeffries, how are you.

Q I'm doing well, sir. How are you?

A Good.

Q I'm just going to go back a little bit. How would you have described Mr. Iglesias' management style?

A I would describe it as very good. I think he had a good sense of what he walked into here and has utilized the experience of the people he had here when he walked into this office in the fall of '01.

Q How much authority did he delegate to you?

A Again, I was tasked with making sure -- I wore two hats, the criminal chief and the first assistant. So I was involved in the criminal division and the civil sections. I was much involved in the management of the office from the standpoint of the day-to-day operations and making sure that resource issues, legal issues were addressed and dealt with.

Q You said you were both the first assistant and the criminal chief, is that correct?

A Yes, sir.

Q You had been in the office since I believe 1979.

A Yes, sir.

Q Was it unusual to have the first assistant serve as both the first assistant and a criminal chief or a civil

chief?

A I don't think it's the norm, but I know when Don Svet was the first assistant here, he was also the criminal chief. Don Svet, he was the former first assistant and criminal chief during, I believe, Bill Lutz's tenure here as U.S. attorney.

Q Okay. How much would you say Mr. Iglesias was out of the office?

A I would say he was here most of the time, let me answer it that way. I know that he had been asked to be on AGAC. I know he was on the Department of Justice subcommittee, I think for border, Native American issues. When he was called out to fill those tasks, it was either AGAC or the subcommittees. If they had meetings away from the district, he would go to those meetings. Also, he was gone with his Naval duty also.

Q Again, in your experience since 1979 was he out of the office an unusual amount of time?

A No.

Q Did you ever hear any complaints from others in the office about Mr. Iglesias' management style?

A I did not.

Q Were you aware of others getting complaints?

A I was not.

Q You are now the acting U.S. attorney, correct?

A Yes, sir.

Q How would you say that your management style differs from Mr. Iglesias?

A I'm basically -- here's my perspective, I'm a line assistant with other duties assigned so I have been involved in this office for a long time. The people that assist myself in managing the office when David was the U.S. attorney still were saying -- like I say, we have AUSAs who are supervisors who have been here in excess of 20 years and have just loads of litigation experience, appellate experience. That same group of people that were part of the management team during David's time here are still in place and they run their sections and if there's issues, then they bring them to my attention. But they are competent, good leaders, and I trust their judgment. From that standpoint, the selection of good people and letting them do their job is not much different than David's approach to being the U.S. attorney in this district.

Q So would you say that since Mr. Iglesias left and you have taken over as acting U.S. attorney, that the office's output and productivity has been the same, greater, lesser than when he was there?

A You know, it's driven by the cases. This is a high volume district. I mean we consistently continue to address that, that challenge. For example, in our violent crime section we have 31 murder cases out of Indian country, always run into the 20s and 30s. Immigration cases, they seem to always be on the increase, drug cases always seem to be on the increase. So the case challenge here is constant.

Q What was, going to the EARS review process, what was your input and involvement in that EARS review?

A Well, you know, I was interviewed as the

first assistant and the criminal chief.

Q And did you -- I'm going to take it from your answer previous to this that you didn't, but did you, at any time, tell the interviewers about Mr. Iglesias being absent an unusual number of times or delegating an unusual amount of authority to you?

A No.

Q Okay. Were your views about Mr. Iglesias accurately reflected in the final EARS report?

A Yes. I thought he did a good job with the judges, he stayed in touch with the client agencies. Here in this district there is a monthly meeting, Federal agency head luncheon. He would also attend those if unless he was out of town, then I was tasked to go. But that involved all the Federal agency heads in the district. So he was out there and he was doing his job. Again, he was very involved with PSN.

Q Now you're aware generally of -- or are you aware of what Senator Domenici's opinions are of Mr. Iglesias?

A I don't know what his opinions are. I have never talked to the Senator about his opinions.

Q You haven't heard anything from press reports or from watching the hearings in either the House or Senate Judiciary Committee about those?

A I don't know if the Senator's testified. If he's testified, I wasn't aware of it.

Q He has not testified. Okay. You said you were made aware of the calls from Senator Domenici and Representative Wilson, and I believe you said it was early to

mid October of 2006?

A Early to mid October.

Q Okay. And, again, Mr. Iglesias came in and -- how did that happen, did he come into your office, you go into his?

A I believe he called me, he said I need to visit with you, and that would not have been unusual because if there's issue that arise, either judges, client agencies, I made it a point to go see him every day.

Q And when he told you -- so he called you into his office or he came into yours and he proceeded to tell you what happened on the phone calls, correct?

A Yes, sir.

Q And did he ask you what do you think I should do about this?

