

Jim Rutenberg

From: Jim Rutenberg
Sent: 2/16/2007 6:56:05 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: Re:

hey he's at 862-

he's close do done so you guys should call him soon. lemme know how it goes
and his cell is 202-744-

At 06:34 PM 2/16/2007, you wrote:

Can u tell me if a colleague of yours, David Johnson (I believe), is working on a story about US attorneys and my former deputy, Tim Griffin?

Can you hook me up with him?

Sara Taylor

From: Sara Taylor
Sent: 2/16/2007 6:59:00 PM
To: 'Jim Rutenberg'
Cc:
Bcc:
Subject: RE:

Good guy?

From: Jim Rutenberg
Sent: Friday, February 16, 2007 6:56 PM
To: Sara Taylor
Subject: Re:

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Jim Rutenberg

From: Jim Rutenberg
Sent: 2/16/2007 7:02:54 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: RE:

don't know him well but i like him generally
i think he is a good guy though
i think rove's lawyer really trusts him, if that tells you anything
super straight shooter, but if he's writing for tomorrow it's getting late, and he may have even filed...you guys should hurry

At 06:58 PM 2/16/2007, you wrote:

Good guy?

From: Jim Rutenberg
Sent: Friday, February 16, 2007 6:56 PM
To: Sara Taylor
Subject: Re:

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From: Jim Rutenberg
Sent: 2/16/2007 7:04:25 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: RE:

another telling sign
when everybody else was rushing to say rove was going to be indicted Johnston was working hard internally trying to hold us back from saying the same thing during some key moments when everybody else was staking rove's house out

At 06:58 PM 2/16/2007, you wrote:

Good guy?

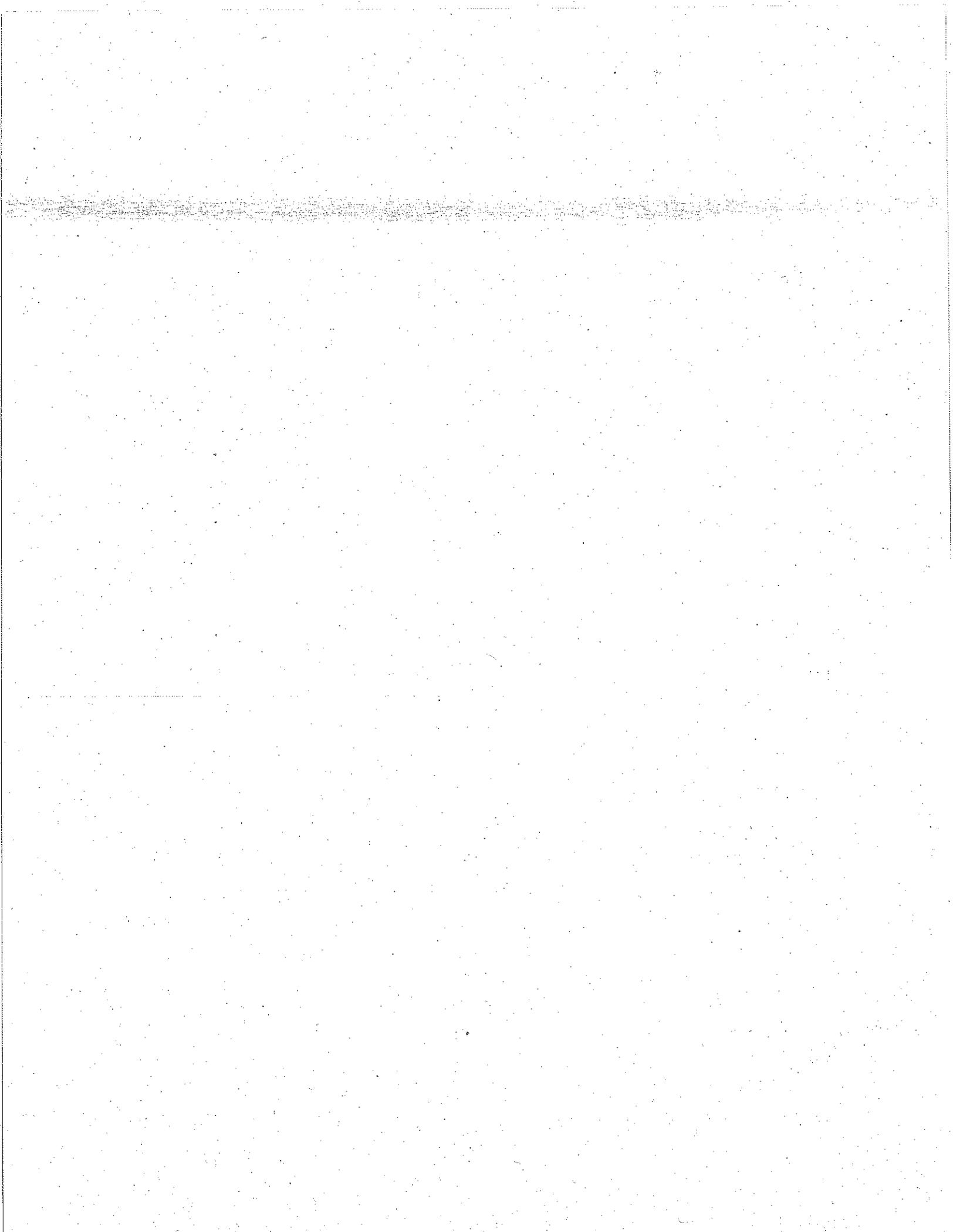
From: Jim Rutenberg
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Sara Taylor

From: Sara Taylor
Sent: 2/17/2007 1:05:44 PM
To: 'Jim Rutenberg'
Cc:
Bcc:
Subject: RE:

Thanks -- seemed like a good guy.

From: Jim Rutenberg
Sent: Friday, February 16, 2007 7:04 PM
To: Sara Taylor
Subject: RE:

another telling sign
when everybody else was rushing to say rove was going to be indicted Johnston was working hard internally trying to hold us back from saying the same thing during some key moments when everybody else was staking rove's house out

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Can you hook me up with him??

From: Sara Taylor
ent: 2/16/2007 7:15:42 PM
o: 'dajohn
Cc:
Bcc:
Subject: FW: Fyi from today's Arkansas paper

Prosecutor Griffin now rejects post
Interim appointee blames Senate flak
DEMOCRAT-GAZETTE STAFF AND WIRE REPORTS

Tim Griffin, whose December appointment as U.S. attorney for the Eastern District of Arkansas sparked a national outcry about surreptitious changes made to a law affecting federal prosecutors, says he no longer wants the job permanently.

"I have made the decision not to let my name go forward to the Senate," Griffin said Thursday evening.

He was referring to the U.S. Department of Justice's stated intention, amid heavy criticism, to subject Griffin and others recently appointed to interim federal-prosecutor posts to the standard process of being nominated by the president, scrutinized by the U.S. Senate Judiciary Committee and then voted on by the Senate.

Griffin, 38, a former military prosecutor, was appointed Dec. 20 by U.S. Attorney General Alberto Gonzales under a little-noticed provision tacked onto the 2006 reauthorization of the USAPATRIOT Act that allows the attorney general to fill prosecutorial vacancies on an interim basis without Senate approval.

Griffin's predecessor, Bud Cummins, later acknowledged that he was asked to step aside from the job he got five years earlier after going through the Senate confirmation process, not because of performance issues but to make way for Griffin, who worked briefly in the White House under presidential adviser Karl Rove and was a political director for the Republican National Committee.

The new language concerning appointments, which even the Republican sponsor of the 2006 legislation now says he didn't notice at the time, replaced a provision that limited the interim appointments to 120 days. It had the effect of allowing appointees to serve indefinitely for the rest of the current administration, which in this case ends in early 2009, without the usual scrutiny.

Griffin on Thursday blamed "the partisanship that has been exhibited by Sen. [Mark] Pryor [D-Ark.] and other senators on the Senate Judiciary Committee in the recent hearing" for his decision to bow out.

He referred to a hearing last week on Capitol Hill on legislation proposed by Sen. Dianne Feinstein, D-Calif., and supported by Pryor, as well as Sen. Blanche Lincoln, D-Ark., and others, to reinstate the original language governing such appointments.

The legislation was proposed after at least seven U.S. attorneys across the country were ousted to make room for Republican political allies. Deputy Attorney General Paul McNulty acknowledged in the hearing that in Arkansas, Cummins was forced out simply to make room for Griffin.

Griffin said Thursday that if he were to go through the confirmation process, "I don't think there is any way I could get fair treatment by Sen. Pryor or others on the judiciary committee."

He said he will continue to serve in the top law enforcement position in the state's eastern district as long as the White House keeps him there under the interim title or "gets someone else that I can help transition into this job.

"But to submit my name to the Senate would be like volunteering to stand in front of a firing squad in the middle of a three-ring circus."

Meanwhile, The New York Times reported Thursday that Cummins was ousted after Harriet E. Miers, the former White House Counsel, intervened on Griffin's behalf.

Miers' role was disclosed Wednesday by Justice Department officials during a private briefing for senators on the Judiciary Committee, the Times reported. The officials denied that the White House played a part in any of the other dismissals, the newspaper said.

Officials at the White House and Justice Department declined to comment on Miers' role in the matter, and Miers, whose resignation took effect Jan. 31, could not be reached for comment Thursday, according to the Times.

Pryor's spokesman, Michael Teague, told the Arkansas Democrat-Gazette on Thursday, after Griffin said he was withdrawing his name from consideration, that Gonzales himself had called Pryor earlier Thursday "and told the

senator he was not going to submit Tim Griffin's name."

Teague said Gonzales "didn't give a reason," but said he would confer with Rep. John Boozman, the state's only Republican in the delegation, to find someone else to nominate.

During that conversation, "the senator told the attorney general, 'It's my preference that you send him through the confirmation hearing.'" Teague said.

He said Pryor made that statement despite his complaints about the way Griffin got the job "because that's the process. That's the way the founding fathers set it up."

Griffin said that neither Gonzales nor anyone else told him or suggested to him that he bow out.

"I made up my mind two weeks ago not to allow my name to go forward," he said. "I have informed people both at the Department of Justice and the White House that I do not desire to have my name submitted. I don't want to be part of that partisan circus."

Teague called Griffin's remarks about partisanship "baseless." He said Pryor is well-known and has even been criticized by fellow Democrats for being "fair and open" about President Bush's judicial nominees, of whom he has supported more than 100 and opposed fewer than a dozen.

Teague pointed out that Pryor even testified that "the way the White House has handled this has been a disservice to Tim Griffin."

Teague said Pryor has encouraged Griffin to go through the confirmation process, to clear up any questions about his background and his experience. The spokesman emphasized that Pryor's concerns were "not about a nomination" but "about the administration circumventing the process."

Griffin later responded, "It's unfortunate that Sen. Pryor is blaming the administration for using a law that he voted for to appoint me, apparently with the excuse that he didn't know what he was voting for when he voted. I think it's been a disservice to me the way my home-state senator has treated a fellow Arkansan, and an Arkansan who grew up in south Arkansas, 30 miles from his dad's hometown of Camden."

Griffin also said, "I spoke to Sen. Pryor when I was serving in Iraq [in 2006], and later spoke to him in his office in Washington, and on both occasions the senator directly questioned my credentials and indicated it was 'mighty presumptuous' of the White House and me that I could do the U.S. attorney job."

