

**U.S. ATTORNEY RESIGNATIONS
AND INTERIM ACTING/INTERIM APPOINTMENTS**

DISTRICT AND USA PRIOR EXPERIENCE:	ACTING/INTERIM'S EXPERIENCE:	PRESIDENTIAL NOMINEE'S EXPERIENCE:
<p>Dan Bodgen (NV) Term expired: Nov. 2, 2005</p> <ul style="list-style-type: none"> • 3 years as a state/local prosecutor; • 12 ½ years as a federal prosecutor. 	<p>(declined to serve. We are identifying others to interview before 2/28/07, and have interviewed so far the with 23 years as a federal prosecutor, 9 years as state/local prosecutor, plus judicial experience in the military.)</p>	<p>Sen. Ensign will recommend potential candidates.</p>
<p>Paul Charlton (AZ) Term expired: Nov. 14, 2005</p> <ul style="list-style-type: none"> • 1 ½ years as a state/local prosecutor; • 10 years as a federal prosecutor. 	<p>Chief AUSA Daniel Knauss was appointed interim USA:</p> <ul style="list-style-type: none"> • 34 ½ years as a federal prosecutor. • 2 years as an adjunct law professor. 	<p>Senators McCain and Kyl recommended one candidate; candidate was interviewed 1/16/07.</p>
<p>Margaret Chiara (WDMI) Term expired: Nov. 2, 2005</p> <ul style="list-style-type: none"> • 14 years as a state/local prosecutor; • 2 years as policy and planning director, office of the Michigan Chief Justice; • 1 year as an administrator, Trial Court Assessment Commission; • 3 years in private practice. 	<p>(Resignation not yet public, so we have not contacted anyone for acting/interim interviews to date.)</p>	<p>When USA Chiara announces her resignation, the Administration will seek recommendations of potential candidates from the WH-designated Republican lead.</p>
<p>David Iglesias (NM) Term expired: Oct. 17, 2005</p> <ul style="list-style-type: none"> • 3 years as a state prosecutor; • 4 years in the Navy JAG Corps full-time (criminal defense); • 13 years in Navy JAG 	<p>(Interviewed and ; and would like additional candidates before making a decision.)</p>	<p>Sen. Domenici has recommended potential candidates; interviews were held 1/17/07.</p> <p>: Possible nominee.</p> <ul style="list-style-type: none"> • 2 years as a state/local prosecutor;

<p>Corps reserve;</p> <ul style="list-style-type: none"> Failed state Attorney General candidate; 1 year as White House Fellow; 3 years in a City Attorney's office. 		<ul style="list-style-type: none"> 3 years as a federal prosecutor; 2 years in private practice; 1 year as an FBI special agent; Failed state Attorney General candidate.
<p>Carol Lam (SDCA) Term expired: Nov. 18, 2006</p> <ul style="list-style-type: none"> 14 years as a federal prosecutor; 2 years as a state judge; 1 year as law clerk. 	<p>(Interviewed ; no decision has been made.)</p>	<p>Parsky Commission will recommend potential candidates.</p>
<p>John McKay (WDWA) Term expired: Oct. 30, 2005</p> <ul style="list-style-type: none"> 1 year as a state/local prosecutor; 1 year as a congressional aide; 1 year as a White House Fellow; 15 years in private practice; 4 years as president of the Legal Services Corporation. 	<p>Crim Chief Jeffrey Sullivan was appointed interim USA:</p> <ul style="list-style-type: none"> 27 years as a state/local prosecutor; 5 years as a federal prosecutor; 3 years in private practice. 	<p>Rep. Reichert has recommended potential candidates; interviews were held 2/9/07.</p>
<p>Kevin Ryan (NDCA) Term expired: Aug. 2, 2006</p> <ul style="list-style-type: none"> 11 years as a state/local prosecutor; 5 years as a state/local judge. 	<p>: Likely interim appointee.</p> <ul style="list-style-type: none"> 11 years as a federal prosecutor, including 9 months as interim United States Attorney for South Carolina; 2 years as EOUSA General Counsel; 4 ½ years in private practice; 2 years as law clerk. 	<p>Parsky Commission will recommend potential candidates.</p>
<p>Bud Cummins (EDAR) Term expired: Jan. 9, 2006</p>	<p>Tim Griffin:</p> <ul style="list-style-type: none"> 2 years as a federal 	<p>Consulting with home-state Senators.</p>

<ul style="list-style-type: none">• No prosecutorial experience;• 3 years as law clerk;• 6 years in private practice;• 1 year as chief legal counsel to governor;• Failed congressional candidate.	<p>prosecutor (one year at DOJ plus one year full-time in the military);</p> <ul style="list-style-type: none">• 10 years in the JAG Corps, U.S. Army Reserve (now a Major)• 6 months as special assistant to the Assistant Attorney General for the Criminal Division;• 1 year as associate independent counsel, <i>In re: Henry Cisneros</i>;• 2 years as senior investigative counsel, House Gov't Reform Committee;• 1 year private practice;• 6 months as special assistant to the President;• 1 ½ years as research director, RNC, plus 1 year as deputy research director, RNC.	
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Goodling, Monica

From: Goodling, Monica
Sent: Monday, February 12, 2007 7:32 PM
To: Elston, Michael (ODAG); Sampson, Kyle
Subject: Draft leave-behind chart

Attachments: US Attorney chart - leave-behind.doc

Mike -- Here is the chart the DAG mentioned wanting to brief and leave behind. Kyle has reviewed it. Thanks.



US Attorney chart -
leave-behi...

Tracking:

Recipient

Elston, Michael (ODAG)
Sampson, Kyle

Read

Read: 2/12/2007 8:01 PM
Read: 2/12/2007 8:35 PM

U.S. ATTORNEY RESIGNATIONS & REPLACEMENTS

DISTRICT:	ACTING/INTERIM SELECTION:	STATUS OF POTENTIAL NOMINEE:
Dan Bodgen (NV) Term expired: Nov. 2, 2005 Called: Dec. 7, 2006 Resignation: Feb. 28, 2007	has declined to be acting USA due to his pending casework; identifying and interviewing other candidates)	Sen. Ensign will recommend potential candidates.
Paul Charlton (AZ) Term expired: Nov. 14, 2005 Called: Dec. 7, 2006 Resignation: Jan. 30, 2007	Chief AUSA Daniel Knauss was appointed interim USA: <ul style="list-style-type: none"> • 34 ½ years as a federal prosecutor. • 2 years as an adjunct law professor. 	Senators McCain and Kyl recommended one candidate; candidate was interviewed 1/16/07.
Margaret Chiara (WDMI) Term expired: Nov. 2, 2005 Called: Dec. 7, 2006 Resignation: Mar. 9, 2007 (NOT PUBLIC)	(Not yet interviewing, because vacancy is not public)	When USA Chiara announces her resignation, the Administration will seek recommendations of potential candidates from the WH-designated Republican lead.
David Iglesias (NM) Term expired: Oct. 17, 2005 Called: Dec. 7, 2006 Resignation: Feb. 28, 2007	(Interviewed two career prosecutors to date; decision pending)	Sen. Domenici has recommended potential candidates; interviews were held 1/17/07.
Carol Lam (SDCA) Term expired: Nov. 18, 2006 Called: Dec. 7, 2006 Resignation: Feb. 15, 2007	(Interviewed four career prosecutors to date; decision pending)	Parsky Commission will recommend potential candidates.
John McKay (WDWA) Term expired: Oct. 30, 2005 Called: Dec. 7, 2006 Resignation: Jan. 31, 2007	Criminal Chief Jeffrey Sullivan was appointed interim USA: <ul style="list-style-type: none"> • 27 years as a state/local prosecutor; • 5 years as a federal prosecutor; • 3 years in private practice. 	Rep. Reichert has recommended potential candidates; interviews were held 2/9/07.
Kevin Ryan (NDCA) Term expired: Aug. 2, 2006 Called: Dec. 7, 2006 Resignation: Feb. 16, 2007	(Identifying and interviewing qualified career prosecutors; decision pending)	Parsky Commission will recommend potential candidates.

<p>Bud Cummins (EDAR) Term expired: Jan. 9, 2006</p> <p><i>(In April 2006, Cummins repeated previous statements that he would not stay for the entire second term and that he would be leaving for the private sector soon.)</i></p> <p>Called: June 2006 Resigned: December 2006</p>	<p>Tim Griffin:</p> <ul style="list-style-type: none"> • 2 years as a federal prosecutor (one year at DOJ plus one year full-time in the military); • 10 years in the JAG Corps, U.S. Army Reserve (now a Major); • 6 months as special assistant to the Assistant Attorney General for the Criminal Division; • 1 year as associate independent counsel, <i>In re: Henry Cisneros</i>; • 2 years as senior investigative counsel, House Gov't Reform Committee; • 1 year private practice; • Additional experience as special assistant to the President and RNC research director. 	<p>Administration is consulting with Senators Lincoln and Pryor.</p>
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lessons?

Who recommended Griffin?

What was told to FAVSA?

Was any DOJ dissent?

May want to see EARL reports?

Was Pre told about this?

Any outside calls about law?

over course of past 5 yrs, all over - some great, some not so much;
Some problematic.

DOJ put together list of problematic people;
sent to WH; WH cleared;

Who/why?

Chart district / 4 year mark
departments ^{try to be} _{participate} in fact
pen states

windup Griffin smy-

EARLs chart

Kevin - EARLs

Carol - Immigration
groups

Unstable manager; bad work
when signs ^{with negative}
failure to management

required FBI to
take ^{of} _{individuals}
policy

manipulation

Chart - DP in no.

MSubmittal; contrary to instructions

or cleared,
~~not~~ unauthorized

referred to
to DOJ
to

one
change
absolutely
to
million

He signed such order + he went to
Court + ~~put~~ as a

went into ct + asked if was time to
consider despite fact that decision
was made

- no one else

did it work the way
did it work the way
group processes in terms of

gleason - Underachievers in very important districts
~~absentee landlord~~
border district
in over head
Dominic says he doesn't
have cases

McKay - poor judgment in way he relates to
law enforcement community
didn't
put Dept in bad light in relation to
LE issues
Circulated a letter demanding DRC to order LE officers
to turn over info (enforcement) to locals - not appropriate

Boyer - very important - terror, violent crime, drugs
in important districts
resistant to ACP initiatives
(obscure) ~~cases~~
test case

Mayo's ~~in~~ in over his head

Chitara - disarray in office under her
leadership

~~in~~ inconsiderately practiced
office

Minimal law

lost confidence
of her subordinates + superiors

Not public

Share
Other USAs
instilling +
send a letter
around at
DRC

Several times he tried
to join or corner Main
pasternoff

temporarily issues
traveled outside district pointing
policy who was
to run
policy

Goodling, Monica

From: Goodling, Monica
Sent: Monday, February 12, 2007 8:19 PM
To: Elston, Michael (ODAG)
Subject: DRAFT (am still working on second column)

Attachments: US Attorney leadership assessment.doc



US Attorney
eadership assessm..