A He did not.

Q He didn't ask you what your opinion would be about -

A He did not. Again, we knew there was a national election, major election, and we had these corruption cases going on and we just -- he didn't ask me, I guess is the short answer, what he should do. But I knew the environment we were in, and of course, these cases were in the newspaper, seemed like often.

Q And he didn't volunteer -- and you didn't volunteer a course of action?

A I did not. He didn't ask me and I didn't volunteer.

Q So in sum and substance, he just repeated what had gone on and you lent an ear and just listened to what happened and that was the end of the conversation?

A Basically.

Q Were you aware in October of 2006 what the Department of Justice policy is with respect to contact from a Representative or Senator's office?

A What was that question again?

Q Were you aware in October of 2006 what the U.S. attorney manual said about contact from a Congressman or Senator's office?

A I was not.

Q Okay. Have you subsequently been made aware of what the policy is?

A I have because -- I think when these U.S. attorneys go to the orientations they get briefed on that, and I have subsequently become aware of that because of the investigations and what has been developed or presented in the course of hearings.

Q In retrospect, do you think it would have been wise for Mr. Iglesias to have made the Department aware of those phone calls?

A Wise, I guess it would have been wise.

Q Okay. And that would have been in compliance with the U.S. attorneys manual, to make them aware of those phone calls?

A Again, I don't know what that manual says as far as it relates to the U.S. attorneys.

Q What was the reaction to the termination or to Mr. Iglesias' decision, or as it was announced, resignation from your office? What was the reaction in the U.S. attorneys office down there?

A I think it was complete surprise.

Q Has his termination, as it was initially announced, resignation, has it affected the investigation or prosecution or outcome of any case?

A His resignation?

Q Yes, sir. Has his leaving the office affected the investigation, prosecution or outcome of any case?

A I don't think so.

Q Okay. Around February of this year Mr. Iglesias went on television and announced as part of his resignation that your office would soon be bringing some corruption charges I believe in the case that was being alluded to by -- that you had talked about that you had issued subpoenas in or had issued a search warrant. Did that strike you as unusual?

A Did that strike me as unusual?

Q That the soon to be former U.S. attorney would announce impending charges prior to them actually being

handed down by a grand jury.

A I don't recall him announcing that.

Q Okay. All right. When were you selected as the acting U.S. attorney?

A I think I was selected right after David resigned as the U.S. attorney.

Q I'm sorry, you were selected as the acting U.S. attorney.

A Strike that. I was selected -- I was called by Mike Battle, I spoke to him on the evening of February 28th, but I think that was David's last day.

Q Okay. Aside from Mike Battle were you interviewed by anyone for the position of acting U.S. attorney?

A I was interviewed for the position of interim prior -- I think in February sometime. That was a VTC interview.

Q I'm sorry, a what?

A A video interview.

Q A video interview. Do you know who interviewed you?

A David Margolis, Monica Goodling, and there was another individual, and I don't recall his name.

Q Okay. Did they ask you any questions about Mr. Iglesias?

A I don't recall if they asked me any questions about Mr. Iglesias.

Q Did you represent to them that you had been running the office during Mr. Iglesias' tenure and on day-to-day manner?

A That I was involved in the management of the office and I felt with my experience I was competent to be the interim U.S. attorney if selected.

Q Okay. Has anyone at DOJ or EOUSA or the White House ever asked you to bring a specific prosecution or to close a specific prosecution now that you are the acting U.S. attorney?

A No.

Q What are your priorities for the office now that you're the acting U.S. attorney?

A My priorities are those of the Department of Justice, national security, i.e., terrorism, violent crime, guns, immigration, drugs. Those are our marching orders.

Q Okay. What steps are you taking to ensure that those priorities are being promoted and fulfilled?

A They're being -- again, we do all those types of cases all the time, so it's generally not difficult for us to meet the priorities of the Department of Justice as laid out by the AG.

Q Okay. Now did you say that this has been your second time as acting U.S. attorney in that office?

A Yes.

Q Okay. Are there any issues that arise from being a career prosecutor to being promoted to the head of the office, a position that's usually filled by a political appointee?

A In '93, I didn't have any difficulty with it, and now I don't. Again, I have not been confronted with any difficulty. Again, this is a reflection of the people that work here, not just myself. There are career people here that are dedicated to the mission of the Department of Justice in this office.

Q Okay. And what are the advantages or disadvantages that you see of promoting someone from within to be acting or interim U.S. attorney in a given office?