Teague insisted that Pryor's diligence in pursuing the matter is neither partisan nor personal.

From: griffin
Sent: 2/17/2007 1:05:41 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR; Ken Mehlman - Chairman's Office /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KMEHLMAN;
Cc:
Bcc:
Subject: Re:

Hey st john peeps

-----Original Message-----

From: "Sara Taylor" <st@gwb43.com>
Date: Sat, 17 Feb 2007 12:53:58
To: "Ken Mehlman - Chairman's Office" <KMehlman@georgewbush.com>
Cc: <griffin>
Subject: RE:

-----Original Message-----

From: Ken Mehlman - Chairman's Office
Sent: Saturday, February 17, 2007 12:41 PM
To: Sara Taylor
Subject:

What is griffin's new email?

Ken Meniman - Chairman's Office

From: Ken Mehلمان - Chairman's Office
Sent: 2/17/2007 1:26:51 PM
To: 'griffin'; Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: Re:

Sent u email earlier just to say sorry you're dealing with all this crap. You're a good man and deserve better.

-----Original Message-----

From: griffin
To: Sara Taylor, Ken Mehلمان - Chairman's Office
Sent: Sat Feb 17 13:05:41 2007
Subject: Re:

Hey st john pceps

-----Original Message-----

From: "Sara Taylor" <st@gwb43.com>
Date: Sat, 17 Feb 2007 12:53:58
To: "Ken Mehلمان - Chairman's Office" <KMehlman@georgewbush.com>
Cc: <griffin>
Subject: RE:

-----Original Message-----

From: Ken Mehلمان - Chairman's Office
Sent: Saturday, February 17, 2007 12:41 PM
To: Sara Taylor
Subject:

What is griffin's new email?

From: griffin
Sent: 2/17/2007 1:39:15 PM
To: Ken Mehlman - Chairman's Office /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KMEHLMAN; Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: Re:

Thank you my friend. I appreciate it. I will see you next weekend. Have a great weekend and thank you for thinking of me.

-----Original Message-----
From: "Ken Mehlman - Chairman's Office" <KMehlman@georgewbush.com>
Date: Sat, 17 Feb 2007 13:26:51
To: <griffin> Sara Taylor" <st@gwb43.com>
Subject: Re:

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Sent: Sat, 17 Feb 2007 12:53:58
To: "Ken Mehlman - Chairman's Office" <KMehlman@georgewbush.com>
Cc: <griffin>
Subject: RE:

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From: Ken Mehlman - Chairman's Office
Sent: Saturday, February 17, 2007 12:41 PM
To: Sara Taylor
Subject:

What is griffin's new email?

From: mickey
Sent: 2/21/2007 10:45:52 AM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: U S Attorney

Rumors are rampant. Pat and I spoke at length earlier this morning. If you are so inclined perhaps we could discuss a/c.
I do have an update on status of plea negotiations.
Mickey D. Barnett

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Scott Jennings

From: Scott Jennings
Sent: 2/21/2007 2:57:36 PM
To: mickey
Cc:
Bcc:
Subject: RE: U S Attorney

Bell forwarded Bowles resume no sooner than we hung up.

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 10:46 AM
To: Scott Jennings
Subject: U S Attorney

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Mickey D. Barnett

From: mickey
Sent: 2/21/2007 3:09:36 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: U S Attorney

Interesting. I haven't talked to Bell since December.
Mickey D. Barnett
mickey

-----Original Message-----

From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 21 Feb 2007 14:57:35
To: <mickey
Subject: RE: U S Attorney

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From: mickey
Sent: Wednesday, February 21, 2007 10:46 AM
To: Scott Jennings
Subject: U S Attorney

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I do have an update on status of plea negotiations.
Mickey D Barnett

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From: mickey
Sent: 2/21/2007 3:15:56 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: U S Attorney

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Mickey D Barnett

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Date: Wed, 21 Feb 2007 14:57:35
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Scott Jennings

From: Scott Jennings
Sent: 2/21/2007 3:16:42 PM
To: mickey
Cc:
Bcc:
Subject: RE: U S Attorney

Weh lobbies for bibb

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 3:16 PM
To: Scott Jennings
Subject: Re: U S Attorney

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From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 21 Feb 2007 14:57:35
To: <mickey
Subject: RE: U S Attorney

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Mickey Barnett

From: Mickey Barnett
Sent: 2/21/2007 3:19:40 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: U S Attorney

OK

Mickey D. Barnett
Barnett Law Firm, P.A.
1905 Wyoming NE
Albuquerque, NM 87112
505 275.3200
505 275.3837 fax

www.thebarnettlawfirm.com

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-----Original Message-----

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Wednesday, February 21, 2007 1:17 PM
To: Mickey Barnett
Subject: RE: U S Attorney

Weh lobbies for bibb

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From: mickey
Sent: Wednesday, February 21, 2007 3:16 PM
To: Scott Jennings
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Date: Wed, 21 Feb 2007 14:57:35
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Subject: RE: U S Attorney

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Mickey Barnett

From: Mickey Barnett
Sent: 2/21/2007 3:20:14 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: U S Attorney

Who is pushing Bowles do you think?

Mickey D. Barnett
Barnett Law Firm, P.A.
1905 Wyoming NE
Albuquerque, NM 87112
505 275.3200
505 275.3837 fax

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-----Original Message-----

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Wednesday, February 21, 2007 1:17 PM
To: Mickey Barnett
Subject: RE: U S Attorney

Web lobbies for bibb

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 3:16 PM
To: Scott Jennings
Subject: Re: U S Attorney

Paul Kennedy told me last week that Chairman Web and he had discussed Bowles. He also said Web was talking with Rove.
Mickey D. Barnett

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Date: Wed, 21 Feb 2007 14:57:35
To: <mickey
Subject: RE: U S Attorney

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Scott Jennings

From: Scott Jennings
Sent: 2/21/2007 3:32:48 PM
To: Mickey Barnett
Cc:
Bcc:
Subject: RE: U S Attorney

Domenici, now

-----Original Message-----

From: Mickey Barnett
Sent: Wednesday, February 21, 2007 3:20 PM
To: Scott Jennings
Subject: RE: U S Attorney

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From: mickey
Sent: 2/21/2007 3:45:18 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Re: U S Attorney

Yeah but I doubt he started it. I was just curious if it was coming back through Bingaman or maybe Paul Kennedy? Guess it doesn't really matter--up to POTUS.
Mickey D. Barnett

-----Original Message-----
From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 21 Feb 2007 13:32:48
To: "Mickey Barnett"
Subject: RE: U S Attorney

Domenici, now

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Sent: Wednesday, February 21, 2007 3:20 PM
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Scott Jennings

From: Scott Jennings
Sent: 2/21/2007 3:51:20 PM
To: mickey
Cc:
Bcc:
Subject: RE: U S Attorney

I am actually not sure -- Bell raised it out of the blue yesterday.

Did note on Bowles resume that he was an INTERN for Bingaman in early 90's.

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 3:45 PM
To: Scott Jennings
Subject: Re: U S Attorney

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To: "Mickey Barnett"
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Subject: RE: U S Attorney

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To: Mickey Barnett
Subject: RE: U S Attorney

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To: <mickey>

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From: Mickey Barnett
Sent: 2/21/2007 3:55:13 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: U S Attorney

I'll bet Bingaman mentioned it directly to PVD.

Mickey D. Barnett
Barnett Law Firm, P.A.
1905 Wyoming NE
Albuquerque, NM 87112
505 275 3200
505 275.3837 fax

www.thebarnettlawfirm.com

CONFIDENTIALITY NOTICE The information contained in this email may be privileged and confidential. If the reader of this message is not the intended recipient, you are prohibited from copying or distributing this communication. Thank you.

-----Original Message-----

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Wednesday, February 21, 2007 1:51 PM
To: Mickey Barnett
Subject: RE: U S Attorney

I am actually not sure -- Bell raised it out of the blue yesterday.

Did note on Bowles resume that he was an INTERN for Bingaman in early 90's.

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 3:45 PM
To: Scott Jennings
Subject: Re: U S Attorney

Yeah but I doubt he started it. I was just curious if it was coming back through Bingaman or maybe Paul Kennedy? Guess it doesn't really matter--up to POTUS.
Mickey D. Barnett

-----Original Message-----

From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 21 Feb 2007 13:32:48
To: "Mickey Barnett"
Subject: RE: U S Attorney

Domenici, now

-----Original Message-----

From: Mickey Barnett
Sent: Wednesday, February 21, 2007 3:20 PM
To: Scott Jennings
Subject: RE: U S Attorney

Who is pushing Bowles do you think?

Mickey D. Barnett
Barnett Law Firm, P.A.

1905 Wyoming NE
Albuquerque, NM 87112
505 275 3200
505 275 3837 fax

www.thebarnettlawfirm.com

CONFIDENTIALITY NOTICE The information contained in this email may be privileged and confidential. If the reader of this message is not the intended recipient, you are prohibited from copying or distributing this communication. Thank you.

-----Original Message-----

From: Scott Jennings [mailto:SJennings@gwb43.com: <mailto:SJennings@gwb43.com>]
Sent: Wednesday, February 21, 2007 1:17 PM
To: Mickey Barnett
Subject: RE: U S Attorney

Weh lobbies for bibb

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 3:16 PM
To: Scott Jennings
Subject: Re: U S Attorney

Paul Kennedy told me last week that Chairman Weh and he had discussed Bowles. He also said Weh was talking with Rove.
Mickey D. Barnett

-----Original Message-----

From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 21 Feb 2007 14:57:35
To: <mickey
Subject: RE: U S Attorney

Bell forwarded Bowles resume no sooner than we hung up.

-----Original Message-----

From: mickey
Sent: Wednesday, February 21, 2007 10:46 AM
To: Scott Jennings
Subject: U S Attorney

Rumors are rampant. Pat and I spoke at length earlier this morning. If you are so inclined perhaps we could discuss a/c.
I do have an update on status of plea negotiations.
Mickey D. Barnett

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Karl Rove

From: Karl Rove
Sent: 2/21/2007 11:39:21 AM
To: steve_bell
Cc:
Bcc:
Subject: I'm traveling but will call senator this afternoon

Is the topic the US Atty?

Bell, Steve (Domenici)

From: Bell, Steve (Domenici)
Sent: 2/21/2007 11:45:04 AM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR;
Cc:
Bcc:
Subject: RE: I'm traveling but will call senator this afternoon

Yes..

Bell

-----Original Message-----

From: Karl Rove [mailto:KR@georgewbush.com]
Sent: Wednesday, February 21, 2007 11:39 AM
To: Bell, Steve (Domenici)
Subject: I'm traveling but will call senator this afternoon

Is the topic the US Atty?

Allen Weh

From: Allen Weh
Sent: 2/21/2007 7:56:30 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: how was your talk

I thought it was a good conversation.....talked to him for 30 minutes.....he'll call me NLT next Monday after he gets a little more info from across the river.

I'll call you tomorrow to brief you on what I've learned reference US Atty....talked to Domenici last night, and have one more phone call I need to make.

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Wednesday, February 21, 2007 12:03 PM
To: Allen Weh
Subject: how was your talk

With Lu Reyes in PPO today?