Tracking:

Recipient
Elston, Michael (ODAG)

Read
Read: 2/12/2007 8:20 PM

U.S. ATTORNEY RESIGNATIONS

DISTRICT:	LEADERSHIP ASSESSMENT:	EARS:
<p>Dan Bodgen (NV) Term expired: Nov. 2, 2005 Called: Dec. 7, 2006 Resignation: Feb. 28, 2007</p>	<ul style="list-style-type: none"> • Very important district being underserved (Las Vegas target for terrorism; violent crime; drugs/organized crime) • Resistant to at least one leadership priority (obscenity task force) 	<ul style="list-style-type: none"> • March 3-7, 2003 • USA Bogden is highly regarded by the federal judiciary, the law enforcement and civil client agencies, and the staff of the USAO.
<p>Paul Charlton (AZ) Term expired: Nov. 14, 2005 Called: Dec. 7, 2006 Resignation: Jan. 30, 2007</p>	<ul style="list-style-type: none"> • Repeated instances of insubordination, actions taken contrary to instructions, and actions taken that were clearly unauthorized; • Worked outside of proper channels without regard to the approved process or impact on others (i.e. budget resources); • Ex: multiple failures to follow AG's instruction on death penalty; • Ex: required FBI to videotape interviews despite FBI policy; • Ex: refusal(?) to comply with a leadership priority (obscenity); • Ex: contrary to guidance from Main Justice that it was poor judgment, put an employee on "leave without pay" status so she could become a paid press secretary for the 2002 gubernatorial campaign (supporting the candidate who was challenging Napolitano). 	<ul style="list-style-type: none"> • December 8-12, 2003 • USA Charlton is well respected by the USAO staff, investigative and civil client agencies, local law enforcement community, Native American Nations, and judiciary regarding his integrity, professionalism, and competence. • The USA's adherence to the chain of command in the Organizational Chart has led to a perception by some that he is inaccessible.
<p>Margaret Chiara (WDMI) Term expired: Nov. 2, 2005 Called: Dec. 7, 2006 Resignation: Mar. 9, 2007 (NOT PUBLIC)</p>	<ul style="list-style-type: none"> • During her tenure, the office has become fractured, morale has fallen, and the USA has lost the confidence of some of the career prosecutors. 	<ul style="list-style-type: none"> • July 12-16, 2004 • USA Chiara is a well regarded, hard-working, and capable leader who has the respect and confidence of the judiciary, the agencies,

<p>David Iglesias (NM) Term expired: Oct. 17, 2005 Called: Dec. 7, 2006 Resignation: Feb. 28, 2007</p>	<ul style="list-style-type: none"> • Critically-important border district being underserved; • Perceived to be an “absentee landlord” who relies on the FAUSA to run the office. 	<p>and USAO personnel.</p> <ul style="list-style-type: none"> • November 14-18, 2006 • USA Iglesias is experienced in legal, management, and community relations work and is respected by the judiciary, agencies, and staff. • (Report does note heavy reliance on FAUSA to manage operations.)
<p>Carol Lam (SDCA) Term expired: Nov. 18, 2006 Called: Dec. 7, 2006 Resignation: Feb. 15, 2007</p>	<ul style="list-style-type: none"> • Despite the significant management challenges and needs of an extra-large border district with complex litigation, she has focused too much attention and time on personally trying cases than managing the USAO; • Failure to perform in relation to significant leadership priorities • Ex: Immigration prosecutions are a fraction of what other significant border districts are doing. While some good numbers on alien smuggling: <ul style="list-style-type: none"> - Only 422 illegal re-entry cases in 2005 where AZ did 1,491 and NM did 1,607; - Only 470 illegal entry cases in 2005 where AZ did 3,409 and NM did 1,194; - In June 2006, Sen. Feinstein wrote a letter to the AG complaining about the high prosecution guidelines which kept these numbers low. <p>ADD GUNS</p>	<ul style="list-style-type: none"> • February 7-11, 2005 • USA Lam is an effective manager of the USAO and a respected leader for the District. She is active in Department activities and is respected by the judiciary, law enforcement agencies, and the USAO staff.
<p>John McKay (WDWA) Term expired: Oct. 30, 2005 Called: Dec. 7, 2006 Resignation: Jan. 31, 2007</p>	<ul style="list-style-type: none"> • Pattern of insubordination on information-sharing and policy issues • Extensive travel outside of district to advocate on policy topics, rather than running his 	<ul style="list-style-type: none"> • March 13-17, 2006 • USA McKay is an effective, well-regarded, and capable leader of the USAO and the District’s law enforcement

	office.	community.
<p>Kevin Ryan (NDCA) Term expired: Aug. 2, 2006 Called: Dec. 7, 2006 Resignation: Feb. 16, 2007</p>		<ul style="list-style-type: none"> • Special: March 27-31, 2006 • Overall, USA Ryan effectively manages relations with the outside agencies, the local community, and the judiciary, although some judges expressed concern that he does not adequately communicate with them. • Although, under USA Ryan's leadership, the USAO effectively manages its substantive work, his management style and practices have contributed, at least in part, to low morale among a number of the line AUSAs in the Criminal Division in the San Francisco office.
<p>Bud Cummins (EDAR) Term expired: Jan. 9, 2006 <i>(In April 2006, Cummins repeated previous statements that he would not stay for the whole second term and that he was leaving for private sector later that year)</i> Called: June 2006 Resigned: December 2006</p>	<ul style="list-style-type: none"> • He had completed his four-year term and indicated he would not stay for the entire second term, so we worked on developing a replacement plan. 	<p>[Requested]</p>

Goodling, Monica

From: Goodling, Monica
Sent: Monday, February 12, 2007 8:23 PM
To: Elston, Michael (ODAG)
Subject: Chiara

In all fairness, you probably should make her aware of the fact that the DAG will brief her upcoming resignation on Wednesday and that it is possible that while we will not disclose outside of the Hill -- that the Hill may "out" her this week.

Tracking:	Recipient	Read
	Elston, Michael (ODAG)	Read: 2/12/2007 8:23 PM

Goodling, Monica

From: Goodling, Monica
Sent: Monday, February 12, 2007 9:10 PM
To: Elston, Michael (ODAG); Sampson, Kyle
Subject: Draft chart for AG review - NONPUBLIC

Attachments: US Attorney chart- AG.doc

This is the chart that the AG requested. I'll show it to him on the plane tomorrow, if he's interested.



US Attorney chart-
AG.doc (74 ...)

Tracking:

Recipient

Elston, Michael (ODAG)
Sampson, Kyle

Read

Read: 2/12/2007 9:15 PM
Read: 2/12/2007 9:34 PM

**U.S. ATTORNEY RESIGNATIONS
AND INTERIM ACTING/INTERIM APPOINTMENTS**

DISTRICT AND USA PRIOR EXPERIENCE:	ACTING/INTERIM'S EXPERIENCE:	PRESIDENTIAL NOMINEE'S EXPERIENCE:
<p>Dan Bodgen (NV) Term expired: Nov. 2, 2005</p> <ul style="list-style-type: none"> • 3 years as a state/local prosecutor; • 10 ½ years as a federal prosecutor; • 5 years in the Air Force JAG. 	<p>declined to serve. We are identifying others to interview before 2/28/07, and have interviewed so far the ' with 23 years as a federal prosecutor, 9 years as state/local prosecutor, plus judicial experience in the military.)</p>	<p>Sen. Ensign will recommend potential candidates.</p>
<p>Paul Charlton (AZ) Term expired: Nov. 14, 2005</p> <ul style="list-style-type: none"> • 1 ½ years as a state/local prosecutor; • 10 years as a federal prosecutor; • 1 year as law clerk. 	<p>Chief AUSA Daniel Knauss was appointed interim USA:</p> <ul style="list-style-type: none"> • 32 ½ years as a federal prosecutor, including 2 months as interim United States Attorney for Arizona; • 2 years as an adjunct law professor. 	<p>Senators McCain and Kyl recommended one candidate; candidate was interviewed 1/16/07.</p>
<p>Margaret Chiara (WDMI) Term expired: Nov. 2, 2005</p> <ul style="list-style-type: none"> • 14 years as a state/local prosecutor; • 2 years as policy and planning director, office of the Michigan Chief Justice; • 1 year as an administrator, Trial Court Assessment Commission; • 3 years in private practice; • 10 years pre-law school as a teacher, principal, and education administrator. 	<p>(Resignation not yet public, so we have not contacted anyone for acting/interim interviews to date.)</p>	<p>When USA Chiara announces her resignation, the Administration will seek recommendations of potential candidates from the WH-designated Republican lead.</p>
<p>David Iglesias (NM) Term expired: Oct. 17, 2005</p>	<p>(Interviewed and and would like</p>	<p>Sen. Domenici has recommended potential</p>

<ul style="list-style-type: none"> • 3 years as a state prosecutor; • 4 years in the Navy JAG Corps full-time (criminal defense); • 13 years in Navy JAG Corps reserve; • Failed state Attorney General candidate; • 1 year as White House Fellow; • 3 years in a City Attorney's office; • 3 years chief counsel, New Mexico State Risk Management; • 3 years chief counsel, state Taxation and Revenue Department. 	<p>additional candidates before making a decision.)</p>	<p>candidates; interviews were held 1/17/07.</p> <p>Jim Bibb: Possible nominee.</p> <ul style="list-style-type: none"> • 2 years as a state/local prosecutor; • 3 years as a federal prosecutor; • 2 years in private practice; • 1 year as an FBI special agent; • 18 years in the Army National Guard; • Failed state Attorney General candidate.
<p>Carol Lam (SDCA) Term expired: Nov. 18, 2006</p> <ul style="list-style-type: none"> • 14 years as a federal prosecutor; • 2 years as a state judge; • 1 year as law clerk. 	<p>(Interviewed , no decision has been made.)</p>	<p>Parsky Commission will recommend potential candidates.</p>
<p>John McKay (WDWA) Term expired: Oct. 30, 2005</p> <ul style="list-style-type: none"> • 3 months as a state/local prosecutor; • 1 year as a congressional aide; • 1 year as a White House Fellow; • 15 years in private practice; • 4 years as president of the Legal Services Corporation. 	<p>Crim Chief Jeffrey Sullivan was appointed interim USA:</p> <ul style="list-style-type: none"> • 27 years as a state/local prosecutor; • 5 years as a federal prosecutor; • 3 years in private practice. 	<p>Rep. Reichert has recommended potential candidates; interviews were held 2/9/07.</p>
<p>Kevin Ryan (NDCA) Term expired: Aug. 2, 2006</p> <ul style="list-style-type: none"> • 11 years as a state/local prosecutor; 	<p>Likely interim appointee.</p> <ul style="list-style-type: none"> • 11 ½ years as a federal prosecutor, including 9 	<p>Parsky Commission will recommend potential candidates.</p>

<ul style="list-style-type: none"> • 5 years as a state/local judge. 	<p>months as interim United States Attorney for South Carolina;</p> <ul style="list-style-type: none"> • 2 years as EOUSA General Counsel; • 4 years, 9 months in private practice; • 2 years as law clerk. 	
<p>Bud Cummins (EDAR) Term expired: Jan. 9, 2006</p> <ul style="list-style-type: none"> • No prosecutorial experience; • 3 years as law clerk; • 6 years in private practice; • 1 year as chief legal counsel to governor; • Failed congressional candidate. 	<p>Tim Griffin:</p> <ul style="list-style-type: none"> • 2 years as a federal prosecutor (one year at DOJ plus one year full-time in the military); • 10 years in the JAG Corps, U.S. Army Reserve (now a Major) • 6 months as special assistant to the Assistant Attorney General for the Criminal Division; • 1 year, 4 months as associate independent counsel, <i>In re: Henry Cisneros</i>; • 2 years as senior investigative counsel, House Gov't Reform Committee; • 1 year private practice; • 5 months as special assistant to the President; • 1 ½ years as research director, RNC, plus 1 ½ years as deputy research director, RNC. 	<p>Consulting with home-state Senators.</p>

Goodling, Monica

From: Goodling, Monica
Sent: Thursday, February 15, 2007 11:40 AM
To: Nowacki, John (USAEO)
Subject: Need an updated appts summary asap, tks

Goodling, Monica

From: Goodling, Monica
Sent: Wednesday, February 21, 2007 3:32 PM
To: Sampson, Kyle
Subject: Arkansas timeline

Attachments: Arkansas Transition.doc



Arkansas
ansition.doc (33 KB)

Tracking:

Recipient
Sampson, Kyle

Read
Read: 2/21/2007 3:32 PM

TRANSITIONS IN ARKANSAS

February 2004:

- Tom Gean resigns in the Western District of Arkansas.
- DOJ interviewed four individuals for the vacancy: Bob Balfe, John Threet, Stephen Tabor, and Tim Griffin. The panel supported Griffin's selection and he would likely have been the nominee at that time; however, the White House indicated that they would like him to join the 2004 campaign and he agreed to do that instead.

December 30, 2004:

- An *Arkansas Times* article notes that Cummins had said in 2004 that with four kids to put through college, he was likely to begin exploring career options. Cummins said that it wouldn't be "shocking" for there to be a change in his office before the end of Bush's second term.

February 27, 2006 – March 1, 2006:

- At the U.S. Attorneys Conference, U.S. Attorney Bud Cummins publicly discusses his intent to pursue private sector opportunities later that year.

Spring 2006:

- White House Counsel asks if there will be a vacancy as Tim Griffin will be returning from Iraq and is interested.

June 2006:

- EOUSA Director Mike Battle calls Bud Cummins.

August 2006:

- First press reports regarding Bud Cummins's impending resignation appear.
- Cummins indicates he began discussing his departure with Main Justice in June.

September 27, 2006:

- Tim Griffin arrives in the district.

December 20, 2006:

- Bud Cummins resigns.
- Tim Griffin is sworn in as interim U.S. Attorney.

Goodling, Monica

From: Goodling, Monica
Sent: Monday, March 05, 2007 9:56 PM
To: Moschella, William
Subject: DRAFT

Attachments: US Attorney leadership assessment writeup.doc

Full doc has all.



US Attorney
leadership assessm..

