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EXECUTIVE SESSION
COMMITTEE ON THE JUDICIARY,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: PAUL J. McNULTY

Friday, April 27, 2007

Washington, D.C.

The interview in the above matter was held in Room
2138, Rayburn House Office Building, commencing at 9:32 a.m.

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Q Okay. Let me turn now to some questions about the U.S. attorney review process. We have been talking about specifically today --

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A Yes.

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Q -- the one that led to the request for resignations in December of last year.

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In the course of that process from the time you first learned of it, did you exercise anything you would characterize as independent initiative of your own to make sure the process moved forward to a conclusion or otherwise was facilitated?

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A I wasn't involved -- by "process" are you referring to the evaluations of U.S. attorneys with an eye towards seeking resignations?

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Q Yes.

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A I wasn't involved in that process at all. I wasn't aware of it until I was approached in late October to get my reaction, and so I think your question is getting at what kind of role I might have played before that. I didn't have a role before that.

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Q No. I was asking also after that time period.

1 Do you feel you did anything yourself to take initiative
2 with the process, to exercise, embrace any ownership of it to
3 ensure it moved forward to a good conclusion?

4 A I did some things, as I think I have mentioned to
5 Mr. Nathan, concerning expressing some concerns about the
6 substance of the plan, but I didn't take any initiative to
7 ensure that the process continued forward. So if,
8 hypothetically, in mid-November the idea of seeking
9 resignation would have been abandoned or not pursued, I would
10 not have personally taken up that issue. I was being
11 asked -- I was being consulted with as to my views on the
12 matter.

13 Q Okay. To the extent you haven't answered this
14 question already today, please do so now.

15 Were there concerns that you had about either the fact
16 of the process happening or the robustness of the process as
17 you perceived it in October of 2006 when, if I recall
18 correctly, Mr. Elston came to you regarding Kyle Sampson's
19 contact with him about it? Did you have concerns on those
20 fronts about it?

21 A The only thing I recall at the time that I was
22 presented with this was being somewhat surprised about the
23 fact that it was going to be happening. I didn't know
24 enough, at the time that I was approached, about the process.
25 I have learned or I have heard more about this process as

1 this story has come forward, but when I was approached in the
2 time frame I have described -- late October or so -- I did
3 not have any information to know what the process had been to
4 have views as to its inadequacy or not.

5 I mean I certainly would have been able to know one of
6 the things the Attorney General said in his hearing last
7 week, which was that he believes that one of the weaknesses
8 of the process was that I wasn't involved, and I probably --
9 that is a conclusion I could have reached at the time when I
10 was first asked. I have tried to explain it a little bit to
11 Mr. Nathan that that fact was balanced in my mind, to some
12 extent, by the fact that I didn't handle the personnel, and
13 no one in my office was involved in personnel with the
14 exception of David Margolis' ongoing responsibilities in the
15 selection of U.S. attorneys and in dealing with the issues,
16 the concerns. So my mindset at the time was to be more
17 deferential to the Attorney General's Office where especially
18 U.S. attorney personnel matters were handled.

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