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Scott Jennings

From: Scott Jennings
Sent: 2/21/2007 9:23:35 PM
To: Allen Weh
Cc:
Bcc:
Subject: RE: how was your talk

Domenici sent a new name today: Jason Bowles.

From: Allen Weh
Sent: Wed 2/21/2007 7:56 PM
To: Scott Jennings
Subject: RE: how was your talk

I thought it was a good conversation..... talked to him for 30 minutes..... he'll call me NLT next Monday after he gets a little more info from across the river.

I'll call you tomorrow to brief you on what I've learned reference US Atty.... talked to Domenici last night, and have one more phone call I need to make.

From: Scott Jennings [mailto:SJennings@gwb43.com]
Sent: Wednesday, February 21, 2007 12:03 PM
To: Allen Weh
Subject: how was your talk

With Lu Reyes in PPO today?

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Allen Weh

From: Allen Weh
Sent: 2/22/2007 12:31:11 AM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc: Bell, Steve (Domenici)
Bcc:
Subject: NM US Atty

Scott,

The US Atty appointment came up over the past few days when I thought this was resolved. Jim Bibb called me Saturday, as he has done occasionally to update me on his status, and advised there were rampant rumors running around the lawyer community about another appointee being namedlawyers gossip like women!

In short, Bibb was told that, because of Senator Bingaman's opposition, that his candidacy was stopped. I told him I'd talk to Senator Domenici, which I had the opportunity to do last night. Pete told me that Bingaman was concerned about the appearance of the administration replacing seven US Atty's nationwide for partisan reasons which obviously created a problem for Bibb since he was the AG candidate last fall. Nevertheless, the senator committed to ask Bingaman if he would meet with Bibb.

Today I got another call from Jim and he reported that Bingaman personally called his uncle (Mike Anaya) today and passed on that "he doesn't have a problem with Bibb if he isn't part of a partisan effort to replace US attorneys."

Bibb is a straight shooter and I'm convinced if he meets with Bingaman he'll win his support, which makes it easy for Pete in this case. I advised Steve of this tonight and asked him to exploit this opportunity with Bingaman to get Bibb's candidacy on track.

Allen

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Allen Weh

From: Allen Weh
Sent: 2/22/2007 12:05:13 AM
To: Bell, Steve (Domenici)
Cc:
Bcc:
Subject: our US Atty snafu

I talked to senator and Kennedy on this last night. The senator's comments to us was that he would ask Jeff to meet with Bibb and that if he refused he would tell me and I could tell Bibb.....unless something changed he felt like Bowles was who he would go with. He also said that Bingaman had said (or implied? ..not sure which) that "the AG candidate wasn't acceptable..." and it was very clear he had to have somebody that both he and Bingaman would agree on.

Since then.....this afternoon.....Bibb called me to advise me that his uncle (Mike Anaya) received a personal call from Bingaman who told him that "he didn't have a problem with Jim as long as he wasn't part of a republican effort to put seven partisan US attorneys into office" (something the senator mentioned Jeff was sensitive to).

So today something changed and I told him to call Bingaman's office and request an appointment ASAP....if Bingaman "doesn't have a problem with him" then you need to exploit this opportunity to get Bibb front and center. As I told you before, he's a straight up guy and will handle himself well with Bingaman. I'm now also convinced you've gotten advice from several Albuquerque lawyers who are simply advancing their own interests and not the party's.....you need to know that my friend

So you don't think I engage in character assassination, I ran the allegations about Bowles to ground today and they weren't true so he's OK in that regard. However I voter vaulted the guy and he's a "soft R".....he hasn't voted since 2004. It's obvious the lawyers foisted a "great" prospective political appointee on you that takes doesn't even take his civic duties seriously.

I'll advise Scott Jennings of the Bibb part of this since I thought this was done deal until Bibb called me and I called you. The senator asked that Bowles name be kept close hold.

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Allen Weh

From: Allen Weh
Sent: 2/22/2007 1:01:47 AM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: how was your talk

I learned that last night. There are some Albuquerque GOP lawyers who have put the knives in Bibb's back to get someone they know and like, and have had Domenici's ear. He's been taken advantage of. I'll fill you in with more when I call you.

Because my email to you, copy to Bell, now puts Domenici's office in an awkward position I'll bet Bell will be in touch with you rather quickly to put his spin on it. In the interim I told Bibb to call Bingaman's secretary and ask for the meeting. I hope you have the latitude to wait to see what comes out of a meeting with Bingaman...if you can?

For what it's worth, a lawyer (who Domenici listens to) in the meeting with the senator last night said "he (Bowles) wouldn't be my first choice." Then later he confided to me that Bowles "acted like a pussy." I've never met this guy, but between that candor and his record of being a soft R, I can't imagine him doing the job we need done. How do things get so f__ked up?

-----Original Message-----

From: Scott Jennings [mailto:Slennings@gwb43.com]
Sent: Wednesday, February 21, 2007 7:24 PM
To: Allen Weh
Subject: RE: how was your talk

Domenici sent a new name today: Jason Bowles.

From: Allen Weh
Sent: Wed 2/21/2007 7:56 PM
To: Scott Jennings
Subject: RE: how was your talk

I thought it was a good conversation..... talked to him for 30 minutes..... he'll call me NLT next Monday after he gets a little more info from across the river.

I'll call you tomorrow to brief you on what I've learned reference US Atty.... talked to Domenici last night, and have one more phone call I need to make.

From: Scott Jennings [mailto:Slennings@gwb43.com]
Sent: Wednesday, February 21, 2007 12:03 PM
To: Allen Weh
Subject: how was your talk

With Lu Reyes in PPO today?

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Smith, Matt

From: Smith, Matt
sent: 2/26/2007 9:58:55 AM
to: Reyes, Luis A. Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: FW: NYT - (Cohen) Why Have So Many U.S. Attorneys Been Fired? It Looks a Lot Like Politics

As a heads up Carol Lam was with the President on June 10, 2005 at his first tour of the NCTC facility.

She was standing 'on-stage' and singled out in the President's remarks for her success in using the PATRIOT Act.
<http://www.whitehouse.gov/news/releases/2005/06/20050610-4.html>

She led the prosecutions of Muhamed Abid Afridi and Ilyas Ali who pled guilty to felony charges of conspiracy to provide material support to terrorists and conspiracy to distribute heroin and hashish. Both defendants admitted to conspiring to distribute approximately five metric tons of hashish and 600 kilograms of heroin from Pakistan to undercover United States law enforcement officers. These defendants admitted to conspiring to receive, as partial payment for the drugs, four "Stinger" anti-aircraft missiles which they intended to sell to the Taliban, an organization they knew at the time to be the same as Al Qaeda.

Why Have So Many U.S. Attorneys Been Fired? It Looks a Lot Like Politics

By ADAM COHEN

Carol Lam, the former United States attorney for San Diego, is smart and tireless and was very good at her job. Her investigation of Representative Randy Cunningham resulted in a guilty plea for taking more than \$2 million in bribes from defense contractors and a sentence of more than eight years. Two weeks ago, she indicted Kyle Dustin Foggo, the former No. 3 official in the C.I.A. The defense-contracting scandal she pursued so vigorously could yet drag in other politicians.

In many Justice Departments, her record would have won her awards, and perhaps a promotion to a top post in Washington. In the Bush Justice Department, it got her fired.

Ms. Lam is one of at least seven United States attorneys fired recently under questionable circumstances. The Justice Department is claiming that Ms. Lam and other well-regarded prosecutors like John McKay of Seattle, David Iglesias of New Mexico, Daniel Bogden of Nevada and Paul Charlton of Arizona — who all received strong job evaluations — performed inadequately.

It is hard to call what's happening anything other than a political purge. And it's another shameful example of how in the Bush administration, everything — from rebuilding a hurricane-ravaged city to allocating homeland security dollars to invading Iraq — is sacrificed to partisan politics and winning elections.

U.S. attorneys have enormous power. Their decision to investigate or indict can bankrupt a business or destroy a life. They must be, and long have been, insulated from political pressures. Although appointed by the president, once in office they are almost never asked to leave until a new president is elected. The Congressional Research Service has confirmed how unprecedented these firings are. It found that of 486 U.S. attorneys confirmed since 1981, perhaps no more than three were forced out in similar ways — three in 25 years, compared with seven in recent months.

It is not just the large numbers. The firing of H. E. Cummins III is raising as many questions as Ms. Lam's. Mr. Cummins, one of the most distinguished lawyers in Arkansas, is respected by Republicans and Democrats alike. But he was forced out to make room for J. Timothy Griffin, a former Karl Rove deputy with thin legal experience who did opposition research for the Republican National Committee. (Mr. Griffin recently bowed to the inevitable and said he will not try for a permanent appointment. But he remains in office indefinitely.)

The Bush administration cleared the way for these personnel changes by slipping a little-noticed provision into the Patriot Act last year that allows the president to appoint interim U.S. attorneys for an indefinite period without Senate confirmation.

Three theories are emerging for why these well-qualified U.S. attorney were fired — all political, and all disturbing.

1. Helping friends. Ms. Lam had already put one powerful Republican congressman in jail and was investigating other powerful politicians. The Justice Department, unpersuasively, claims that it was unhappy about Ms. Lam's failure to bring more immigration cases. Meanwhile, Ms. Lam has been replaced with an interim prosecutor whose résumé shows almost no criminal law experience, but includes her membership in the Federalist Society, a conservative legal group.

2. Candidate recruitment. U.S. attorney is a position that can make headlines and launch political careers. Congressional Democrats suspect that the Bush administration has been pushing out long-serving U.S. attorneys to replace them with promising Republican lawyers who can then be run for Congress and top state offices.

3. Presidential politics. The Justice Department concedes that Mr. Cummins was doing a good job in Little Rock. An obvious question is whether the administration was more interested in his successor's skills in opposition political research — let's not forget that Arkansas has been lucrative fodder for Republicans in the past — in time for the 2008 elections.

The charge of politics certainly feels right. This administration has made partisanship its lodestar. The Washington Post reporter Rajiv Chandrasekaran revealed in his book, "Imperial Life in the Emerald City," that even applicants to help administer post-invasion Iraq were asked whom they voted for in 2000 and what they thought of *Roe v. Wade*.

Congress has been admirably aggressive about investigating. Senator Charles Schumer, Democrat of New York, held a tough hearing. And he is now talking about calling on the fired U.S. attorneys to testify and subpoenaing their performance evaluations — both good ideas.

The politicization of government over the last six years has had tragic consequences — in New Orleans, Iraq and elsewhere. But allowing politics to infect U.S. attorney offices takes it to a whole new level. Congress should continue to pursue the case of the fired U.S. attorneys vigorously, both to find out what really happened and to make sure that it does not happen again.

Allen Weh

From: Allen Weh
Sent: 2/26/2007 12:33:34 PM
To: steve_bell
COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: Outgoing US Atty comments
Attachments: image001.jpg;image002.jpg;

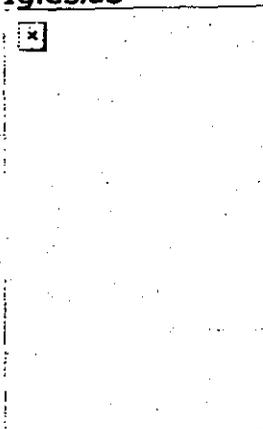
, Scott Jennings /O=REPUBLICAN NATIONAL

If you aren't already aware of this guy's comments on today's Monahan Blog they are below.....I'm obviously in position to respond to this BS if either of you desire that a response be made

Monday, February 26, 2007

U.S. Attorney Iglesias On His Ouster: It's Not About Performance; It's A "Political Fragging," Plus: An Electric Debate, And: On The Big Bill Beat

Iglesias



Outgoing U.S. Attorney David Iglesias has had enough. He is telling supporters that recent U.S. Senate testimony citing his "job performance" and that of other fired U.S. attorneys as the reason for them getting the axe by the Bush administration is way out of line. In an email to a friend, he dubbed his dismissal "a political fragging" that cannot be pinned on his performance.