Tracking:

Recipient
Moschella, William

Read
Read: 3/5/2007 10:07 PM

U.S. ATTORNEY ASSESSMENT

Kevin Ryan (NDCA): Appointed Aug. 2, 2002; term expired Aug. 2, 2006
EOUSA General Counsel Scott Schools was appointed interim USA; 11 years as career federal prosecutor/First Assistant/manager w/ 9 months as interim USA in SC; plus 5 years in private practice

- Significant management problems have manifested during his tenure.
- The district has become one of the most fractured offices in the Nation.
- Morale has fallen to the point that it is harming our prosecutorial efforts.
- The USA has lost the confidence of many of his career prosecutors.
- The problems here have been so significant that it has required multiple on-site visits by management and personnel experts from EOUSA.
- Although our Evaluation and Review Staff (EARS) reports are not an evaluation of the performance of a United States Attorney by his or her supervisor – in this case, we had two office-wide evaluations that detailed the problems within the management of this office, which dictated the need for a change.

Carol Lam (SDCA): Appointed Nov. 18, 2002; term expired Nov. 18, 2006
Executive AUSA Karen Hewitt is interim USA; 6 years as career federal prosecutor/manager; 8 years as government litigator; 3 years in private practice

- This is one of our largest offices in the country. In addition to all of the complex legal issues that occur in these extra-large districts, San Diego also faces a tremendous responsibility to effectively manage a border.
- She continually failed to perform in relation to significant leadership priorities – these were priorities that were well-known within the Department. They were discussed at our annual mandatory USA conferences, in speeches by Department leaders, in memos, in conference calls, and in a host of other ways.
- First, the President and Attorney General have made clear that border enforcement is a top priority. It's important to our national security and to our domestic security. Regardless of what was done by the office in this area, she failed to tackle this responsibility as aggressively and as vigorously as we expected and needed her to do. At the end of the day, we expected more.

- Ex: The President has made clear that he expects strong immigration enforcement efforts, but SDCA has only brought a fraction of the cases that other significant border districts are doing. While some good numbers on alien smuggling:
 - Only 422 illegal re-entry cases in 2005 where AZ did 1,491 and NM did 1,607;
 - Only 470 illegal entry cases in 2005 where AZ did 3,409 and NM did 1,194;
 - In June 2006, Sen. Feinstein wrote a letter to the AG complaining about the high prosecution guidelines which kept these numbers low.
- Writing about her concern for Ms. Lam's "restrictive prosecutorial guidelines," Sen. Feinstein stressed "the importance of vigorously prosecuting these type of cases so that California isn't viewed as an easy entry point for alien smugglers because there is no fear of prosecution if caught."
- More than 18 other members of Congress complained about her "catch and release" policies and her failure to let alien smugglers back out onto the street by raising prosecution guidelines too high.
- Second, the President and both Attorneys General in this Administration made clear that, after terrorism, gun crime is the top priority and an important tactic to fighting violent crime.
- SDCA has only brought a fraction of the cases of other extra-large districts. Despite its size and population, it ranks 91 out of 93 districts in terms of average numbers of firearms cases since FY 2000 (doing only an average of 18 cases).
- Third, rather than focusing on the management of her office, this USA spent a significant amount of her time trying cases – this is discouraged in extra-large districts, because these are offices that require full-time managers.

John McKay (WDWA): Appointed Oct. 30, 2001; term expired Oct. 30, 2005
Criminal Chief Jeff Sullivan was appointed interim USA -- 5 years as a career federal prosecutor after 27 years as the county prosecutor and 3 years in private practice.

- Demonstrated a pattern of poor judgment in relation to the tactics he used to push for policy changes that were not in the best interest of the Department and without regard to the Department's appropriate channels and methods of evaluating policy.
- Placed extensive focus, and engaged in a significant amount of travel outside of the district to advocate policy changes, rather than focusing on running the office.

Paul Charlton (AZ): Appointed Nov. 14, 2001; term expired Nov. 14, 2005
Chief AUSA Daniel Knauss was appointed interim USA; 32 ½ years as a career federal prosecutor, including 2 months as interim USA in that office in the past

- Repeatedly took actions contrary to DOJ policy and procedure.
- Failed to implement the AG's instruction on a death penalty case, when federal law places the decision with the AG.
- Like McKay, Charlton demonstrated a pattern of poor judgment in relation to the tactics he used to push for policy changes without regard to the Department's appropriate channels and methods of evaluating policy. He tried to mandate the FBI to institute a new policy to videotape all interviews with suspects without regard to the national policy taken by the FBI or all of the many reasons why this raises significant concerns that require substantial discussion.
- Despite the national focus the Attorney General requested for offices to focus on the federal crime of obscenity, which coarsens society, McKay failed to support the Department's prosecution of a case that was developed within his district.
- Worked outside of proper channels in seeking resources, without regard to the process or the impact his action would have on our other USAOs.
- [Contrary to guidance from Main Justice that it was poor judgment, he put an employee on "leave without pay" status so she could become a paid press secretary for a Republican running in the 2002 gubernatorial campaign against Governor Napolitano, the former U.S. Attorney. (Shortly thereafter, the employee left the USAO permanently.)]

David Iglesias (NM): Appointed Oct. 17, 2001; term expired Oct. 17, 2005
First AUSA Larry Gomez is Acting USA; 27 years as career federal prosecutor/manager plus 2 years as local prosecutor

- One of our large offices, New Mexico is a critically-important border district.
- Again, the President and Attorney General have made clear that border enforcement is a top priority. It's important to our national security and to our domestic security. Regardless of what was done by the office in this area, he failed to tackle this responsibility as aggressively and as vigorously as we expected and needed her to do.
- There was a perception that he traveled a lot, but that even when he was in the office he still delegated a vast majority of the management to his First Assistant. We expect our U.S. Attorneys, particularly those in critical districts, to be hands-on managers working hard to advance the work of the Department.

- Quite simply, now that Mr. Iglesias finished his four-year term (and then some) this was an area where we thought we could make a change to bring more dynamic leadership to the office.

Dan Bogden (Nevada): Appointed Nov. 2, 2001; term expired Nov. 2, 2005
First AUSA Steve Myhre is Acting USA; 9 years as federal prosecutor/manager plus 5 years of private sector litigation and 8 years in the Marine Corps Judge Advocate

- Similarly, Nevada is what we consider to be a very important district that was underserved.
- Given the large tourist population that visits each year, it's well-known that Las Vegas could present a target for terrorism. It has also struggled with violent crime, drugs, and organized crime. This is an office where we have the right to expect excellence and aggressive prosecution in a number of priority areas.
- Despite the national focus the Attorney General requested for offices to place on the federal crime of obscenity, which coarsens society, the USA failed to support the Department's prosecution of a case that was developed within his district.
- This is another district where, now that Mr. Bodgen has finished his four-year term (and then some), we thought we could make a change to bring more dynamic leadership to the office.

Margaret Chiara (WDMI): Appointed Nov. 2, 2001; term expired Nov. 2005
Decision pending on who will lead the office until a new Senate-confirmed USA is identified.

TRY TO AVOID SINCE NO PUBLIC STATEMENTS FROM CHIARA:

- We have briefed privately the reasons for the change in this district; however, Ms. Chiara has not made any public statements at this time, and out of respect for her silence, we'd say only that this office presented some management issues.

IF PUSHED:

- Under the USA's tenure, the office has become fractured, morale has fallen, and the USA has lost the confidence of several members of the leadership team and some career prosecutors.
- The problems here have required an on-site visit by management experts from our EOUSA to visit and mediate with members of the leadership team, and in the end, it was decided that new leadership would be appropriate to unite the office.

**FACT SHEET:
BACKGROUND INFORMATION ON VACANCIES
AND AUTHORITIES USED TO ENSURE CONTINUITY OF OPERATIONS**

Listing of Nominations Since the Change in the Appointment Authority (13 to date -- 2 more expected this week):

- Erik Peterson – Western District of Wisconsin (from outside the Department)
- Charles Rosenberg – Eastern District of Virginia (from inside the Department; was interim under AG appointment)
- Thomas Anderson – District of Vermont (from inside the Department; was not interim)
- Martin Jackley – District of South Dakota (from outside the Department)
- R. Alexander Acosta – Southern District of Florida (from inside the Department; was interim under AG appointment)
- Troy Eid – District of Colorado (from outside the Department)
- Phillip Green – Southern District of Illinois (from inside the Department; was not interim)
- George Holding – Eastern District of North Carolina (from inside the Department; was First Assistant and was Acting)
- Sharon Potter – Northern District of West Virginia (from inside the Department; was not interim)
- Brett Tolman – District of Utah (from inside the Department; was not interim)
- Rodger Heaton – Central District of Illinois (from inside the Department; was interim under AG appointment)
- Deborah Rhodes – Southern District of Alabama (from inside the Department; was interim under AG appointment)
- Rachel Paulose – District of Minnesota (from inside the Department; was interim under AG appointment)

All but Phillip Green were confirmed in the last Congress.

Listing of Vacancies Occurring After the Change in the Appointment Authority (11 to date):

- In 5 cases, the First Assistant was selected to lead the office and took over under as Acting under the Vacancy Reform Act's provision at: 5 U.S.C. § 3345(a)(1). That authority is limited to 210 days, unless a nomination is made during that period. Those districts include:
 - ✓ Central District of California – FAUSA George Cardona is Acting
 - ✓ Southern District of Illinois – FAUSA Randy Massey is Acting
 - ✓ Northern District of Iowa – FAUSA Judi Whetstine is Acting

- ✓ Eastern District of North Carolina – FAUSA George Holding became Acting (he also became the candidate and was confirmed)
 - ✓ Northern District of West Virginia – FAUSA Rita Valdrini became Acting (another individual was nominated and confirmed)
- In 5 cases, the Department selected another Department employee to serve as interim until a nomination was submitted to the Senate. Those districts include:
 - ✓ Eastern District of Virginia – Chuck Rosenberg, who was the pending nominee, was given an interim appointment when Paul McNulty vacated the position to take the oath as Deputy Attorney General (Rosenberg was confirmed shortly thereafter)
 - ✓ Eastern District of Arkansas – Tim Griffin was appointed interim (he has expressed interest in the position; no nomination is yet ready)
 - ✓ District of Columbia – Jeff Taylor
 - ✓ Nebraska – Joe Stecher
 - ✓ Middle District of Tennessee – Craig Morford
 - In 1 case, the First Assistant resigned at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.
 - ✓ Western District of Missouri – Brad Schlozman was appointed interim (

All Attorney General Appointments Since the Authority Was Amended (9 to date):

- In 2 cases, the First Assistant U.S. Attorney had been serving under the VRA provision, however the 210-day period ran out before a nomination was submitted to the Senate. As a result, the First Assistant was appointed interim using this authority. These districts include:
 - ✓ District of Puerto Rico – Rosa Rodriguez-Velez
 - ✓ Eastern District of Tennessee – Russ Detrick
- In 5 cases, the Department selected a Department employee other than the First Assistant to serve as interim until a nomination was submitted to the Senate. Those districts include:
 - ✓ Eastern District of Virginia – Chuck Rosenberg, who was the pending nominee, was given an interim appointment when Paul McNulty vacated the position to take the oath as Deputy Attorney General (Rosenberg was confirmed shortly thereafter)
 - ✓ Eastern District of Arkansas – Tim Griffin was appointed interim (he has expressed interest in the position; no nomination is yet ready)
 - ✓ District of Columbia – Jeff Taylor
 - ✓ Nebraska – Joe Stecher
 - ✓ Middle District of Tennessee – Craig Morford

- In 1 case, the First Assistant had been serving under the VRA, which expired in the summer of 2006. An interim was appointed at the end of the VRA period.
 - ✓ Alaska – Nelson Cohen

- In 1 case, the First Assistant resigned that position at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.
 - ✓ Western District of Missouri – Brad Schlozman was appointed interim

U.S. Attorney Appointments by the Attorney General:

Overview:

- In every case, it is a goal of this Administration to have a U.S. Attorney that is confirmed by the Senate. It is wrong for a member of Congress to believe that use of an appointment authority to fill a vacancy is in any way an attempt to circumvent the confirmation process. When a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office. Following such a situation, we consult with the home-state Senators prior to nomination regarding candidates for Senate consideration.
- Our record since this authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Specifically, since March 9, 2006, the Administration has nominated 13 individuals to serve as U.S. Attorney (12 have been confirmed). Additionally, since the appointment authority was amended, there have been 11 vacancies created by outgoing U.S. Attorneys -- of those 11 vacancies, the Administration nominated candidates to fill four of these positions to date and has already interviewed candidates for the other seven positions.