A Again, I think the advantage -- well, the situation is the last time I was interim it was John Kelly selected to be the U.S. attorney, and pending his confirmation, I was the interim. So if you have someone with experience in the organization, manage the organization until the new U.S. attorney gets here, I think it's a benefit to that office. I think the same way here, I mean we're talking -- we have a national election, so the selection of a new U.S. attorney is not too far down the road.

Q How would you describe now morale in your office now after Mr. Iglesias' departure?

A I think it was good when David was here, I think

it's good now.

Q Okay. I think -- let me check my notes real quick. I think that that's all I have for you, Mr. Gomez.

Mr. Mincberg. Senate majority, any questions?

Ms. Espinel. Yes, a few.

BY MS. ESPINEL:

Q Hello, Mr. Gomez. This is Zulima Espinel.

A How are you?

Q Fine. Thank you. Just a few questions. Are you aware of whether or not Senator Domenici ever contacted Mr. Iglesias other than the one time that you have already discussed?

A That's the only one that I'm aware of.

Q What about Congressman Wilson?

A I think that's the only one that I'm aware of.

Q And just to clarify, when you were discussing Senator Domenici's call to Mr. Iglesias and the fact that Senator Domenici ended up hanging up on Mr. Iglesias, was your understanding that that was in response to the fact that Mr. Iglesias would only give him information that was already made public about that case?

A What I heard was Senator Domenici hung up on him. I didn't have any dialog with David about why he would have hung up on him.

Q You said when you were interviewed for the position of U.S. attorney, you interviewed with Monica Goodling, David Margolis and a third party. Do you recall if that third party might have been John Nowacki?

A I think it was John.

Q Do you recall if he -- or if he asked any questions, and if so, what they were?

A Most of the questions were by David Margolis. John and Monica had very few questions for me.

Q Do you recall at all what type of questions either one of them asked you?

A I think that one of them -- I think the questions generally related to my experience and my background.

Q Did either one of you inquire about your religious affiliation?

A They did not.

Q What about your political affiliation?

A They did not.

Q And do you recall them asking you any questions that struck you as unusual?

A No. They were -- they didn't ask me a lot, and none of the questions they asked me struck me as being unusual.

Q Did you have any previous interactions with Monica Goodling?

A No, ma'am.

Q What about Kyle Sampson?

A No, ma'am.

Q What about Bradley Schlottman?

A No, ma'am.

Q That is all I have. Thank you very much, Mr. Gomez. Mr. Minberg. Senate minority.

Mr. Kemerer. Yes, I'm here. Let me double check.

BY MR. KEMERER:

Q Mr. Gomez, I guess one thing that we haven't got out, where did you grow up?

A I spent all my life in New Mexico, except for 3 years that I spent in Colorado going to law school.

Q What law school?

A The University of Denver.

Q What was your undergraduate?

A My undergraduate was -- it was a small university in Silver City called Western New Mexico University.

Q Do you happen to know Manuel Lujan, Jr.?

A No, sir. He's a former Congressman, right?

Q I believe so, yes.

A I know of him.

Q Are you aware that Mr. Iglesias recommended you for the acting or interim spot?

A I am, sir.

Q He's quoted in the press as saying that you had loyalties to this administration and that you had previously been a U.S. attorney between the first Bush administration and the Clinton administration. Is that accurate?

A Yeah, I did serve and I have been loyal to the Department of Justice since I got here.

Q We're glad for that. Can you tell me, I think you just said that recently upon questioning by Mr. Jeffries that you had been acting USA once before?

A Yes, sir.

Q And then this quote from Mr. Iglesias suggests that

you have been an interim before.

A Yes.

Q Had you only been an interim one other time?

A Yes. I believe that the AG at the time was Janet Reno, and she selected me as interim U.S. attorney between the Bush and Clinton administrations.

Q Well, I just want to thank you for this and tell you how much we appreciate your time.

A Thank you guys.

Mr. Mincberg. Let me also add my thanks, Mr. Gomez, both for your participation, and frankly, for your career of service to the United States and the Department of Justice. I think we can go off the record. The court reporters have a number of times written down names that I think they would ask you to spell for them. So maybe we can go off the record and if you can hang on just for a couple of minutes. I will hang on too, and I think between the two of us, we can get all the names spelled, to save you some time.

You will, of course, have an opportunity and we will get it to the Department of Justice to review the transcript and do any corrections. So with that, why don't we go off the record. Again, if you can hang on a couple of minutes, we'll ask about spellings.

[Pause].

Mr. Mincberg. Thank you again, and I think we have definitely set a record in this case. I believe we have completed this interview in less than an hour.

Mr. Gomez. Getting more efficient. You guys have a good day and have a good weekend.

[Whereupon, at 11:55 a.m., the telephone interview was concluded.]