"I can provide reams of performance stats showing record immigration, narcotics and firearms prosecutions under my administration, not to mention a higher than national conviction rate. Not to mention the biggest political corruption cases in NM history--four indictments, four convictions.

"This is a political fragging, pure and simple. I'm OK with being asked to move on for political reasons, I'm NOT OK with the Department of Justice wrongfully testifying under oath to the Senate Judiciary Committee that I had performance issues..." So scorched the Gallup native and Santa Fe High graduate.

His reference to a "fragging" is a military term to describe the killing of an unpopular senior officer, typically with a hand grenade. Iglesias served as a Judge Advocate General (JAG) in the United States Naval Reserve and is the military defense attorney portrayed in the early 1990s movie "A Few Good Men."

U.S. ATTORNEY INTRIGUE

The exact reason for the Iglesias departure remains shrouded in mystery. Five of the dismissed U.S. attorneys, including Iglesias, who received walking papers December 7 told reporters that they were not given any reason for their firings and had not been told of any performance problems.

Here in NM, legal and political Alligators pointed to Iglesias's prosecution of ex-Treasurer Vigil in which he managed to get a conviction, but only on one count of several dozen and only

after a mistrial. Others attribute the dismissal to disgruntlement on the part of ABQ GOP Congresswoman Heather Wilson and others that Iglesias did not announce indictments during the '06 campaign regarding the federal corruption probe of the construction of two Bernalillo county courthouses. Indictments are still anticipated in the case which focuses on Democratic politicians,

As for the dismissal of the other U.S. attorneys, several of them were in the midst of investigations focusing on Republican politicians or their supporters. At that heated senate hearing, Justice cited poor performance for the firings, denying it was politics. Here's more from the Sunday New York Times.

Iglesias remains on the job, awaiting a replacement from the Bush White House. NM GOP Senator Pete Domenici has forward several names for consideration, including those of ABQ attorney Charles Peifer and '06 GOP attorney general candidate Jim Bibb. Legal beagles are saying Peifer appears to be a favorite because his legal experience dwarfs that of Bibb who is the son-in-law law of former Dem NM Governor Toney Anaya. Observers expected an announcement by now, but perhaps the controversy over the outgoing prosecutors has slowed the process. Stay tuned.



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www.nmcl.org

1-800-225-7667

From: Tim Griffin
Sent: Monday, February 26, 2007 8:19 PM
To: Oprison, Christopher G.
Subject: fyi

I am told that Pryor is calling around Little Rock, building a list of potential u.s. attorneys. A friend of mine was called by Pryor himself. Pryor didn't know of my closeness to the person he called. He is going to give the list to Boozman and try to pressure the WH. Just a fyi.

Allen Weh

From: Allen Weh
sent: 2/27/2007 9:26:24 PM
to: Scott Jennings ;O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
cc:
Bcc:
Subject: FYI - US Atty Candidate

Scott

I have quietly obtained a little more background info on Bowles as a US Attorney candidate. First there are NO problems with his character or integrity, so this isn't character assassination. There are however, some professional issues in his current capacity as a private attorney that should be asked of him when he interviews with DOJ, which I understand will be within a few days.

I've been informed Bowles was involved with the recent trial of Robert Vigil (the indicted NM Treasurer) as part of the defense team.....thus he was on the opposite side of the table from the attorneys he would be in charge of. He apparently was very aggressive in the defense of his client to where he put himself at odds with the local FBI office.....reportedly referring to the latter as being "extortionists" in one motion that he filed, and further described the US attorney's office as either the "Anti Christ" or the "Axis of Evil." Obviously if all, or part, of this is true that poses a real dilemma to his leadership capacity as those same people would then be in his charge.

It was further been said that Bowles has taken as a client(s), one or more of the prospective defendants expected to be named in the long awaited pending indictments the US Attorney's office has in their possession. If this is true then, were he to become the USA, the entire office is confronted with the problem of conflict of interest and the risk of jeopardizing a conviction were they to try the case. I understand a situation like this could conceivably compel the DOJ to move all of these pending cases to another USA district outside NM. Is this good? I certainly don't know, but it sounds like things would sure get complicated with this scenario.

What I've said is technically "hearsay," but the downside of any of it being true warrants the appropriate questions being asked of him by the DOJ professionals. Based on the high marks he gets for integrity, I would venture to say that he'll answer all such questions honestly. Thus if there's nothing to this it's a non-issue, but if there is something to this then DOJ will have the opportunity to determine if it's a problem for all concerned. Certainly that determination is best as part of the screening, rather than picking up to a problem after appointment.

Allen

Allen E. Weh
Chief Executive Officer
CSI Aviation Services, Inc.
3700 Rio Grande, NW
Suite 1
Albuquerque, NM 87107
(O) 505.761.9000
(D) 505.342.

Scott Jennings

From: Scott Jennings
Sent: 2/28/2007 7:47:38 PM
To: mickey
Cc:
Bcc:
Subject: RE: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

ok

-----Original Message-----

From: mickey
Sent: Wednesday, February 28, 2007 7:44 PM
To: Scott Jennings
Subject: Re: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

Press called Pat Rogers. They have not called me. Apparently he named both Pat and I in discussions with press after our press conference. I will have no comment if they call me.
IF you feel any need to fire back call me
Mickey D. Barnett

-----Original Message-----

From: "Scott Jennings" <SJennings@gwb43.com>
Date: Wed, 28 Feb 2007 19:35:45
To: <mickey
Subject: RE: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

Saw it.

Unfortunate

-----Original Message-----

From: mickey
Sent: Wednesday, February 28, 2007 7:38 PM
To: Scott Jennings
Subject: Fw: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

Fyi
Mickey D. Barnett

-----Original Message-----

From: pkennedy
Date: Wed, 28 Feb 2007 18:43:00
To: mickey
Subject: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

pk sent you this

iglesias says he was fired for not rushing indictment

<http://abqtrib.com/news/2007/feb/28/iglesias-says-he-was-fired-not-rushing-indictment>

Albuquerque Tribune

Bell, Steve (Domenici)

From: Bell, Steve (Domenici)
Sent: 2/28/2007 1:10:30 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: FW:
Attachments: usa docs.pdf;

From: Breeden, Lisa (Domenici)
Sent: Wednesday, February 28, 2007 12:54 PM
To: Bell, Steve (Domenici); Hild, Edward (Domenici); Gallegos, Chris (Domenici)
Subject:

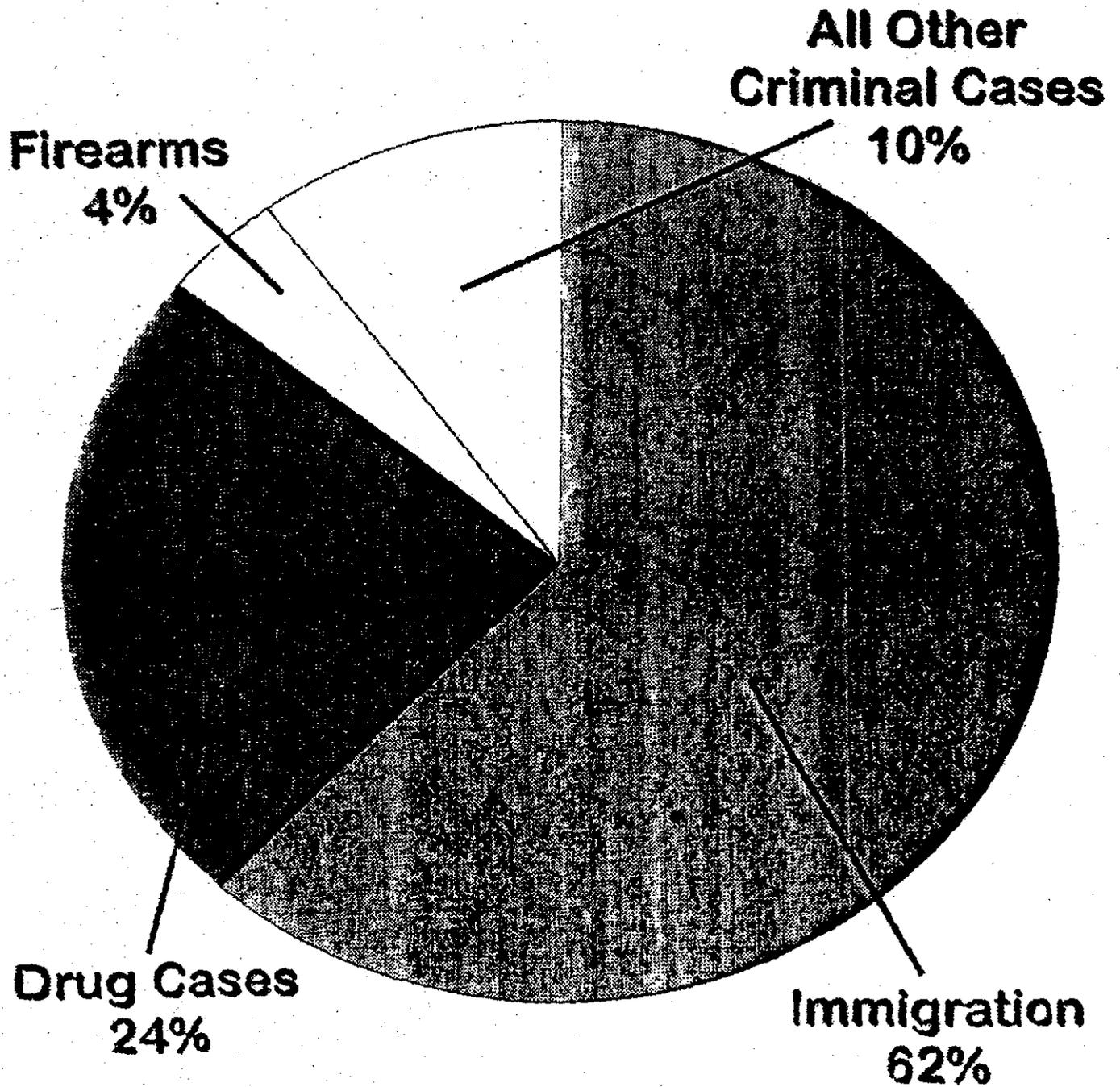
During the presentation, Iglesias said he appreciated Senator helping him become US Attorney because it has been a great five-and-a-half-year ride. He also said Senator Domenici and Udall are why the Pueblo Lands Act now exists.....Just fyi.

I know Norm (PIO) was shocked to see me and went and told David—a couple of the asst USA's were surprised—so I do not know whether that prevented him from saying what he said to McClatchy—or if the locals just didn't ask questions correctly.