Discussion:

- United States Attorneys serve at the pleasure of the President, and whenever a vacancy occurs, we act to fill it in compliance with our obligations under the Constitution, the laws of the United States, and in consultation with the home-state Senators in the region. The Senators have raised concerns based on a misunderstanding of the facts surrounding the resignations of a handful of U.S. Attorneys, each of whom have been in office for their full four year term or more.
- When a United States Attorney submits his or her resignation, the Administration has -- in every case -- consulted with home-state Senators regarding candidates for the Presidential nomination and Senate confirmation. The Administration continues to be committed to working to nominate a candidate for Senate consideration in every case that a vacancy is created, as evidenced by the fact that there have been 125 confirmations of new U.S. Attorneys since January 20, 2001.
- With 93 U.S. Attorney positions across the country, the Department often averages between 8-15 vacancies at any given time. Because of the important work conducted by these offices, and the need to ensure that the office is being managed effectively and appropriately, the Department uses a range of options to ensure continuity of operations.
- In some cases, the First Assistant U.S. Attorney is an appropriate choice. However, in other cases, the First Assistant may not be an appropriate option for reasons including that he or she: resigns or retires at the same time as the outgoing U.S. Attorney; indicates

that he/she does not want to serve as Acting; has ongoing or completed OPR or IG matters in their file, which may make his/her elevation to the Acting role inappropriate; or is subject of an unfavorable recommendation by the outgoing U.S. Attorney or otherwise does not enjoy the confidence of those responsible for ensuring ongoing operations and an appropriate transition until such time as a new U.S. Attorney is nominated and confirmed by the Senate. In those cases, the Attorney General has appointed another individual to lead the office during the transition.

Vacancies Since the Appointment Authority Has Changed:

- Since March 9, 2006, when the appointment authority was amended, the Administration has nominated 13 individuals for Senate consideration (12 have been confirmed to date).
- Since March 9, 2006, when the appointment authority was amended, 11 vacancies have been created. Of the 11 vacancies, the Administration nominated candidates to fill four of these positions (three were confirmed to date) and has interviewed candidates for the other 7 positions.
- The 11 vacancies were filled as follows:
 - ✓ In 5 cases, the First Assistant was selected to lead the office and took over under the Vacancy Reform Act's provision at: 5 U.S.C. § 3345(a)(1). That authority is limited to 210 days, unless a nomination is made during that period.
 - ✓ In 5 cases, the Department selected another Department employee to serve as interim until such time as a nomination is submitted to the Senate.
 - ✓ In 1 case, the First Assistant resigned at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.

Amending the Statute:

- We are aware of no other federal agency where federal judges, members of a separate branch of government and not the head of the agency, appoint interim staff on behalf of the agency.
- In early 2006, the statute that authorizes the appointment of interim United States Attorneys (28 U.S.C. § 546) was amended by section 502 of Public Law 109-177 to eliminate the provision of a 120-day appointment and to allow the Attorney General to appoint interim United States Attorneys to serve until the nomination and confirmation of a United States Attorney under 28 U.S.C. § 541.
- The statute was amended for several reasons: 1) the previous provision was constitutionally-suspect and the Senate respects the Constitution; 2) some federal judges, recognizing the inherent problems, have refused to do appointments, creating a situation

where the Attorney General had to do multiple 120-day appointments; 3) a small number of federal judges, disregarding the Constitutional issues, attempted to appoint individuals other than those proposed by the Department – in one case, someone who had never been a federal government official and hence had never been subject of the required national security clearance process, an unacceptable risk given the responsibilities and operations overseen by our U.S. Attorneys.

BACKGROUND INFORMATION ON VACANCIES & AUTHORITIES USED

Listing of Nominations Since the Change in the Appointment Authority (13 to date):

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- Martin J. Jackley - District of South Dakota (from outside the Department)
- R. Alexander Acosta – Southern District of Florida (from inside the Department; was interim)
- Troy A. Eid - District of Colorado (from outside the Department)
- Phillip J. Green – Southern District of Illinois (from outside the Department)
- George Holding – Eastern District of North Carolina (from inside the Department; was First Assistant and was Acting)
- Sharon Potter – Northern District of West Virginia (from inside the Department; was not interim)
- Brett Tolman - District of Utah (from inside the Department; was not interim)
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 - ✓ Central District of California – FAUSA George Cardona is Acting

- ✓ Southern District of Illinois – FAUSA Randy Massey is Acting
 - ✓ Northern District of Iowa – FAUSA Judi Whetstine is Acting (she is not a candidate for nomination and is retiring this month, which will create a need for an interim selection;
 - ✓ Eastern District of North Carolina – FAUSA George Holding became Acting (he also became the candidate and was confirmed)
 - ✓ Northern District of West Virginia – FAUSA Rita Valdrini became Acting (another individual was nominated and confirmed)
- In 5 cases, the Department selected another Department employee to serve as interim until a nomination was submitted to the Senate. Those districts include:
 - ✓ Eastern District of Virginia – Chuck Rosenberg, who was the pending nominee, was given an interim appointment when Paul McNulty vacated the position to take the oath as Deputy Attorney General (Rosenberg was confirmed shortly thereafter)
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 - In 1 case, the First Assistant resigned at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.
 - ✓ Western District of Missouri – Brad Schlozman was appointed interim

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- ✓ District of Columbia – Jeff Taylor (

- ✓ Nebraska – Joe Stecher

- ✓ Middle District of Tennessee – Craig Morford :

- In 1 case, the First Assistant had been serving under the VRA, which expired in the summer of 2006. An interim was appointed at the end of the VRA period.
 - ✓ Alaska – Nelson Cohen :

- In 1 case, the First Assistant resigned at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.
 - ✓ Western District of Missouri – Brad Schlozman was appointed interim

TRANSITION IN THE EASTERN DISTRICT OF ARKANSAS

December 30, 2004

- An *Arkansas Times* article notes that Cummins had said in 2004 that with four kids to put through college, he was likely to begin exploring career options. Cummins said that it wouldn't be "shocking" for their to be a change in his office before the end of Bush's second term.

February 27, 2006 – March 1, 2006

- At the U.S. Attorneys Conference, U.S. Attorney Bud Cummins publicly discusses his intent to pursue private sector opportunities later that year.

June 2006

- EOUSA Director Mike Battle calls Bud Cummins.

August 2006

- First press reports regarding Bud Cummins's impending resignation appear.
- Cummins indicates he began discussing his departure with Main Justice in June.

September 27, 2006

- Tim Griffin arrives in the district.

December 20, 2006

- Bud Cummins resigns.
- Tim Griffin is sworn in as interim U.S. Attorney.

BIOGRAPHIES OF U.S. ATTORNEYS FROM ARKANSAS

EASTERN DISTRICT

Attorney General Appointment of Tim Griffin (37 years old at appointment)

Appointed 12/20/2006

Educational Background:

- B.A. from Hendrix College in Arkansas in 1990
- Graduate school at Pembroke College, Oxford University in 1991
- J.D. from Tulane Law School in 1994

Prosecution & Military Background:

- Officer—currently a major—in the U.S. Army Judge Advocate General’s (JAG) Corps (over ten years), including service as a Brigade Judge Advocate, U.S. Army JAG Corps., Operation Iraqi Freedom, 101st Airborne Division (Air Assault) May-Aug 2006 (approx. 3 months)
- Special Assistant U.S. Attorney, Eastern District of Arkansas, Sept 2001-June 2002 (9 months)
- Special Assistant to the Assistant Attorney General for the Criminal Division, U.S. Department of Justice (approx. 15 months)
- Senior Investigative Counsel, Committee on Government Reform, U.S. House of Representatives, 1997-1999 (approx. 2 ½ years total)
- Associate Independent Counsel, U.S. Office of Independent Counsel David Barrett (16 months)
- Associate Attorney, Jones, Walker, Waechter, Poitevent, Carrere & Denegre, L.L.P. (approx. one year)
- Military Honors: Army Commendation Medal with Five Oak Leaf Clusters; Army Achievement Medal with Four Oak Leaf Clusters; Army Reserve Components Achievement Medal with Two Oak Leaf Clusters; National Defense Service Medal; Iraq Campaign Medal; Global War on Terrorism Service Medal; Armed Forces Reserve Medal with Bronze Hourglass and “M” Devices; Army Service Ribbon; and Army Reserve Overseas Training Ribbon with “3” Device; and Combat Action Badge.

Political experience:

- Special Assistant to the President & Deputy Director, Office of Political Affairs, The White House (approximately 5 months; then on military leave)
- RNC Research Dir. & Dep. Communications Dir., 2004 Presidential Campaign (approx. 2 ½ years)
- RNC Dep. Research Director, 2000 Presidential Campaign (approx. 1 ½ years)

George W. Bush USA: H.E. “Bud” Cummins (42 years old at nomination)

Nominated 11/30/2001; confirmed 12/20/2001

Talkers:

- Unlike Mr. Griffin, he did not attend top-rated universities.
- *However, like Mr. Griffin, he had political experience.* In 2000, he served as Arkansas Legal Counsel to the Bush/Cheney campaign, was part of the GOP Florida Ballot Recount Team in Broward County, and was an Arkansas Elector. He was also the Republican nominee for the U.S. Congress 2nd Congressional District in 1996.

Background:

- B.S./B.A. from University of Arkansas in 1981
- J.D. from University of Arkansas Little Rock School of Law in 1989
- Private Law Practice and State Director, NFIB/Arkansas (approximately 3 years)
- Chief Legal Counsel for the Arkansas Governor (approximately one year)
- Private Law Practice 1993-1996 (approximately 3 years)
- Clerk to Chief Judge, United States District Court, Eastern District of Arkansas (approximately one year)
- Clerk to United States Magistrate Judge, United States District Court, Eastern District of Arkansas (approximately 2 years)
- Five separate gubernatorial appointments as Special Justice to Supreme Court of Arkansas

Clinton USA: Paula Jean Casey (42 years old at nomination)

Nominated 8/6/93; confirmed 9/21/93

Talkers:

- Unlike Mr. Griffin, she did not attend top-rated universities.
- Unlike Mr. Griffin, she did not have military or federal prosecution experience.
- *However, like Mr. Griffin, she had political experience.* She volunteered on the political campaigns of the President who nominated her and was a former student of his. In addition to owing the President her job, then-Governor Clinton had also appointed her husband to a state agency position. She was also a law student of then-Professor Bill Clinton. (See *Associated Press*, 11/10/93)

Background:

- B.A. from East Central Oklahoma University in 1973
- J.D. from University of Arkansas Law School in 1976
- Staff attorney for the Central Arkansas Legal Services (approximately 3 years)
- Deputy Public Defender (less than one year)
- Supervisor of Legal Clinic at University of Arkansas Law School (approximately 2 years)

- Professor at the University of Arkansas Law School (approximately 8 years)
- Chief Counsel & Legislative Director to Senator Dale Bumpers (approximately 3 years)
- Lobbyist for the Arkansas Bar Association (approximately 1 year)

WESTERN DISTRICT

George W. Bush USA: Robert Cramer Balfe, III for WDAR (37 years old at nomination)

Nominated 6/1/2004; confirmed 11/20/2004

Talkers:

- While he had local experience as a prosecutor, he did not have federal prosecution experience. Also, he did not attend top-rated universities.

Background:

- B.S. from Arkansas State University in 1990
- J.D. from University of Arkansas School of Law in 1994
- Prosecuting Attorney for the 19th Judicial District West (approximately 3 years)
- Deputy Prosecuting Attorney for the 19th Judicial District West (approximately 5 years)
- Secretary/Treasurer of the Arkansas Prosecuting Attorney's Association

George W. Bush USA for WDAR: Thomas C. Gean (39 years old at nomination)

Nominated 8/2/2001; confirmed 10/23/2001

Talkers:

- While he did have local prosecution experience, he did not have any federal prosecution experience.