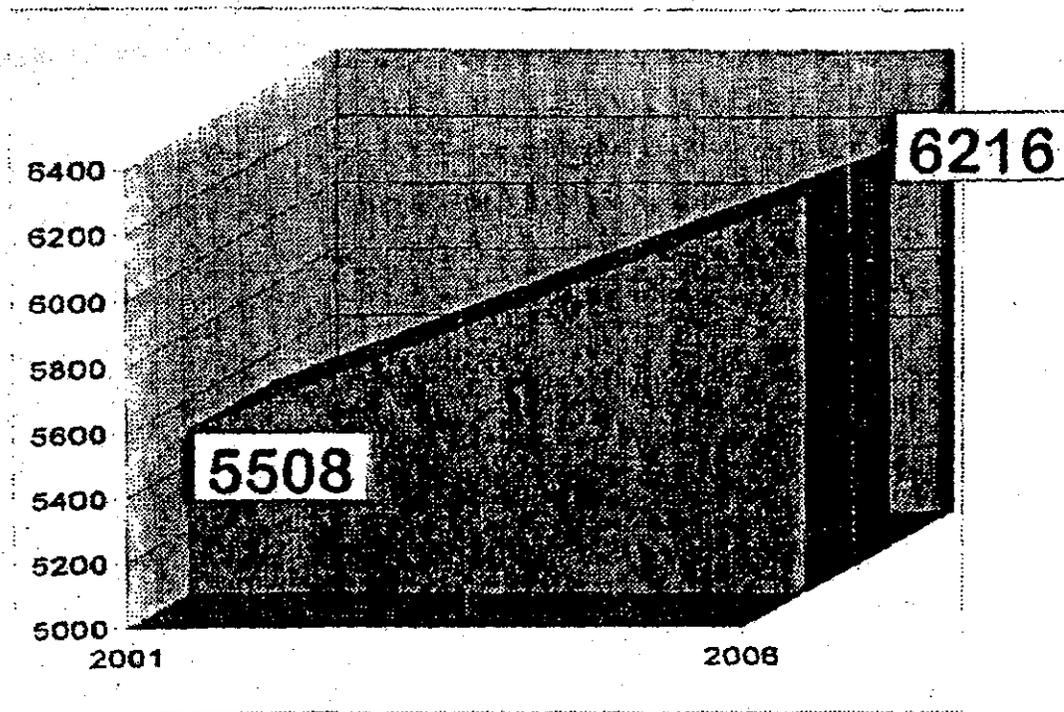
What is McClatchy

Lisa Breeden
State Communications Director
(505)346- office
(505)346-6720—fax
(505)681- cell

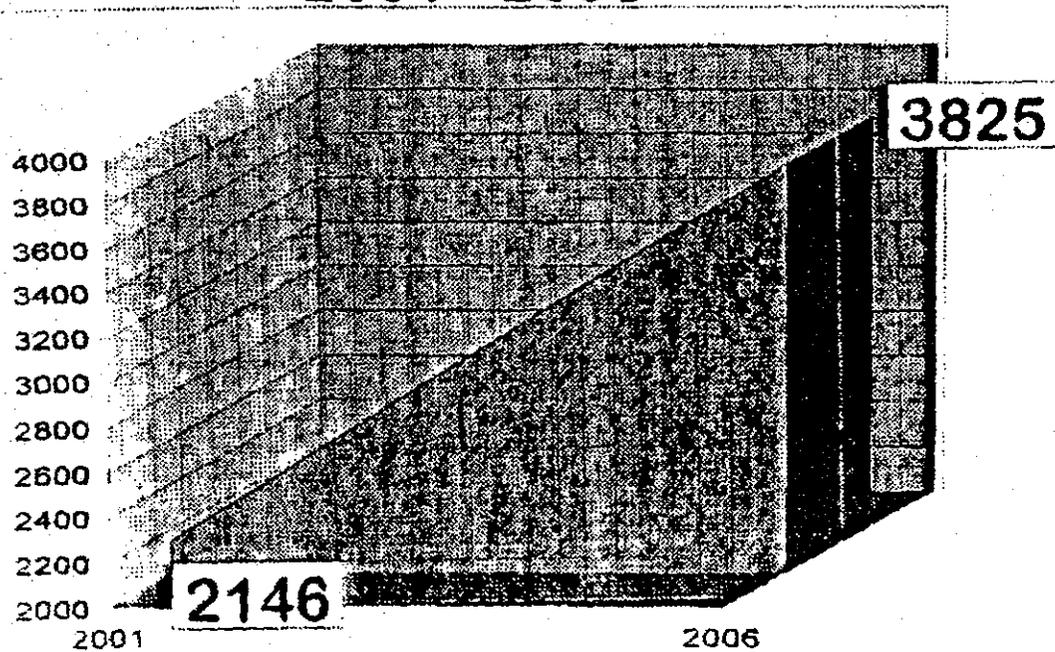
**U.S. Attorney's Office — District of New Mexico
Current Caseload**



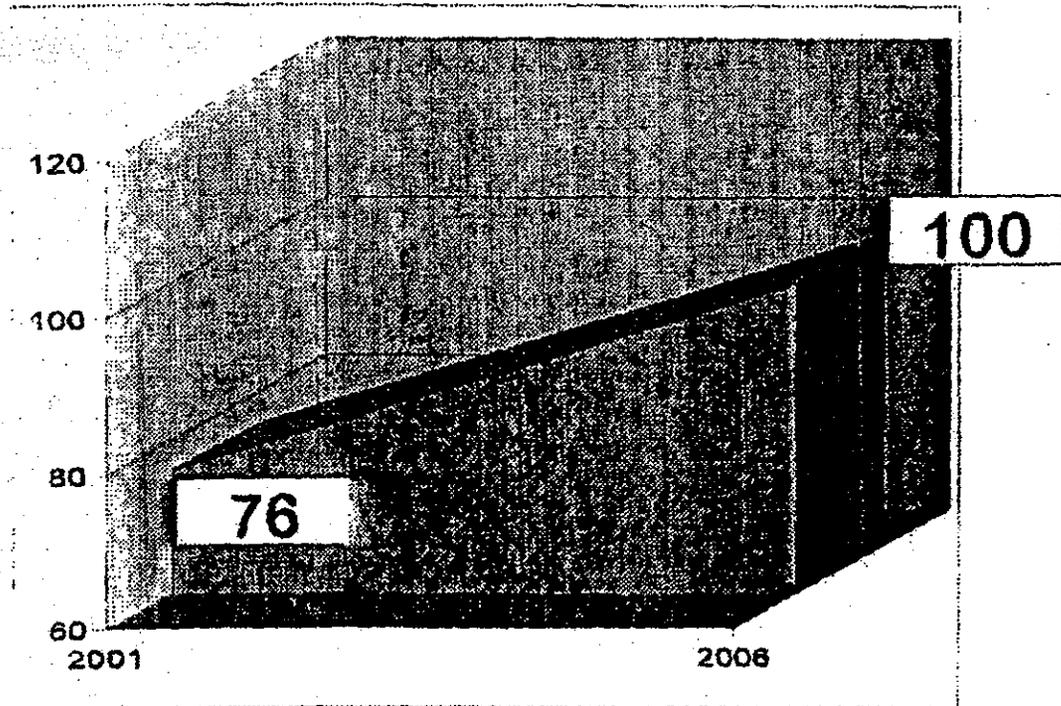
Increase in Defendants Charged - 13% 2001 - 2006



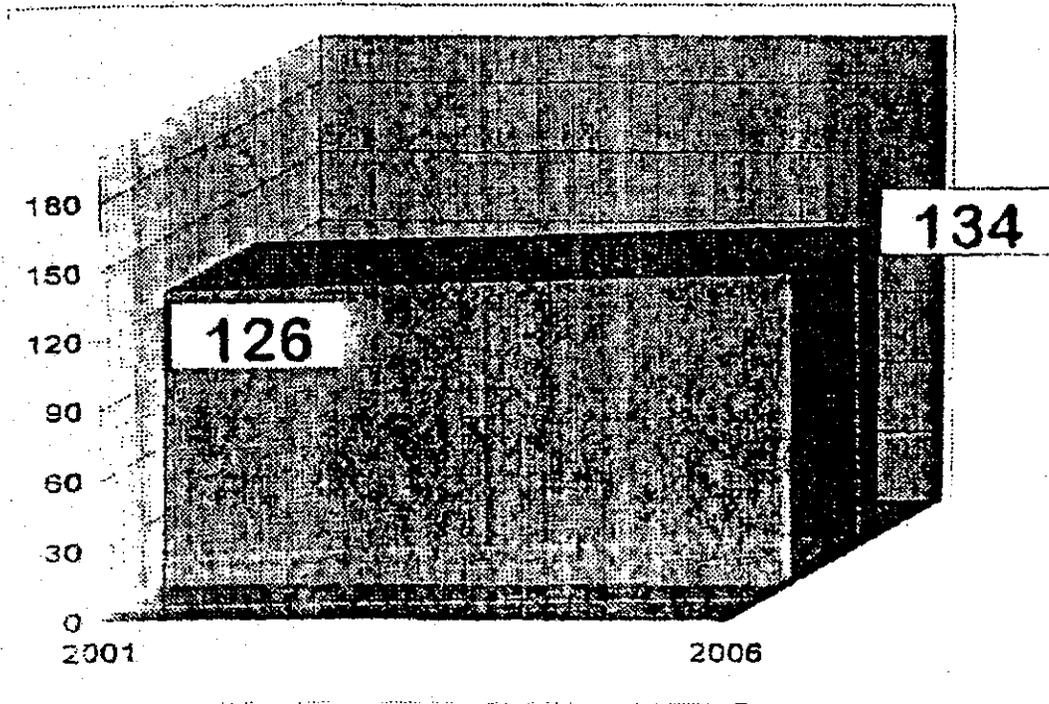
Increase in Immigration Defendants - 78% 2001 - 2006



Increase in Cases per AUSA - 24% 2001 - 2006



Increase in Full Time Employees - 7% 2001—2006



LIInX

- ▶ **An unprecedented interagency coalition of 21 New Mexico federal, state, local law enforcement agencies and military branches formed to implement LIInX**
- ▶ **The United States Attorney obtained \$2.9 million through the Naval Criminal Investigation Service to implement LIInX New Mexico.**
- ▶ **The District of New Mexico is one of only six districts that will be initiating this revolutionary crime data search engine**
- ▶ **Criminal justice and investigative information sharing to affect all levels of investigations, officer safety, and public safety, by providing access to information that will deter criminal and terrorist related activities in the District**

**United States of America
v.
Lloyd Larson**

- ▶ **Larson received four concurrent 20-year prison terms.**
- ▶ **Showed that justice can be swift and sure.**
- ▶ **Focused a spotlight on New Mexico's DUI.**
- ▶ **Provided a case study in how DUI can actually become second-degree murder depending on the driver's DUI history.**

Indian Country Jurisdiction Legislation

- ▶ **December 2000: a federal district court judge ruled that the federal government had no criminal jurisdiction to prosecute an Indian on private fee lands.**
- ▶ **November 2001: a state district court judge held that the state had no criminal jurisdiction to prosecute an Indian.**
- ▶ **This split in federal and state decisions resulted in "prosecution free zones" in these areas within the pueblos.**
- ▶ **April 2004: a working group was developed composed of representatives from the pueblos, Governor Richardson's Office, the New Mexico Attorney General's Office, and staff from Senator Pete Domenici. The group drafted legislation that was presented to Congress**
- ▶ **December 20, 2005: President Bush signed into law the Indian Pueblo Land Act Amendment. The amendment allocated criminal jurisdiction over criminal offenses committed within the exterior boundaries of pueblo land grants.**

**United States of America
V.
Luis Cisneros, et al.**

- ▶ **Decapitated a criminal organization that had operated with impunity in the Phoenix area and southeastern NM since 1992.**
- ▶ **This case was an example of the breadth and power of the federal RICO statute.**
- ▶ **Showed small towns in New Mexico -- in this case, Lovington -- that the US Attorney's Office and the FBI are just as interested in eradicating crime and criminals from small towns as from the bigger cities.**

United States of America
v.
Robert Vigil and Michael Montoya

- ▶ **All persons indicted have felony convictions.**
- ▶ **The FBI and U.S. Attorney's Office is committed to investigating and prosecuting cases of public corruption.**
- ▶ **The prosecutions provide a deterrent effect.**
- ▶ **The case has brought many of the failings of our current rules, campaign regulations, and system of checks and balances to light.**

Project Safe Neighborhoods And Violent Crime Impact Team

▶ **Law enforcement programs established to target firearms violations and violent crime areas in Albuquerque.**

▶ **2002 through 2003**

-700 firearms seized

▶ **2004 through 2005**

- 873 firearms seized

▶ **2006**

- 273 firearms seized

United States v. Cisneros, et al.