Background:

- Bachelor degree from University of Arkansas
- J.D. from Vanderbilt University Law School
- Prosecuting Attorney for the Sebastian County District Attorney's Office (approximately 4 years)
- Attorney with Gean, Gean, and Gean in Fort Smith, Arkansas (approximately 4 years)
- Attorney with Alston and Bird in Atlanta, Georgia (approximately 4 years)

Clinton USA for WDAR: Paul Kinloch Holmes, III (42 years old at nomination)

Nominated 8/6/1993; confirmed 9/21/93

Talkers:

- *Unlike Mr. Griffin, he did not have any military or federal prosecution experience. He also did not have any state or local prosecution experience. He also did not attend top-rated universities.*
- *Like Mr. Griffin, he had political experience.* He served as chairman of the Sebastian County Democratic Party and Sebastian County Election Commission from 1979-1983. (See *Arkansas Democrat-Gazette*, 10/19/00)

Background:

- B.A. from Westminster College in 1973
- J.D. from University of Arkansas in 1978

- Attorney for Warner and Smith, Fort Smith, Arkansas (approximately 15 years)

CURRENT & UPCOMING VACANCIES

Current vacancies (15):

- **Maine** (since 2001) –
- **Southern District of West Virginia** (since 2005) –
- **Eastern District of Tennessee** (since 2005) –

- **Alaska** (since 1/06) –
- **Southern District of Illinois** (since 2005 or 3/06, depending) –

- **Western District of Missouri** (since 3/06) - nomination pending
- **Puerto Rico** (since 6/06) - nomination pending
- **District of Columbia** (since 9/06) -
- **Nebraska** (since 10/06) -
- **Middle District of Tennessee** (since 10/06) -
- **Central District of California** (since 11/06) –
- **Eastern District of Arkansas** (since 12/06) -
- **Northern District of Iowa** (since 12/06) -

- **District of Arizona** (since 1/07) –
- **Western District of Washington** (since 1/07) -

Publicly-announced or known upcoming resignations (9):

- **Nevada**, Dan Bogden, 2/28/07 –
- **Southern District of California**, Carol Lam, 2/15/07 –
- **Northern District of California** Kevin Ryan, 2/16/07 –
- **New Mexico**, David Iglesias, 2/28/07 –

- **Southern District of Georgia**, Lisa Wood, 2/7/07, pending appointment to court –

- **Montana**, Bill Mercer, pending confirmation of new position
- **Northern District of Indiana**, Joe Van Bokkelen, pending confirmation of new position
- **Eastern District of New York**, Roslynn Mauskopf, pending confirmation of new position
- **Eastern District of Michigan**, Steve Murphy, pending confirmation of new position

Non-public resignation (1):

- **Western District of Michigan**, Margaret Chiara, 3/07

Examples of Difficult Transition Situations

Examples of Districts Where Judges Did Not Exercise Their Court Appointment (Making the Attorney General's Appointment Authority Essential To Keep the Position Filled until a Nominee Is Confirmed)

1. **Southern District of Florida:** In 2005, a vacancy occurred in the SDFL. The Attorney General appointed Assistant Attorney General of the Civil Rights Division, Alex Acosta, for 120 days. At the end of the term, the Court indicated that they had (years earlier) appointed an individual who later became controversial. As a result, the Court indicated that they would not make an appointment unless the Department turned over its internal employee files and FBI background reports, so that the court could review potential candidates' backgrounds. Because those materials are protected under federal law, the Department declined the request. The court then indicated it would not use its authority at all, and that the Attorney General should make multiple, successive appointments. While the selection, nomination, and confirmation of a new U.S. Attorney was underway, the Attorney General made three 120-day appointments of Mr. Acosta. Ultimately, he was selected, nominated, and confirmed to the position.
2. **Eastern District of Oklahoma:** In 2000-2001, a vacancy occurred in the EDOK. The court refused to exercise the court's authority to make appointments. As a result, the Attorney General appointed Shelly Sperling to three 120-day appointments before Sperling was nominated and confirmed by the Senate (he was appointed by the Attorney General to a fourth 120-day term while the nomination was pending).
3. **In the Western District of Virginia:** In 2001, a vacancy occurred in the WDVA. The court declined to exercise its authority to make an appointment. As a result, the Attorney General made two successive 120-day appointments (two different individuals).

This problem is not new ...

4. **The District of Massachusetts.** In 1987, the Attorney General had appointed an interim U.S. Attorney while a nomination was pending before the Senate. The 120-day period expired before the nomination had been reviewed and the court declined to exercise its authority. The Attorney General then made another 120-day appointment. The legitimacy of the second appointment was questioned and was reviewed the U.S. District Court for the District of Massachusetts. The Judge upheld the validity of the second 120-day appointment where the court had declined to make an appointment. See 671 F. Supp. 5 (D. Ma. 1987).

Examples Where Judges Discussed Appointing or Attempted to Appoint Unacceptable Candidates:

1. Southern District of West Virginia: When a U.S. Attorney in the Southern District of West Virginia, David Faber, was confirmed to be a federal judge in 1987, the district went through a series of temporary appointments. Following the Attorney General's 120-day appointment of an individual named Michael Carey, the court appointed another individual as the U.S. Attorney. The court's appointee was not a DOJ-employee at the time and had not been subject of any background investigation. The court's appointee came into the office and started making inquiries into ongoing public integrity investigations, including investigations into Charleston Mayor Michael Roark and the Governor Arch Moore, both of whom were later tried and convicted of various federal charges. The First Assistant United States Attorney, knowing that the Department did not have the benefit of having a background examination on the appointee, believed that her inquiries into these sensitive cases were inappropriate and reported them to the Executive Office for United States Attorneys in Washington, D.C. The Department directed that the office remove the investigative files involving the Governor from the office for safeguarding. The Department further directed that the court's appointee be recused from certain criminal matters until a background examination was completed. During that time, the Reagan Administration sped up Michael Carey's nomination. Carey was confirmed and the court's appointee was replaced within two-three weeks of her original appointment.

2. South Dakota:

In 2005, a vacancy arose in South Dakota. The First Assistant United States Attorney (FAUSA) was elevated to serve as acting United States Attorney under the Vacancies Reform Act (VRA) for 210 days. As that appointment neared an end without a nomination having yet been made, the Attorney General made an interim appointment of the FAUSA for a 120-day term. The Administration continued to work to identify a nominee; however, it eventually became clear that there would not be a nomination and confirmation prior to the expiration of the 120-day appointment.

Near the expiration of the 120-day term, the Department contacted the court and requested that the FAUSA be allowed to serve under a court appointment. However, the court was not willing to re-appoint her. The Department proposed a solution to protect the court from appointing someone about whom they had reservations, which was for the court to refrain from making any appointment (as other district courts have sometimes done), which would allow the Attorney General to give the FAUSA a second successive, 120-day appointment.

The Chief Judge instead indicated that he was thinking about appointing a non-DOJ employee, someone without federal prosecution experience, who had not been the subject of a thorough background investigation and did not have the

necessary security clearances. The Department strongly indicated that it did not believe this was an appropriate individual to lead the office.

The Department then notified the court that the Attorney General intended to ask the FAUSA to resign her 120-day appointment early (without the expiration of the 120-day appointment, the Department did not believe the court's appointment authority was operational). The Department notified the court that since the Attorney General's authority was still in force, he would make a new appointment of another experienced career prosecutor. The Department believed that the Chief Judge indicated his support of this course of action and implemented this plan.

The FAUSA resigned her position as interim U.S. Attorney and the Attorney General appointed the new interim U.S. Attorney (Steve Mullins). A federal judge executed the oath and copies of the Attorney General's order and the press release were sent to the court for their information. There was no response for over 10 days, when a fax arrived stating that the court had also attempted to appoint the non-DOJ individual as the U.S. Attorney.

This created a situation where two individuals had seemingly been appointed by two different authorities. Defense attorneys indicated their intention to challenge ongoing investigations and cases. The Department attempted to negotiate a resolution to this very difficult situation, but was unsuccessful. Litigating the situation would have taken months, during which many of the criminal cases and investigations that were underway would have been thrown into confusion and litigation themselves.

Needing to resolve the matter for the sake of the ongoing criminal prosecutions and litigation, after it was clear that negotiations would resolve the matter, the White House Counsel notified the court's purported appointee that even if his court order was valid and effective, then the President was removing him from that office pursuant to Article II of the Constitution and 28 U.S.C. § 541(c). Shortly thereafter, Mr. Mullins resigned his Attorney General appointment and was recess appointed by President Bush to serve as the U.S. Attorney for the District of South Dakota. The Department continued to work with the home-state Senators and identified and nominated a new U.S. Attorney candidate, who was confirmed by the Senate in the summer of 2006.

- 3. Northern District of California:** In 1998, a vacancy resulted in NDCA, a district suffering from numerous challenges. The district court shared the Department's concerns about the state of the office and discussed the possibility of appointing of a non-DOJ employee to take over. The Department found the potential appointment of a non-DOJ employee unacceptable. A confrontation was avoided by the Attorney General's appointment of an experienced prosecutor from Washington, D.C. (Robert Mueller), which occurred with the court's concurrence. Mueller served under an AG appointment for 120 days, after which the district court gave him a court appointment. Eight months later, President Clinton nominated Mueller to fill the position for the rest of his term.

FACT SHEET: UNITED STATES ATTORNEY APPOINTMENTS

NOMINATIONS AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT AUTHORITY

Since March 9, 2006, when the Congress amended the Attorney General's authority to appoint interim United States Attorneys, the President has nominated 15 individuals to serve as United States Attorney. The 15 nominations are:

- **Erik Peterson** – Western District of Wisconsin;
- **Charles Rosenberg** – Eastern District of Virginia;
- **Thomas Anderson** – District of Vermont;
- **Martin Jackley** – District of South Dakota;
- **Alexander Acosta** – Southern District of Florida;
- **Troy Eid** – District of Colorado;
- **Phillip Green** – Southern District of Illinois;
- **George Holding** – Eastern District of North Carolina;
- **Sharon Potter** – Northern District of West Virginia;
- **Brett Tolman** – District of Utah;
- **Rodger Heaton** – Central District of Illinois;
- **Deborah Rhodes** – Southern District of Alabama;
- **Rachel Paulose** – District of Minnesota;
- **John Wood** – Western District of Missouri; and
- **Rosa Rodriguez-Velez** – District of Puerto Rico.

All but Phillip Green, John Wood, and Rosa Rodriguez-Velez have been confirmed by the Senate.

VACANCIES AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT AUTHORITY

Since March 9, 2006, there have been 13 new U.S. Attorney vacancies that have arisen. They have been filled as noted below.

For 4 of the 13 vacancies, the First Assistant United States Attorney (FAUSA) in the district was selected to lead the office in an acting capacity under the Vacancies Reform Act, *see* 5 U.S.C. § 3345(a)(1) (first assistant may serve in acting capacity for 210 days unless a nomination is made) until a nomination could be or can be submitted to the Senate. Those districts are:

- **Central District of California** – FAUSA George Cardona is acting United States Attorney
- **Southern District of Illinois** – FAUSA Randy Massey is acting United States Attorney (a nomination was made last Congress for Phillip Green, but confirmation did not occur);

- **Eastern District of North Carolina** – FAUSA George Holding served as acting United States Attorney (Holding was nominated and confirmed);
- **Northern District of West Virginia** – FAUSA Rita Valdrini served as acting United States Attorney (Sharon Potter was nominated and confirmed).

For 1 vacancy, the Department first selected the First Assistant United States Attorney to lead the office in an acting capacity under the Vacancies Reform Act, but the First Assistant retired a month later. At that point, the Department selected another employee to serve as interim United States Attorney until a nomination could be submitted to the Senate, *see* 28 U.S.C. § 546(a) (“Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant”). This district is:

- **Northern District of Iowa** – FAUSA Judi Whetstine was acting United States Attorney until she retired and Matt Dummermuth was appointed interim United States Attorney.

For 8 of the 13 vacancies, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate, *see* 28 U.S.C. § 546(a) (“Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant”). Those districts are:

- **Eastern District of Virginia** – Pending nominee Chuck Rosenberg was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Deputy Attorney General (Rosenberg was confirmed shortly thereafter);
- **Eastern District of Arkansas** – Tim Griffin was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **District of Columbia** – Jeff Taylor was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Assistant Attorney General for the National Security Division;
- **District of Nebraska** – Joe Stecher was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Chief Justice of Nebraska Supreme Court;
- **Middle District of Tennessee** – Craig Morford was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **Western District of Missouri** – Brad Schlozman was appointed interim United States Attorney when incumbent United States Attorney and FAUSA resigned at the same time (John Wood was nominated);
- **Western District of Washington** – Jeff Sullivan was appointed interim United States Attorney when incumbent United States Attorney resigned; and
- **District of Arizona** – Dan Knauss was appointed interim United States Attorney when incumbent United States Attorney resigned.

ATTORNEY GENERAL APPOINTMENTS AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT AUTHORITY

The Attorney General has exercised the authority to appoint interim United States Attorneys a total of 12 times since the authority was amended in March 2006.