- Decapitated a criminal organization that had operated with impunity in the Phoenix area and southeastern NM since 1992; this organization was responsible for the manufacturing and distribution of large quantities of methamphetamine, cocaine, and marijuana, the theft and VIN-switching of dozens of motor vehicles, and the murders of at least nine witnesses to the organization's criminal activities

- This case was an example of the breadth and power of the federal RICO statute; originally enacted to give prosecutors and agents the tools needed to dismantle New York's mafia families; this case provides a roadmap for future prosecutions of gangs and other forms of organized crime in New Mexico

- Showed small towns in New Mexico -- in this case, Lovington -- that the US Attorney's Office and the FBI, the combined resources of which are comparatively far greater than those of their local counterparts, are just as interested in eradicating crime and criminals from small towns as from the bigger cities

Indian Country Jurisdiction Legislation

In November 2001, a complex federal criminal jurisdictional issue arose in the District of New Mexico. The issue – whether the state of New Mexico or the federal government has jurisdiction to prosecute felony crimes on private fee lands within the pueblos in the state of New Mexico.

In December 2000, a federal district court judge ruled that the federal government had no criminal jurisdiction to prosecute an Indian on private fee lands. In November 2001 (in direct contradiction to the December 2000 ruling), a state district court judge held that the state had no criminal jurisdiction to prosecute an Indian.

These conflicting decisions led to jurisdictional confusion within the District of New Mexico. The split in federal and state decisions resulted in “prosecution free zones” in these areas within the pueblos.

Given this jurisdictional quagmire – in April 2004, a working group was developed composed of representatives from the pueblos, Governor Richardson’s Office, the New Mexico Attorney General’s Office, and staff from Senator Pete Domenici. The members of the working group drafted legislation that was presented to the full Congressional Delegation. Through the efforts of these parties, two similar bills were introduced into the U.S. House of Representatives, and the United States Senate in the summer of 2005.

On December 20, 2005, President Bush signed into law Public Law No. 109-133, the Indian Pueblo Land Act Amendment. The IPLAA, amended the Indian Pueblo Land Act of 1924 by allocating criminal jurisdiction over criminal offenses committed within the exterior boundaries of pueblo land grants. The Amendment eliminated the uncertainty. As a result, there are no prosecution free zone on the Pueblo lands with reference to who has jurisdiction on private fee lands within pueblo lands.

United States v. Loyd Larson

- Larson received four concurrent 20-year prison terms, sentences that were approximately 30% greater than the recommended guideline sentence
- Showed that justice can be swift and sure, something that victims of crime deserve more of; the crime occurred on January 25, 2002, Larson pleaded guilty in April, and Larson was sentenced in August
- Focused a spotlight on New Mexico's DUI problem. The Larson case was the impetus for Indian tribes to begin sharing their tribal court DUI histories with states so that a Native American driver's full DUI history is readily available
- Provided a case study in how DUI can actually become second-degree murder depending on the driver's DUI history; this case should provide some deterrent effect -- especially to repeat DUI offenders -- if they realize the lengthy prison sentences they can be ordered to serve

LIInX Bullets

- An unprecedented interagency coalition of 21 New Mexico federal, state, local law enforcement agencies and military branches formed to implement LIInX
- The United States Attorney has obtained \$2.9 million through the Naval Criminal Investigation Service to implement LIInX New Mexico in three phases.
- The District of New Mexico is one of only six districts that will be initiating a revolutionary crime data search engine with an ultimate goal of improving Homeland Security.
- Criminal justice and investigative information sharing to affect all levels of investigations, officer safety, and public safety, by providing the capacity for immediate access to information that will deter criminal and terrorist related activities in the District.

United States v. Robert Vigil and Michael Montoya

- All persons indicted in this case, including two former state treasurers, now have felony convictions and are expected to serve significant time in jail.

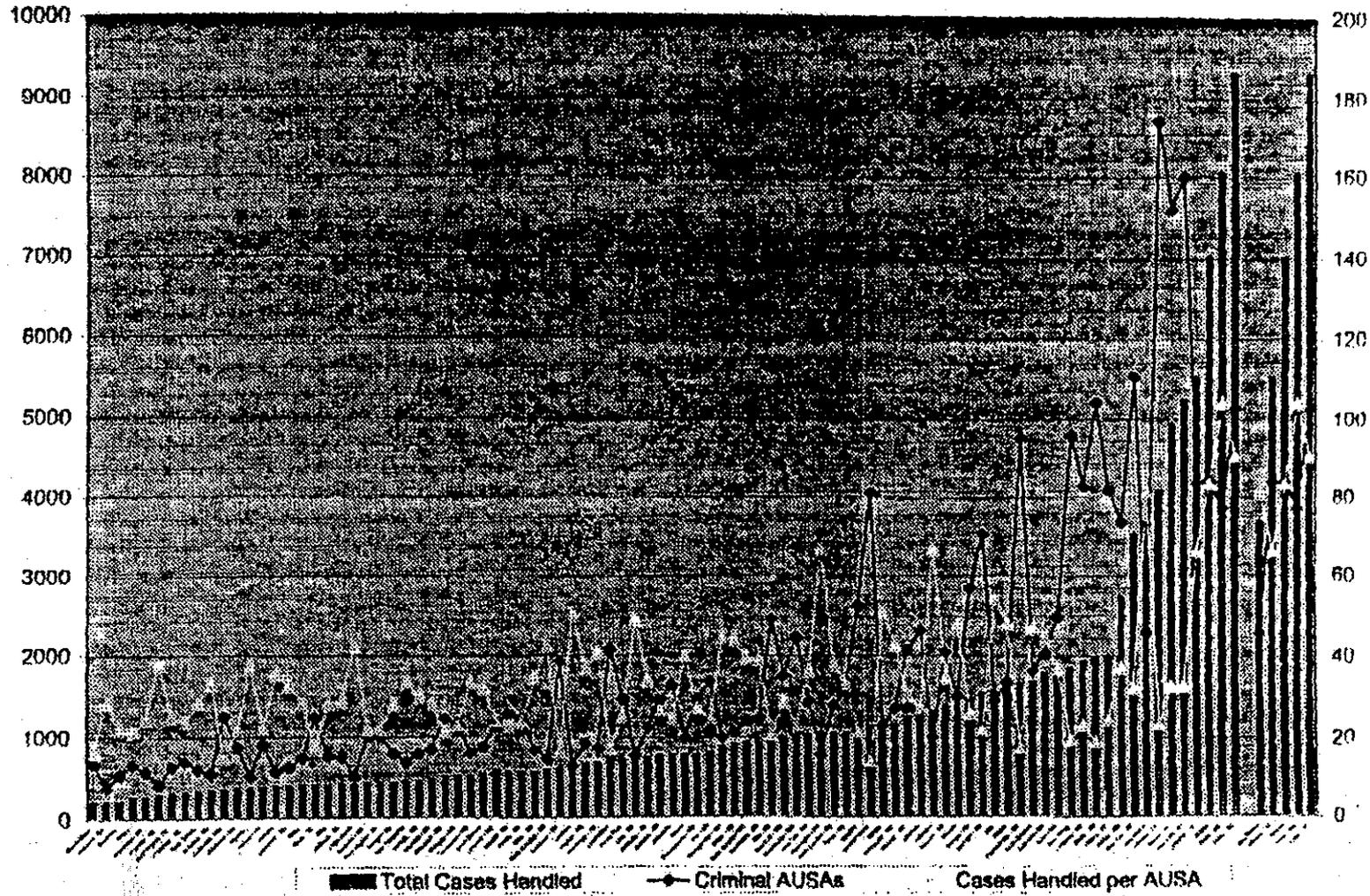
- The prosecutions demonstrate that the FBI and USAO is committed to investigating and prosecuting cases of public corruption. That federal prosecutors are willing to go the distance to ensure that public officials are punished when they engage in corrupt activity helps to restore the public's trust in a government that is designed to serve, rather than illegally profit from, its citizens.

- The prosecutions provide a deterrent effect. Rather than being emboldened by witnessing unchecked public corruption, politicians inclined to misuse the power of their public office have now received the unmitigated message that such corruption will yield them only a bed in a federal prison.

- The case has brought many of the failings of our current rules, campaign regulations, and system of checks and balances to light. As a result of this prosecution, needed legislative and regulatory changes have been revealed and, hopefully, will be made.

National Statistics FY 2004 (Criminal Cases, AUSAs Reported and Caseload Per AUSA)

(Data Obtained from EOUSA, Data Analysis Web Site)





U.S. Department of Justice

Executive Office for United States Attorneys
Office of the Director

Main Justice Building, Room 2261
930 Pennsylvania Avenue, NW
Washington, DC 20530

(202) 514-

JAN 24 2006

Honorable David C. Iglesias
United States Attorney
District of New Mexico
201 Third Street, Suite 900
Albuquerque, New Mexico 87103

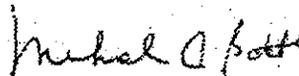
Dear Mr. Iglesias:

I understand that the recent evaluation of your office went well. I have reviewed the enclosed Significant Observations Memorandum that Team Leader Matt Cain submitted. The Memorandum reflects that, overall, the legal management of your office is very good and that your office is staffed with well prepared and motivated Assistant United States Attorneys and support personnel who are appropriately directing their efforts to accomplishing the goals of the Attorney General. I want to commend you for your exemplary leadership in the Department's priority programs, including Anti-terrorism, Weed and Seed, and the Law Enforcement Coordinating Committee.

Thank you and your staff for working hard to prepare for the evaluation and for using the evaluation process as a management tool. You will be receiving a draft legal management evaluation report in approximately 30 days that will provide more detailed information. At that time you will be asked to provide a written response to the draft report.

Thank you for all the assistance you and your staff provided to the evaluation team.