In 2 of the 12 cases, the FAUSA had been serving as acting United States Attorney under the Vacancies Reform Act (VRA), but the VRA's 210-day period expired before a nomination could be made. Thereafter, the Attorney General appointed that same FAUSA to serve as interim United States Attorney. These districts include:

- **District of Puerto Rico** – Rosa Rodriguez-Velez (Rodriguez-Velez has been nominated); and
- **Eastern District of Tennessee** – Russ Dedrick

In 1 case, the FAUSA had been serving as acting United States Attorney under the VRA, but the VRA's 210-day period expired before a nomination could be made. Thereafter, the Attorney General appointed another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. That district is:

- **District of Alaska** – Nelson Cohen

In 1 case, the Department originally selected the First Assistant to serve as acting United States Attorney; however, she retired from federal service a month later. At that point, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. That district is:

- **Northern District of Iowa** – Matt Dummermuth

In the 8 remaining cases, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. Those districts are:

- **Eastern District of Virginia** – Pending nominee Chuck Rosenberg was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Deputy Attorney General (Rosenberg was confirmed shortly thereafter);
- **Eastern District of Arkansas** – Tim Griffin was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **District of Columbia** – Jeff Taylor was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Assistant Attorney General for the National Security Division;
- **District of Nebraska** – Joe Stecher was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Chief Justice of Nebraska Supreme Court;

- **Middle District of Tennessee** – Craig Morford was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **Western District of Missouri** – Brad Schlozman was appointed interim United States Attorney when incumbent United States Attorney and FAUSA resigned at the same time (John Wood was nominated);
- **Western District of Washington** – Jeff Sullivan was appointed interim United States Attorney when incumbent United States Attorney resigned; and
- **District of Arizona** – Dan Knauss was appointed interim United States Attorney when incumbent United States Attorney resigned.

WHO IS TIM GRIFFIN?

Recently, *The New York Times* criticized the appointment of Tim Griffin as the U.S. Attorney for the Eastern District of Arkansas and in doing so noted that Mr. Griffin “has a resume that includes working for Karl Rove and heading up opposition research for the Republican National Committee.” The *Times* characterized Mr. Griffin’s legal record with one word: “thin.” Mr. Griffin’s resume deserves a closer look.

First and foremost, Mr. Griffin is a lawyer, a *cum laude* graduate of Tulane Law School, in New Orleans, and is a member of both the Arkansas and Louisiana bars.

Mr. Griffin has served as an officer—currently a major—in the U.S. Army Judge Advocate General’s (JAG) Corps for over ten years. Like all JAGs, he has routinely practiced the basic legal skills that many lawyers never acquire: drafting wills, writing opinions and advising soldiers. In 2002, his supervisor wrote: “CPT Griffin has the gift of easily identifying legal issues and drafting clear, concise, and correct opinions. . . . CPT Griffin is a born litigator.”

In fact, in 2005, Mr. Griffin was serving as Special Assistant to President Bush when he was mobilized to active duty for a year. He moved to Fort Campbell, Kentucky to serve as an Army prosecutor. At Fort Campbell, he prosecuted numerous criminal cases. One of those cases, U.S. v. Mikel, drew national interest after Private Mikel attempted to murder his platoon sergeant and fired upon his unit’s early morning formation.

After the Mikel case, Mr. Griffin was allowed to fill a need for a JAG officer in Mosul, Iraq. He was assigned to the 501st Special Troops Battalion (STB), 101st Airborne Division and detailed to the 172d Stryker Brigade Combat Team (SBCT) Brigade Operational Law Team (BOLT), for which he was awarded the Combat Action Badge and the Army Commendation Medal.

Mr. Griffin served the Department of Justice as Special Assistant to then-Assistant Attorney General, Michael Chertoff and on three separate occasions as a federal prosecutor, including from 2001-2002 in the Eastern District of Arkansas where he now serves. During that stint, he prosecuted a variety of federal cases with an emphasis on firearm and drug cases. He also organized the District’s Project Safe Neighborhoods (PSN), the Bush Administration’s initiative to reduce firearm-related violence by promoting close cooperation between state and federal law enforcement, and served as the PSN coordinator.

He served from 1997-1999 as Senior Counsel to the Government Reform Committee, U.S. House of Representatives. Immediately following law school, he practiced law for Jones, Walker, et al., of New Orleans, one of the largest law firms in the South.

Mr. Griffin is a *cum laude* graduate of Hendrix College in Conway, Arkansas, where he received his B.A., and attended graduate school in Modern European History at Pembroke College, Oxford University, in Oxford, England.

TIMOTHY GRIFFIN AS INTERIM UNITED STATES ATTORNEY
FOR THE EASTERN DISTRICT OF ARKANSAS

- The Attorney General appointed Tim Griffin as the interim U.S. Attorney following the resignation of Bud Cummins, who resigned on Dec. 20, 2006. Since early in 2006, Mr. Cummins had been talking about leaving the Department to go into private practice for family reasons.
- Timothy Griffin is highly qualified to serve as the U.S. Attorney for the Eastern District of Arkansas.
- Mr. Griffin has significant experience as a federal prosecutor at both the Department of Justice and as a military prosecutor. At the time of his appointment, he was serving as a federal prosecutor in the Eastern District of Arkansas. Also, from 2001 to 2002, Mr. Griffin served at the Department of Justice as Special Assistant to the Assistant Attorney General for the Criminal Division and as a Special Assistant U.S. Attorney in the Eastern District of Arkansas in Little Rock. In this capacity, Mr. Griffin prosecuted a variety of federal cases with an emphasis on firearm and drug cases and organized the Eastern District's Project Safe Neighborhoods (PSN) initiative, the Bush Administration's effort to reduce firearm-related violence by promoting close cooperation between State and federal law enforcement, and served as the PSN coordinator.
- Prior to rejoining the Department in the fall of 2006, Mr. Griffin completed a year of active duty in the U.S. Army, and is in his tenth year as an officer in the U.S. Army Reserve, Judge Advocate General's Corps (JAG), holding the rank of Major. In September 2005, Mr. Griffin was mobilized to active duty to serve as an Army prosecutor at Fort Campbell, Ky. At Fort Campbell, he prosecuted 40 criminal cases, including *U.S. v. Mikel*, which drew national interest after Pvt. Mikel attempted to murder his platoon sergeant and fired upon his unit's early morning formation. Pvt. Mikel pleaded guilty to attempted murder and was sentenced to 25 years in prison.
- In May 2006, Tim was assigned to the 501st Special Troops Battalion, 101st Airborne Division and sent to serve in Iraq. From May through August 2006, he served as an Army JAG with the 101st Airborne Division in Mosul, Iraq, as a member of the 172d Stryker Brigade Combat Team Brigade Operational Law Team, for which he was awarded the Combat Action Badge and the Army Commendation Medal.
- Like many political appointees, Mr. Griffin has political experience as well. Prior to being called to active duty, Mr. Griffin served as Special Assistant to the President and Deputy Director of the Office of Political Affairs at the White House, following a stint at the Republican National Committee. Mr. Griffin has also served as Senior Counsel to the House Government Reform Committee, as an Associate Independent Counsel for *In Re: Housing and Urban Development Secretary Henry Cisneros*, and as an associate attorney with a New Orleans law firm.
- Mr. Griffin has very strong academic credentials. He graduated *cum laude* from Hendrix College in Conway, Ark., and received his law degree, *cum laude*, from Tulane Law School. He also attended graduate school at Pembroke College at Oxford University. Mr. Griffin was raised in Magnolia, Ark., and resides in Little Rock with his wife, Elizabeth.
- The Attorney General has assured Senator Pryor that we are not circumventing the process by making an interim appointment and that the Administration would like to nominate Mr. Griffin. However, because the input of home-state Senators is important to the Administration, the Attorney General has asked Senator Pryor whether he would support Mr. Griffin if he was nominated. While the Administration consults with the home-state Senators on a potential nomination, however, the Department must have someone lead the office – and we believe Mr. Griffin is well-qualified to serve in this interim role until such time as a new U.S. Attorney is nominated and confirmed.

**NOMINATIONS AFTER AMENDMENT TO ATTORNEY GENERAL'S
APPOINTMENT AUTHORITY:**

Since March 9, 2006, when the Congress amended the Attorney General's authority to appoint interim United States Attorneys, the President has nominated 15 individuals to serve as United States Attorney. The 15 nominations are:

- **Alexander Acosta** – Southern District of Florida;
- **Thomas Anderson** – District of Vermont;
- **Troy Eid** – District of Colorado;
- **Phillip Green** – Southern District of Illinois;
- **Rodger Heaton** – Central District of Illinois;
- **George Holding** – Eastern District of North Carolina;
- **Martin Jackley** – District of South Dakota;
- **Rachel Paulose** – District of Minnesota;
- **Erik Peterson** – Western District of Wisconsin;
- **Sharon Potter** – Northern District of West Virginia;
- **Deborah Rhodes** – Southern District of Alabama;
- **Rosa Rodriguez-Velez** – District of Puerto Rico.
- **Charles Rosenberg** – Eastern District of Virginia;
- **Brett Tolman** – District of Utah; and
- **John Wood** – Western District of Missouri.

All but Phillip Green, John Wood, and Rosa Rodriguez-Velez have been confirmed by the Senate.

TALKING POINTS: U.S. ATTORNEY NOMINATIONS AND INTERIM APPOINTMENTS BY THE ATTORNEY GENERAL

Overview:

- In every single case, it is a goal of the Bush Administration to have a U.S. Attorney that is confirmed by the Senate. Use of the AG's appointment authority is in no way an attempt to circumvent the confirmation process. To the contrary, when a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office during the period when there is not a presidentially-nominated, senate-confirmed (PAS) U.S. Attorney. Whenever a U.S. Attorney vacancy arises, we consult with the home-state Senators about candidates for nomination.
- Our record since the AG-appointment authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Every single time that a United States Attorney vacancy has arisen, the President either has made a nomination or the Administration is working, in consultation with home-State Senators, to select candidates for nomination.
 - ✓ Specifically, since March 9, 2006 (when the AG's appointment authority was amended), the Administration has nominated 15 individuals to serve as U.S. Attorney (12 have been confirmed to date).

U.S. Attorneys Serve at the Pleasure of the President:

- United States Attorneys are at the forefront of the Department of Justice's efforts. They are leading the charge to protect America from acts of terrorism; reduce violent crime, including gun crime and gang crime; enforce immigration laws; fight illegal drugs, especially methamphetamine; combat crimes that endanger children and families like child pornography, obscenity, and human trafficking; and ensure the integrity of the marketplace and of government by prosecuting corporate fraud and public corruption.
- The Attorney General and the Deputy Attorney General are responsible for evaluating the performance the United States Attorneys and ensuring that United States Attorneys are leading their offices effectively.
- United States Attorneys serve at the pleasure of the President. Thus, like other high-ranking Executive Branch officials, they may be removed for any reason or no reason. That on occasion in an organization as large as the Justice Department some United States Attorneys are removed, or are asked or encouraged to resign, should come as no surprise. United States Attorneys never are removed, or asked or encouraged to resign, in an effort to retaliate against them or interfere with or

inappropriately influence a particular investigation, criminal prosecution or civil case.

- Whenever a vacancy occurs, we act to fill it in compliance with our obligations under the Constitution, the laws of the United States, and in consultation with the home-state Senators. The Senators have raised concerns based on a misunderstanding of the facts surrounding the resignations of a handful of U.S. Attorneys, each of whom have been in office for their full four year term or more.
- The Attorney General and the Deputy Attorney General are responsible for evaluating the performance the U.S. Attorneys and ensuring that they are leading their offices effectively. However, U.S. Attorneys are never removed, or asked or encouraged to resign, in an effort to retaliate against them or interfere with or inappropriately influence a particular investigation, criminal prosecution or civil case.

The Administration Must Ensure an Effective Transition When Vacancies Occur:

- When a United States Attorney has submitted his or her resignation, the Administration has -- in every single case -- consulted with home-state Senators regarding candidates for the Presidential nomination and Senate confirmation. The Administration is committed to nominating a candidate for Senate consideration everywhere a vacancy arises, as evidenced by the fact that there have been 124 confirmations of new U.S. Attorneys since January 20, 2001.
- With 93 U.S. Attorney positions across the country, the Department often averages between 8-15 vacancies at any given time. Because of the important work conducted by these offices, and the need to ensure that the office is being managed effectively and appropriately, the Department uses a range of options to ensure continuity of operations.
- In some cases, the First Assistant U.S. Attorney is an appropriate choice. However, in other cases, the First Assistant may not be an appropriate option for reasons including that he or she: resigns or retires at the same time as the outgoing U.S. Attorney; indicates that he/she does not want to serve as Acting U.S. Attorney; has ongoing or completed OPR or IG matters in their file, which may make his/her elevation to the Acting role inappropriate; or is subject of an unfavorable recommendation by the outgoing U.S. Attorney or otherwise does not enjoy the confidence of those responsible for ensuring ongoing operations and an appropriate transition until such time as a new U.S. Attorney is nominated and confirmed by the Senate. In those cases, the Attorney General has appointed another individual to lead the office during the transition, often another senior manager from that office or an experienced attorney from within the Department.

The Administration Is Nominating Candidates for U.S. Attorney Positions:

- Since March 9, 2006, when the appointment authority was amended, the Administration has nominated 15 individuals for Senate consideration (12 have been confirmed to date).
- Since March 9, 2006, when the appointment authority was amended, 13 vacancies have been created. Of those 13 vacancies, the Administration nominated candidates to fill 5 of these positions (3 were confirmed to date), has interviewed candidates for 7 positions, and is waiting to receive names to set up interviews for 1 position – all in consultation with home-state Senators.

The 13 Vacancies Were Filled on an Interim Basis Using a Range of Authorities, in Order To Ensure an Effective and Smooth Transition:

- In 4 cases, the First Assistant was selected to lead the office and took over under the Vacancy Reform Act's provision at: 5 U.S.C. § 3345(a)(1). That authority is limited to 210 days, unless a nomination is made during that period.
- In 1 case, the First Assistant was selected to lead the office and took over under the Vacancy Reform Act's provision at: 5 U.S.C. § 3345(a)(1). However, the First Assistant took federal retirement a month later and the Department had to select another Department employee to serve as interim under AG appointment until such time as a nomination is submitted to the Senate.
- In 7 cases, the Department selected another Department employee to serve as interim under AG appointment until such time as a nomination is submitted to the Senate.
- In 1 case, the First Assistant resigned at the same time as the U.S. Attorney, creating a need for an interim until such time as a nomination is submitted to the Senate.

Amending the Statute Was Necessary:

- Last year's amendment to the Attorney General's appointment authority was necessary and appropriate.
- We are aware of no other federal agency where federal judges, members of a separate branch of government and not the head of the agency, appoint interim staff on behalf of the agency.
- Prior to the amendment, the Attorney General could appoint an interim United States Attorney for only 120 days; thereafter, the district court was authorized to appoint an interim United States Attorney. In cases where a Senate-confirmed United States Attorney could not be appointed within 120 days, the limitation on

the Attorney General's appointment authority resulted in numerous, recurring problems.

- The statute was amended for several reasons:
 - 1) The previous provision was constitutionally-suspect in that it is inappropriate and inconsistent with sound separation of powers principles to vest federal courts with the authority to appoint a critical Executive Branch officer such as a United States Attorney;
 - 2) Some district courts – recognizing the oddity of members of one branch of government appointing officers of another and the conflicts inherent in the appointment of an interim United States Attorney who would then have many matters before the court – refused to exercise the court appointment authority, thereby requiring the Attorney General to make successive, 120-day appointments;
 - 3) Other district courts – ignoring the oddity and the inherent conflicts – sought to appoint as interim United States Attorney wholly unacceptable candidates who did not have the appropriate experience or the necessary clearances.

- Court appointments raise significant conflict questions. After being appointed by the court, the judicial appointee would have authority for litigating the entire federal criminal and civil docket for this period before the very district court to whom he was beholden for his appointment. Such an arrangement at a minimum gives rise to an appearance of potential conflict that undermines the performance of not just the Executive Branch, but also the Judicial one. Furthermore, prosecutorial authority should be exercised by the Executive Branch in a unified manner, with consistent application of criminal enforcement policy under the supervision of the Attorney General.

- Because the Administration is committed to having a Senate-confirmed United States Attorney in all districts, changing the law to restore the limitations on the Attorney General's appointment authority is unnecessary.

UNITED STATES ATTORNEYS STATISTICS

Average Ages of U.S. Attorneys:

- Average age of President George W. Bush U.S. Attorneys: 44.82 years
- Average age of President Bill Clinton U.S. Attorneys: 44.67 years

Status of Our U.S. Attorneys' Four-Year Terms:

- 43 districts are currently being led by a U.S. Attorney nominated by President George W. Bush and confirmed by the Senate in 2001 or 2002. All of these U.S. Attorneys have completed their four year terms and continue to serve at the pleasure of the President (5 of the 43 have announced their resignations).
- Only 6 districts are currently being led by the first U.S. Attorney nominated by President Bush and confirmed by the Senate -- but who are still serving their four year terms.
- 44 districts are either being led by their second Presidentially-nominated and Senate-confirmed U.S. Attorney, or are currently awaiting a nomination. These U.S. Attorneys have not completed their four year terms.

This Administration Has Demonstrated that It Values Prosecution Experience. Of the 124 Individuals President George W. Bush Has Nominated Who Have Been Confirmed by the Senate:

- 98 had prior experience as prosecutors (79 %)
 - 71 had prior experience as federal prosecutors (57 %)
 - 54 had prior experience as state or local prosecutors (44%)
- 104 had prior experience as prosecutors or government litigators on the civil side (84 %)
- 10 had judicial experience (8%); 13 had Hill experience (10%)
- Of the 10 who had worked at Main Justice in the George W. Bush Administration before being nominated for a U.S. Attorney position, please note that 8 were either career AUSAs or former career AUSAs.

In Comparison, of President Clinton's 122 Nominees Who Were Confirmed by the Senate:

- 84 had prior experience as prosecutors (69 %)
 - 56 had prior experience as federal prosecutors (46 %)
 - 40 had prior experience as state or local prosecutors (33 %)
- 87 had prior experience as prosecutors or government litigators on the civil side (71 %)
- 12 had judicial experience (9 %); 10 had Hill experience (8 %)

Since the Attorney General's Appointment Authority Was Amended on March 9, 2006, the Backgrounds of Our Nominees Has Not Changed. Of the 15 Nominees Since that Time:

- 13 of the 15 had prior experience as prosecutors (87%) – *a higher percentage than before.*
 - 11 of the 15 had prior experience as federal prosecutors (73%) – *a higher percentage than before the change*; 10 were career AUSAs or former career AUSAs and 1 had federal prosecution experience as an Assistant Attorney General of the Civil Rights Division
 - 4 of the 15 nominees had experience as state or local prosecutors (27%)

Those Chosen To Be Acting/Interim U.S. Attorneys since the Attorney General's Appointment Authority Was Amended on March 9, 2006, Have Continued To Be Highly Qualified. Of the 13 districts in which vacancies have occurred, 14 acting and/or interim appointments have been made:

- 13 of the 14 had prior experience as federal prosecutors (93%)

TALKING POINTS: U.S. ATTORNEY NOMINATIONS AND INTERIM APPOINTMENTS BY THE ATTORNEY GENERAL

Overview:

- In every single case, it is a goal of the Bush Administration to have a U.S. Attorney that is confirmed by the Senate. Use of the AG's appointment authority is in no way an attempt to circumvent the confirmation process. To the contrary, when a United States Attorney submits his or her resignation, the Administration has an obligation to ensure that someone is able to carry out the important function of leading a U.S. Attorney's office during the period when there is not a presidentially-nominated, senate-confirmed (PAS) U.S. Attorney. Whenever a U.S. Attorney vacancy arises, we consult with the home-state Senators about candidates for nomination.
- Our record since the AG-appointment authority was amended demonstrates we are committed to working with the Senate to nominate candidates for U.S. Attorney positions. Every single time that a United States Attorney vacancy has arisen, the President either has made a nomination or the Administration is working, in consultation with home-State Senators, to select candidates for nomination.
 - ✓ Specifically, since March 9, 2006 (when the AG's appointment authority was amended), the Administration has nominated 15 individuals to serve as U.S. Attorney (12 have been confirmed to date).

U.S. Attorneys Serve at the Pleasure of the President:

- United States Attorneys serve at the pleasure of the President, and whenever a vacancy occurs, we act to fill it in compliance with our obligations under the Constitution, the laws of the United States, and in consultation with the home-state Senators. The Senators have raised concerns based on a misunderstanding of the facts surrounding the resignations of a handful of U.S. Attorneys, each of whom have been in office for their full four year term or more.
- The Attorney General and the Deputy Attorney General are responsible for evaluating the performance the U.S. Attorneys and ensuring that they are leading their offices effectively. However, U.S. Attorneys are never removed, or asked or encouraged to resign, in an effort to retaliate against them or interfere with or inappropriately influence a particular investigation, criminal prosecution or civil case.

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- When a United States Attorney has submitted his or her resignation, the Administration has -- in every single case -- consulted with home-state Senators regarding candidates for the Presidential nomination and Senate confirmation.

The Administration is committed to nominating a candidate for Senate consideration everywhere a vacancy arises, as evidenced by the fact that there have been 125 confirmations of new U.S. Attorneys since January 20, 2001.

- With 93 U.S. Attorney positions across the country, the Department often averages between 8-15 vacancies at any given time. Because of the important work conducted by these offices, and the need to ensure that the office is being managed effectively and appropriately, the Department uses a range of options to ensure continuity of operations.
- In some cases, the First Assistant U.S. Attorney is an appropriate choice. However, in other cases, the First Assistant may not be an appropriate option for reasons including that he or she: resigns or retires at the same time as the outgoing U.S. Attorney; indicates that he/she does not want to serve as Acting U.S. Attorney; has ongoing or completed OPR or IG matters in their file, which may make his/her elevation to the Acting role inappropriate; or is subject of an unfavorable recommendation by the outgoing U.S. Attorney or otherwise does not enjoy the confidence of those responsible for ensuring ongoing operations and an appropriate transition until such time as a new U.S. Attorney is nominated and confirmed by the Senate. In those cases, the Attorney General has appointed another individual to lead the office during the transition.

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Amending the Statute Was Necessary:

- Last year's amendment to the Attorney General's appointment authority was necessary and appropriate.
- We are aware of no other federal agency where federal judges, members of a separate branch of government and not the head of the agency, appoint interim staff on behalf of the agency.
- Prior to the amendment, the Attorney General could appoint an interim United States Attorney for only 120 days; thereafter, the district court was authorized to appoint an interim United States Attorney. In cases where a Senate-confirmed United States Attorney could not be appointed within 120 days, the limitation on the Attorney General's appointment authority resulted in numerous, recurring problems.
- The statute was amended for several reasons:
 - 1) The previous provision was constitutionally-suspect;
 - 2) Some district courts – recognizing the oddity of members of one branch of government appointing officers of another and the conflicts inherent in the appointment of an interim United States Attorney who would then have many matters before the court – refused to exercise the court appointment authority, thereby requiring the Attorney General to make successive, 120-day appointments;
 - 3) Other district courts – ignoring the oddity and the inherent conflicts – sought to appoint as interim United States Attorney wholly unacceptable candidates who did not have the appropriate experience or the necessary clearances.
- Because the Administration is committed to having a Senate-confirmed United States Attorney in all districts, changing the law to restore the limitations on the Attorney General's appointment authority is unnecessary.

FACT SHEET: UNITED STATES ATTORNEY APPOINTMENTS

NOMINATIONS AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT AUTHORITY

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- **Eastern District of North Carolina** – FAUSA George Holding served as acting United States Attorney (Holding was nominated and confirmed);
- **Northern District of West Virginia** – FAUSA Rita Valdrini served as acting United States Attorney (Sharon Potter was nominated and confirmed).

For 1 vacancy, the Department first selected the First Assistant United States Attorney to lead the office in an acting capacity under the Vacancies Reform Act, but the First Assistant retired a month later. At that point, the Department selected another employee to serve as interim United States Attorney until a nomination could be submitted to the Senate, *see* 28 U.S.C. § 546(a) (“Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant”). This district is:

- **Northern District of Iowa** – FAUSA Judi Whetstine was acting United States Attorney until she retired and Matt Dummermuth was appointed interim United States Attorney.

For 8 of the 13 vacancies, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate, *see* 28 U.S.C. § 546(a) (“Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant”). Those districts are:

- **Eastern District of Virginia** – Pending nominee Chuck Rosenberg was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Deputy Attorney General (Rosenberg was confirmed shortly thereafter);
- **Eastern District of Arkansas** – Tim Griffin was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **District of Columbia** – Jeff Taylor was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Assistant Attorney General for the National Security Division;
- **District of Nebraska** – Joe Stecher was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Chief Justice of Nebraska Supreme Court;
- **Middle District of Tennessee** – Craig Morford was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **Western District of Missouri** – Brad Schlozman was appointed interim United States Attorney when incumbent United States Attorney and FAUSA resigned at the same time (John Wood was nominated);
- **Western District of Washington** – Jeff Sullivan was appointed interim United States Attorney when incumbent United States Attorney resigned; and
- **District of Arizona** – Dan Knauss was appointed interim United States Attorney when incumbent United States Attorney resigned.

ATTORNEY GENERAL APPOINTMENTS AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT AUTHORITY

The Attorney General has exercised the authority to appoint interim United States Attorneys a total of 12 times since the authority was amended in March 2006.