Sincerely,


Michael A. Battle
Director

Enclosure

HIC 11343



STATE OF NEW MEXICO

THIS IS TO CERTIFY THAT THE GOVERNOR OF NEW MEXICO HAS AWARDED
THE NEW MEXICO MEDAL OF MERIT

MR. DAVID C. IGLESIAS
UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF NEW MEXICO

TO
FOR

MERITORIOUS SERVICE WHILE ASSIGNED AS THE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO. MR. IGLESIAS HAS DISTINGUISHED HIMSELF AS AN ARDENT SUPPORTER OF THE MILITARY AND CONTINUES TO CHAMPION NEW MEXICO NATIONAL GUARD AND LAW ENFORCEMENT ISSUES. BECAUSE OF HIS SINCERE SUPPORT, THE NATIONAL GUARD IS CURRENTLY OPERATIONAL SUPPORTING LAW ENFORCEMENT AGENCIES ON THE BORDER. HE AND HIS STAFF WERE VERY INSTRUMENTAL IN SECURING ADDITIONAL WEED & SEED SITES IN ALBUQUERQUE AND ESPANOLA COMMUNITIES. MR. IGLESIAS HAS INTEGRATED NATIONAL GUARD COUNTERDRUG SUPPORT EFFORTS INTO THE DAY TO DAY OPERATIONS OF THE DISTRICT OF NEW MEXICO, U.S. ATTORNEY'S OFFICE. HE DISPLAYS A HIGH LEVEL OF CHARACTER AND SHEDS BRIGHT LIGHT UPON HIMSELF, THE UNITED STATES ATTORNEY'S OFFICE AND THE GREAT STATE OF NEW MEXICO.

KENNY C. MONTOYA
Brigadier General, NMANG
PERMANENT ORDER 140-004



GOVERNOR OF NEW MEXICO

Bell, Steve (Domenici)

From: Bell, Steve (Domenici)
Sent: 2/28/2007 11:24:30 AM
To: Hild, Edward (Domenici) Scott Jennings /O=REPUBLICAN NATIONAL
COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS; Macchiarola, Frank (Energy)
Cc:
Bcc:
Subject: FW: Trib: U.S. attorney: Politics drove me from office

From: Dustman, Bryce
Sent: Wednesday, February 28, 2007 11:21 AM
To: Bell, Steve (Domenici)
Subject: FW: Trib: U.S. attorney: Politics drove me from office

A spokesman for U.S. Sen. Pete Domenici, an Albuquerque Republican, did not return a message Tuesday evening. A spokesman for U.S. Rep. Heather Wilson, an Albuquerque Republican, also didn't return a call after being asked whether Wilson played a role in Iglesias' ouster.

U.S. attorney: Politics drove me from office

By Michael Gisick
Wednesday, February 28, 2007

TRY TOOLS

- o <<...OLE_Obj...>> More Local
- o <<...OLE_Obj...>> SHARE THIS STORY <<...OLE_Obj...>> <<...OLE_Obj...>> <<...OLE_Obj...>> <<...OLE_Obj...>>
<<...OLE_Obj...>> <<...OLE_Obj...>>

The prosecution of politicians and the politics of prosecution.
The not-entirely successful pursuit of the former defined the final two years of David Iglesias' stint as U.S. attorney in New Mexico.

The latter, Iglesias said as he prepared to leave office today, cost him his job.
"I know that my performance was not the real issue," Iglesias said Tuesday, less than a month after Paul McNulty, the deputy U.S. attorney general, told a Senate hearing the opposite.

"That only leaves one possibility," Iglesias continued, "and that's politics."
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Though he said the term wasn't one he would have chosen for public comments, Iglesias confirmed Tuesday that he wrote the e-mail. He said it accurately reflected his frustration over the Justice Department's handling of his dismissal.

"This was not a respectful way to treat someone who has served this administration for five years," he said.
"I would have had no objection to someone calling me and saying I'd lost my political support. Instead, they said it was performance, and I've got lots of data showing that's not the case."

The New York Times last week reported six of eight recently dismissed U.S. attorneys - all Republicans

appointed during President Bush's first term - had received positive evaluations from the Justice Department.

Iglesias said he was one of those six.

He also cited statistics showing an increase in prosecution of immigration and criminal cases and a 95 percent overall conviction rate during his stint as U.S. attorney in Albuquerque.

But for Iglesias, whose tenure will almost certainly be remembered for high-profile corruption cases involving prominent New Mexico Democrats, the irony is that his undoing came, by his account, at the hands of his own party.

And if the man who served as a model for the defense attorney played by Tom Cruise in the movie "A Few Good Men" was frugged, Iglesias insisted he doesn't know which fellow Republican threw the grenade, or why.

Was it a member of New Mexico's congressional delegation, upset over his handling of the cases against former Democratic state Treasurers Robert Vigil and Michael Montoya?

Was the final straw Iglesias' decision not to seek indictments ahead of November's elections in another corruption investigation - this one involving rumored kickbacks to powerful Democrats and other officials during the construction of several Albuquerque courthouses?

Or was it someone in Washington upset about something else?

"It could have been someone at the White House, someone at Justice or someone in Congress," Iglesias said. "All political roads lead back to Washington, but no one has reached out to me to tell me what the problem was. I wish they had."

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The removal of Iglesias and the other U.S. attorneys has already prompted some odd political music in the nation's capital. Senate Democrats have launched an investigation into why the Republican attorneys were forced out by the Bush administration, saying the moves appear politically motivated.

Iglesias said he might be called to testify before Congress as part of that investigation. But the contentious exit of a prosecutor once seen as a rising political star also underscored the infighting that has long hampered the state GOP and has increasingly affected the national party.

"From a political standpoint, why would they let go an evangelical, Hispanic veteran?" Iglesias said. "I represent three major voting groups."

Iglesias also took some parting shots at one Democrat, former state attorney general and congressional candidate Patricia Madrid.

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Between trials, Madrid indicted several cooperating federal witnesses on state charges, and one of those witnesses refused to testify at Vigil's second trial.

Monday, Iglesias called Madrid's move a "terrible misstep."

"It amounted to a legalized form of obstruction of justice," he said. "It was shocking, it was unprecedented, and there was no legitimate law enforcement reason for doing what she did."

Still, Iglesias said he was pleased with the outcome of the case. Vigil, who has appealed his conviction, was sentenced to three years in prison. Montoya, who pleaded guilty to a single count of extortion, hasn't been sentenced.

"Ultimately, sending (Vigil) away for 40 years wouldn't have been just either," Iglesias said. "I feel three years is an appropriate sentence. People forget that he took a lot less money than Montoya did."

Iglesias said there was nothing major he would change about his handling of the case, which he said set a precedent for prosecution of public corruption in New Mexico.

"We put corruption cases back on the front burner," he said. "For 20 years, this office hadn't done any." As for the investigation of a kickback scheme reportedly involving construction of Albuquerque's Metro Court and several other buildings - a corruption case rumored to dwarf the Vigil and Montoya cases - Iglesias said he expected indictments to come up "very soon."

But as he prepared for a news conference today in which he expected to focus on a defense of his tenure, Iglesias said those indictments would not come under his watch.

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The Associated Press contributed to this story.

Enrique Carlos Knell
Communications Director
Rep. Heather Wilson (NM-01)
505-346-6781 ext.
505-238- cell phone)
505-346-6723 (fax)
<http://wilson.house.gov>

Bell, Steve (Domenici)

From: Bell, Steve (Domenici)
Sent: 2/28/2007 1:07:20 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: RE: Trib: U.S. attorney: Politics drove me from office

Yes...iwill send folo...

Bell

-----Original Message-----

From: Scott Jennings [<mailto:SJennings@gwb43.com>]
Sent: Wednesday, February 28, 2007 12:42 PM
To: Bell, Steve (Domenici)
Subject: Re: Trib: U.S. attorney: Politics drove me from office

This was pre- press conference, it seemed.

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From: Bell, Steve (Domenici)
To: Hild, Edward (Domenici) Scott
Jennings; Macchiarola, Frank (Energy)

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Wednesday, February 28, 2007

STORY TOOLS

* <http://www.abqtrib.com/mailfriend/61/59216/cf5aa516f6/>>
<< OLE_Obj. >> More Local
*
<<http://www.abqtrib.com/news/2007/feb/28/ethics-reform-stalls-senate/>>
<< OLE_Obj. >> SHARE THIS STORY <<http://abqtrib.com/webified/share/>>
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p://delicio.us/post?v=4&noui&jump=close&url='+encodeURIComponent(location.href)+'&title='+encodeURIComponent(document.title)>
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<http://rds.yahoo.com/_ylt=A0SO5yYPwMxFky8B0amzEMsF;_ylu=X3oDMTBiYzQ4Mm03HNlYwNteXdIYnRi/SIG=1204tov14/EXP=1171132815/**http%3a/myweb.yahoo.com/yresults/bookmarklet> <<..OLE_Obj...>> <http://reddit.com/submit>
OLE_Obj...>>

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505-346-6781 ext
505-238- (cell phone)
505-346-6723 (fax)
<http://wilson.house.gov> <<http://wilson.house.gov>>

From: Tim Griffin
Sent: Thursday, March 01, 2007 10:28 AM
To: Tim Griffin
Subject: From National Review Today

<http://article.nationalreview.com/?q=MzJkNTkxMjViNzlmNTk2OGIyNTZkNDQxNjFmYzRkMTc=>

Profile in Poisonous Partisanship
The targeting of a fine lawyer and patriot.

By Kathryn Jean Lopez

Sometimes — too often — a Beltway story comes around that makes you realize how deep a sacrifice public service can entail. The recent experience of J. Timothy Griffin is the latest example.

Griffin is one of the most well-known — regularly targeted by Democrats and reporters — among recent Justice Department-chosen United States attorneys. Senate Democrats have blasted the Bush Justice Department for firing seven U.S. attorneys. They were “forced to resign without due cause,” Sen. Dianne Feinstein (D., Calif.) has whined (two of the seven were from her home state). Feinstein faults the Patriot Act for having made the firings possible, despite the fact the move is a typical spoils-of-winning-an-election privilege (Bill Clinton, too, used this perk to its full extent).

Currently serving as U.S. attorney in Arkansas, Griffin, a fifth-generation Arkansan, recently took his name out of the running to serve permanently in that position — so he wouldn’t have to face Senate Democrats who’ve already made up their minds about him.

But now, even *after* he took his name out of the running, Democrats are still targeting Griffin, and disparaging him. Griffin, you see, has what might as well be a criminal record if you’re a demagogue in a Democratic Senate: He worked for Karl Rove, and he worked for the Republican National Committee.

Had Griffin served *only* in political positions, critics might have a case for complaining the 38-year-old has a “thin” resume. But in their zeal to tear him down, Democrats (and press coverage) sometimes miss some key details in his professional life. Like the three times he’s served as a federal prosecutor. And the eleven years he’s served as in the Army’s Judge Advocate General’s Corps. 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.”

Griffin’s predecessor as U.S. Attorney (and his former supervisor), Bud Cummins, in 2002 praised Griffin’s work as a Special Assistant U.S. Attorney: “You performed at the highest level of excellence during your time here. . . . I believe you indicted more people in your time here than any other AUSA. You were a real workhorse, and the quality of your work was excellent.”

To illustrate even further how far he is from the political hack Democrats portray him as, Griffin also — when working at the White House — was mobilized for active duty in the U.S. Army. He picked up to

move to Fort Campbell to serve as an Army prosecutor. Griffin would later be asked to move even further: to Iraq, to serve outside the Green Zone, in Mosul in a JAG position. He ended up earning the Combat Action Badge and the Army Commendation Medal.