In 2 of the 12 cases, the FAUSA had been serving as acting United States Attorney under the Vacancies Reform Act (VRA), but the VRA's 210-day period expired before a nomination could be made. Thereafter, the Attorney General appointed that same FAUSA to serve as interim United States Attorney. These districts include:

- **District of Puerto Rico** – Rosa Rodriguez-Velez (Rodriguez-Velez has been nominated); and
- **Eastern District of Tennessee** – Russ Dedrick

In 1 case, the FAUSA had been serving as acting United States Attorney under the VRA, but the VRA's 210-day period expired before a nomination could be made. Thereafter, the Attorney General appointed another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. That district is:

- **District of Alaska** – Nelson Cohen

In 1 case, the Department originally selected the First Assistant to serve as acting United States Attorney; however, she retired from federal service a month later. At that point, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. That district is:

- **Northern District of Iowa** – Matt Dummermuth

In the 8 remaining cases, the Department selected another Department employee to serve as interim United States Attorney until a nomination could be submitted to the Senate. Those districts are:

- **Eastern District of Virginia** – Pending nominee Chuck Rosenberg was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Deputy Attorney General (Rosenberg was confirmed shortly thereafter);
- **Eastern District of Arkansas** – Tim Griffin was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **District of Columbia** – Jeff Taylor was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Assistant Attorney General for the National Security Division;
- **District of Nebraska** – Joe Stecher was appointed interim United States Attorney when incumbent United States Attorney resigned to be appointed Chief Justice of Nebraska Supreme Court;

- **Middle District of Tennessee** – Craig Morford was appointed interim United States Attorney when incumbent United States Attorney resigned;
- **Western District of Missouri** – Brad Schlozman was appointed interim United States Attorney when incumbent United States Attorney and FAUSA resigned at the same time (John Wood was nominated);
- **Western District of Washington** – Jeff Sullivan was appointed interim United States Attorney when incumbent United States Attorney resigned; and
- **District of Arizona** – Dan Knauss was appointed interim United States Attorney when incumbent United States Attorney resigned.

**VACANCIES AFTER AMENDMENT TO ATTORNEY GENERAL'S APPOINTMENT
AUTHORITY:**

Since March 9, 2006, there have been 13 new USA vacancies that have arisen. They have been filled as noted below.

For 4 of the 13 vacancies, the FAUSA in the district was selected to lead the office in an acting capacity under the Vacancies Reform Act. Those districts are:

- **Central District of California** – FAUSA George Cardona is acting USA;
- **Southern District of Illinois** – FAUSA Randy Massey is acting USA (Phillip Green was nominated last Congress, but he was not confirmed);
- **Eastern District of North Carolina** – FAUSA George Holding served as acting USA (Holding was nominated and confirmed);
- **Northern District of West Virginia** – FAUSA Rita Valdrini served as acting USA (Sharon Potter was nominated and confirmed).

For 1 vacancy, the Department first selected the FAUSA to lead the office under the VRA, but she retired a month later. At that point, the Department selected another employee to serve as interim USA until a nomination could be submitted to the Senate, *see* 28 U.S.C. § 546(a) (“Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant”). This district is:

- **Northern District of Iowa** – FAUSA Judi Whetstone was acting USA until she retired and Matt Dummermuth was appointed interim USA.

For 8 of the 13 vacancies, the Department selected another Department employee to serve as interim USA until a nomination could be submitted to the Senate. Those districts are:

- **Eastern District of Virginia** – Pending nominee Chuck Rosenberg was appointed interim when incumbent USA resigned to be appointed Deputy Attorney General (Rosenberg was confirmed shortly thereafter);
- **Eastern District of Arkansas** – Tim Griffin was appointed interim USA when incumbent United States Attorney resigned;
- **District of Columbia** – Jeff Taylor was appointed interim USA when incumbent USA resigned to be appointed Assistant Attorney General for National Security;
- **District of Nebraska** – Joe Stecher was appointed interim USA when incumbent USA resigned to be appointed Chief Justice of Nebraska Supreme Court;
- **Middle District of Tennessee** – Craig Morford was appointed interim USA when incumbent USA resigned;
- **Western District of Missouri** – Brad Schlozman was appointed interim USA when incumbent USA and FAUSA resigned at the same time (John Wood was nominated);
- **Western District of Washington** – Jeff Sullivan was appointed interim USA when incumbent USA resigned; and
- **District of Arizona** – Dan Knauss was appointed interim USA when incumbent resigned.

In addition the 9 uses of the AG's appointment authority noted above, there have been 3 additional uses since March 9, 2006, for vacancies that were created before that point. In total, the AG's appointment authority has been used 12 times since the authority was amended.

In 2 of the remaining cases, the FAUSA had been serving as acting USA under the VRA, but the VRA's 210-day period expired before a nomination could be made. Thereafter, the AG appointed that same FAUSA to serve as interim United States Attorney. These districts include:

- **District of Puerto Rico** – Rosa Rodriguez-Velez (Rodriguez-Velez has been nominated); and
- **Eastern District of Tennessee** – Russ Dedrick

In the remaining case, the FAUSA had been serving as acting USA under the VRA, but the VRA's 210-day period expired before a nomination could be made. Thereafter, the Attorney General appointed another Department employee to serve as interim USA until a nomination could be submitted to the Senate. That district is:

- **District of Alaska** – Nelson Cohen

**VACANCIES OVER THE PAST YEAR:
(13 since March of 2006)**

- **There are many reasons why a U.S. Attorney may retire or resign.**
- **Nearly half were confirmed or appointed to new federal positions:**
 - ✓ Paul McNulty, EDVA, 3/06 (to become DAG)
 - ✓ Tom Johnston, NDWV, 4/06 (to become federal district court judge)
 - ✓ Frank Whitney, EDNC, 6/06 (to become federal district court judge)
 - ✓ Bert Garcia, PR, 6/06 (to return family to home state of Texas)
 - ✓ Ken Wainstein, DC, 9/06 (to become AAG of NSD)
 - ✓ Mike Heavican, NE, 10/06 (to become Chief Justice on the state's Supreme Court)
- **Others left to pursue private sector opportunities (i.e. Jim Vines, MDTN) or retired at the end of a long career (i.e. Charles Larson, NDIA).**

Full list of resignations since last March in reverse date order (13 total):

- *John McKay, WDWA, 1/07 (has said he will teach at a law school)*
- *Paul Charlton, AZ, 1/07 (going into private practice)*
- *Bud Cummins, EDAR, 12/06 (pursuing private sector opportunities)*
- *Chuck Larson, NDIA, 12/06 (to take federal retirement)*
- *Deb Yang, CDCA, 11/06 (to go into private practice)*
- *Jim Vines, MDTN, 10/06 (to move to D.C. and go into private practice)*
- *Mike Heavican, NE, 10/06 (to become Chief Justice on the state's Supreme Court)*
- *Ken Wainstein, DC, 9/06 (to become AAG of NSD)*
- *Frank Whitney, EDNC, 6/06 (to become federal district court judge)*
- *Bert Garcia, PR, 6/06 (to return family to home state of Texas)*
- *Tom Johnston, NDWV, 4/06 (to become federal district court judge)*
- *Todd Graves, WDMO, 3/06 (started his own firm)*
- *Paul McNulty, EDVA, 3/06 (to become DAG)*

Additional U.S. Attorneys are pending confirmation/appointment to new federal positions (5):

- *Lisa Godbey Wood, SDGA (confirmed to be federal district court judge, but not yet appointed)*
- *Bill Mercer, MT (to become Associate Attorney General)*
- *Joe Van Bokkelen, NDIN (to become federal district court judge)*
- *Roslynn Mauskopf, EDNY (to become federal district court judge)*
- *Steve Murphy, EDMI (to become federal court of appeals judge)*

Friedrich, Matthew (OAG)

From: Elston, Michael (ODAG)
Sent: Thursday, March 08, 2007 10:23 AM
To: Friedrich, Matthew (OAG); Purpura, Michael M (ODAG); Monheim, Thomas
Subject: RE: Intl matters mtg at 11

I will be briefing HJC Republicans on my Bud Cummins conversations at 11.

From: Friedrich, Matthew (OAG)
Sent: Thursday, March 08, 2007 10:16 AM
To: Purpura, Michael M (ODAG); Monheim, Thomas; Elston, Michael (ODAG)
Subject: Intl matters mtg at 11

Guys, could one of you pls bring the pc/dc list for next wk, as I see mac can't make it. Thanks much.

OIP

Subject: Phone Call with Senator Domenici

Start: Fri 9/23/2005 12:45 PM

End: Fri 9/23/2005 1:00 PM

Recurrence: (none)

Meeting Status: Accepted

When: Friday, September 23, 2005 12:45 PM-1:00 PM (GMT-05:00) Eastern Time (US & Canada).

~~*~*~*~*~*~*~*~*

AG will call Senator Domenici

AG's Office

AO: Kyle Sampson DOJ: Will Moschella

September 23, 2005

Friday

September 2005							October 2005						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	1	2	3	4	5	6

7 ^{am}	
8 ^{am}	
9 ^{am}	
10 ^{am}	
11 ^{am}	
12 ^{pm}	
1 ^{pm}	
2 ^{pm}	
3 ^{pm}	
4 ^{pm}	
5 ^{pm}	
6 ^{pm}	

12:45pm-1:00pm Phone Call with Sena

TaskPad

Notes

OIP

Subject: Phone Call to Senator Domenici
Location: AG's Office - We will call 202 224 7093

Start: Tue 1/31/2006 5:15 PM
End: Tue 1/31/2006 5:30 PM

Recurrence: (none)

Meeting Status: Accepted

Required Attendees: Sampson, Kyle; Moschella, William

AO: Kyle Sampson DOJ: Will Moschella
POC: Jennifer Heath

January 31, 2006

Tuesday

January 2006							February 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
8	9	10	11	12	13	14	15	16	17	18	19	20	21
15	16	17	18	19	20	21	22	23	24	25	26	27	28
22	23	24	25	26	27	28	29	30	31				

7 ⁰⁰	
8 ⁰⁰	
9 ⁰⁰	
10 ⁰⁰	
11 ⁰⁰	
12 ⁰⁰	
1 ⁰⁰	
2 ⁰⁰	
3 ⁰⁰	
4 ⁰⁰	
5 ⁰⁰	<input checked="" type="checkbox"/> 5:15pm-5:30pm Phone Call to Senator
6 ⁰⁰	

<input checked="" type="checkbox"/> Task Pad
--

Notes

OIP

Subject: PREP: Phone Call with Senator Domenici
Location: AG's Office

Start: Thu 4/6/2006 3:50 PM
End: Thu 4/6/2006 4:00 PM

Recurrence: (none)

Meeting Status: Accepted

Required Attendees: Sampson, Kyle; Moschella, William; Goodling, Monica

AO: Kyle Sampson DOJ: Will Moschella, Monica Goodling

OIP

Subject: Phone Call with Senator Domenici
Location: AG's Office

Start: Thu 4/6/2006 4:00 PM
End: Thu 4/6/2006 4:15 PM

Recurrence: (none)

Meeting Status: Accepted

Required Attendees: Sampson, Kyle; Moschella, William; Goodling, Monica

AO: Kyle Sampson DOJ: Will Moschella, Monica Goodling
POC: Jennifer 224 7093

April 06, 2006

Thursday

Apr 2006

May 2006

M	T	W	T	F	S	S	S	T	W	T	F	S
2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	22	23	24	25	26	27
28	29	30										

Time	Event	Notes
7 ^{am}		<input checked="" type="checkbox"/> Glass Pad
8 ⁰⁰		
9 ⁰⁰		
10 ⁰⁰		
11 ⁰⁰		
12 ⁰⁰		
1 ⁰⁰		
2 ⁰⁰		
3 ⁰⁰		
3:50pm-4:00pm	PREP: Phone Call with Senator Domenici (AG's Office)	
4 ⁰⁰	4:00pm-4:15pm Phone Call with Senat	
5 ⁰⁰		
6 ⁰⁰		

OIP

Subject: U.S. Attorney Appointments
Location: AG's Conference Room

Start: Mon 11/27/2006 9:00 AM
End: Mon 11/27/2006 10:00 AM

Recurrence: (none)

Meeting Status: Accepted

Required Attendees: Sampson, Kyle; Goodling, Monica; McNulty, Paul J; Moschella, William; Elston, Michael (ODAG); Battle, Michael (USAEO)

AO: Kyle Sampson DOJ: Paul McNulty, Monica Goodling, Will Moschella, Mike Elston, Mike Battle

November 27, 2006

Monday

November 2006							December 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24	25	26
27	28	29	30										

7 ^{am}	
8 ⁰⁰	
9 ⁰⁰	U.S. Attorney Appointments (AG's Conference Room)
10 ⁰⁰	
11 ⁰⁰	
12 ⁰⁰	
1 ⁰⁰	
2 ⁰⁰	
3 ⁰⁰	
4 ⁰⁰	
5 ⁰⁰	
6 ⁰⁰	

Tasks

Notes