But despite this diverse and impressive record, and despite the fact that is no longer a nominee for anything, Democrat Sheldon Whitehouse railed against Griffin Wednesday on the Senate floor, charging that he is unqualified for legal work. "It is just hard to believe that Mr. Tim Griffin was the best person possible," the Rhode Island senator (indefensibly) said.

Griffin has told local Arkansas media that "based on what I've seen in the last two months, I would be dead upon arrival" in the Senate. One can't blame Griffin for bowing out. He has seen how Democrats managed to mow down nominations (think Miguel Estrada . . .) and make people suffer inane and unjustifiable injustices along the path to Senate confirmation (Bill Pryor . . .). As one friend and former colleague of his puts it: "Tim's unpardonable offense is being involved in electing George Bush as president in 2000 and 2004, and being as good at that as he is at being a prosecutor."

Senator Whitehouse, of course, didn't have to look very far in Senate history for another example of the Senate driving another good public servant from a permanent slot he was well suited for. It was his own predecessor, Republican (in Name Only) Lincoln Chafee, who ultimately ended John Bolton's tenure as U.S. ambassador to the United Nations.

Good work, senators; another good man down. The Department of Justice isn't blameless either. As Andy McCarthy has pointed out on NRO, all U.S. attorneys serve at the pleasure of the president of the United States. As Democratic senators and the *New York Times* rant about the unfairness of a president removing old U.S. attorneys and replacing them with new ones, it remains a mystery why the Justice Department failed to make this basic point, early and often.

But don't count Griffin out of the Senate forever. He could be the next Jeff Sessions: Once a U.S. attorney, Sessions was rejected by the Senate Judiciary Committee in 1985 for a federal judgeship; he is currently nearing the end of his second term as senator from Alabama.

From: mickey
Sent: 3/1/2007 11:04:08 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: USA

Tribune announced Gomez is acting U S Attorney.
Mickey D. Barnett

From: mickey
nt: 3/1/2007 12:35:13 AM
: Scott Jennings;
Cc:
Bcc:
Subject: Fw: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

Fyl
Mickey D. Barnett

—Original Message—

From: pkennedy
Date: Wed, 28 Feb 2007 18:43:00
To: mickey
Subject: From Albuquerque Tribune: Iglesias says he was fired for not rushing indictment

pjk sent you this:

Iglesias says he was fired for not rushing indictment

<http://abqtrib.com/news/2007/feb/28/iglesias-says-he-was-fired-not-rushing-indictment/>

Albuquerque Tribune

From: Reg Brown
Sent: 3/3/2007 9:56:46 PM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR;
Cc:
Bcc:
Subject: Fwd: "Fired" US Attorneys: A Mini Rant
Attachments: US_attrny_rprt.pdf;

Meant to blind copy you on this note to some conservative lawyers. Hopefully someone will run w/the info.

Reg Brown wrote:

Date: Sat, 3 Mar 2007 18:40:43 -0800 (PST)
From: Reg Brown
Subject: "Fired" US Attorneys: A Mini Rant
To: regjbrown/

Hope all is well. I've attached a recent CRS report that you may find of interest, although not for its principal conclusions. The report identifies at least 54 U.S. Attorneys who did not serve out a full four year term between 1981 and 2006. The author indicates that the report understates the actual numbers of U.S. Attorneys who were replaced within a shorter time frame in part because it excludes U.S. Attorneys who were replaced following a change in Administration, and in part because it excludes those who departed before completing a four year term if the permanent successor was not formally nominated until after four years from the start of the departing individual's term. (If for example, a U.S. Attorney confirmed in 1993 resigned in 1996 but no successor was nominated until 1998, the departing U.S. Attorney would not be counted in the CRS number above.)

My strong suspicion is that the true number of U.S. Attorneys who did not serve out a full four year term since 1981 is considerably higher than the CRS reported number of 54, and that the number of those who left for policy, performance, or plain old political reasons is also understated because of face saving departures "to spend more time w/ my family."

For reasons that simply escape me, the Administration's EOUSA didn't cooperate w/the CRS study and apparently hasn't put out any competing numbers of its own. Thus the Administration is once again fighting a fierce political battle about its record w/one hand tied behind its back. Hold the groans.

Statements like this from the NYT editorial page today about the "scandal" are almost assuredly false:

"United States attorneys, the highest federal prosecutors at the state level, must be insulated from politics. Their decisions about whether to indict can ruin lives, and change the outcome of elections. To ensure their independence, United States attorneys are almost never removed during the term of the president who appointed them."

Again, almost certainly nonsense. But with no competing data in the public domain a NYT propagated myth can advance far along the track before the truth can get out of the gate. In any event, even a casual review of the information in the CRS report makes it clear that U.S. Attorneys frequently move on early for a host of reasons. During the Clinton Administration one U.S. Attorney resigned after news reports surfaced about him biting a topless dancer. (We'll never know whether Clinton would have fired him if he had not stepped aside.) Another Clintonista resigned after being videotaped grabbing a reporter by the throat. (Oddly, it appears he was never prosecuted for the assault). Fifteen other U.S. Attorneys listed in the CRS report left to "enter or return to private practice." How many of them had policy disputes with the Administration at the time or were replaced to make way for an up and comer with better connections is simply unknown. Lost in all of this is the simple fact that every U.S. Attorney serves "at the pleasure of the President for the time being," and can be replaced for any reason or even no reason at any time.

The debate about the U.S. Attorney departures is now spiraling into even more silly terrain. Commenters today are shocked that the White House may have signed off on some of the U.S. Attorney departures and even suggested a successor for a slot in Arkansas. How the successor could have been nominated without White House involvement is, of course, not relevant -- because it is now apparently a damning political fact that the President's staff is involved in presidential personnel decisions.

Without having seen even a shred of corroborating evidence to back up the claim, other commenters are now running with a former U.S. Attorney's claim that he was dismissed after refusing to bow to pressure from Republican Members of Congress to file corruption charges against a political foe. The dismissed prosecutor apparently admits that he had an obligation to report the calls under DOJ guidelines -- if they ever happened -- and admits that he never fulfilled that obligation. Read that sentence again, and ask yourself -- why should anyone assume DOJ and White House officials retaliated against the prosecutor for his actions when there is no reliable evidence that they were even told that the alleged calls were placed?

Still others are claiming that the Administration is purging prosecutors to gut public corruption cases -- this despite the fact that this Administration has brought far more cases, and been far more aggressive, than any of its predecessors in the area of public integrity. From raiding the Congressional Offices of William Jefferson to securing convictions against Bob Ney and Duke Cunningham to establishing a special task force to go after government procurement fraud, the Administration has done its duty with truly admirable zeal.

I suspect that you are as frustrated as I am about the slow and weak political response to this "scandal." But that frustration pales in comparison to the anger we all ought to feel about the integrity of our friends, former colleagues or fellow conservatives being called into question in this way. Here's hoping they start fighting back next week. In the meantime, "respect the blog!" and apologies for the long note.

Best.

CRS Report for Congress

U.S. Attorneys Who Have Served Less than Full Four-year Terms, 1981-2006

February 22, 2007

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Congressional
Research
Service

Prepared for Members and
Committees of Congress

U.S. Attorneys Who Have Served Less than Full Four-year Terms, 1981-2006

Summary

United States attorneys, who prosecute violations of federal law and defend the federal government in civil suits, are nominated by the President and confirmed by the Senate, and, once confirmed, serve four-year terms. The President may terminate the appointment of a U.S. attorney at any time. Recent controversy over the termination of seven U.S. attorneys, and the method by which the interim appointments were made to replace them, has focused attention on reasons for departure of U.S. attorneys.

This report provides data on U.S. attorneys who did not complete their full four-year term after confirmation by the Senate and whose terms did not carry over a change in presidential administration. The data collected employ records of presidential appointment and Senate confirmation of U.S. attorneys, and rely on secondary sources to provide information on reasons U.S. attorneys left office before completion of their four-year terms.

At least 54 U.S. attorneys appointed by the President and confirmed by the Senate left office before completion of a four-year term between 1981 and 2006 (not counting those whose tenure was interrupted by a change in presidential administration). Of those 54, 17 left to become Article III federal judges, one left to become a federal magistrate judge, six left to serve in other positions in the executive branch, four sought elective office, two left to serve in state government, one died, and 15 left to enter or return to private practice.

Of the remaining eight U.S. attorneys who left before completing a four-year term without a change in presidential administration, two were apparently dismissed by the President, and three apparently resigned after news reports indicated they had engaged in questionable personal actions. No information was available on the three remaining U.S. attorneys who resigned.

Interim U.S. attorneys are appointed by the Attorney General and serve until the President nominates, and the Senate confirms, a successor. Legislation has been introduced in the 110th Congress (H.R. 580; S. 214) to revert the system of appointment of interim U.S. attorneys to the system in place from 1986 to 2006. Under that system, the appointment of an interim U.S. attorney by the Attorney General expired after 120 days. After that appointment expired, district courts could appoint interim U.S. attorneys who could serve until the President nominated, and the Senate confirmed, a permanent replacement.

This report will be updated as events warrant.

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U.S. Attorneys Who Have Served Less than Full Four-year Terms, 1981-2006

Introduction

The primary responsibilities of United States attorneys are twofold: the prosecution of violations of federal criminal and civil law, and defense of the United States in civil actions brought against the federal government in the districts to which they are assigned.¹ By law, U.S. attorneys are appointed by the President with the advice and consent of the Senate for terms of four years.² There are 93 U.S. attorneys, generally one for each of the 94 U.S. district courts (Guam and the Northern Mariana Islands district courts share one U.S. attorney.)

Appointment of U.S. Attorneys

Presidential nominations to the position of U.S. attorney are referred to the Senate Judiciary Committee; if the Judiciary Committee reports the nomination, then the nomination may be considered by the entire Senate. If the Judiciary Committee does not report the nomination before the end of a Congress, the nomination is returned to the President, who may resubmit the nomination. As is the case with nominations for Article III federal judgeships and U.S. marshals, nominations to the position of U.S. attorney are the subject of "blue slips," where Senators who represent the state that includes the district to which an individual is nominated are invited to offer their approval or disapproval of the nominee. If a home state Senator returns a negative blue slip or fails to return a positive blue slip, the chair of the Senate Judiciary Committee, by tradition and in deference to the Senator, may decline to schedule a hearing or other committee action on the nomination.³

Interim U.S. Attorneys

Once confirmed by the Senate, U.S. attorneys can have their appointments terminated at any time by the President.⁴ Upon completion of a four-year term, and in the absence of a successor, "a United States attorney shall continue to perform the

¹ 28 USC § 547.

² 28 USC § 541 (a).

³ See CRS Report RL32013, *The History of the Blue Slip in the Senate Committee on the Judiciary, 1917-Present*, by Mitchel A. Sollenberger.

⁴ 28 USC § 541 (c).

duties of his office until his successor is appointed and qualifies."⁵ If the U.S. attorney resigns or has his or her appointment terminated by the President, an interim U.S. attorney may be appointed by the Attorney General to fill the position until the President nominates, and the Senate confirms, a replacement to the position. As discussed below, legislation has been introduced in the House of Representatives and the Senate in the 110th Congress to alter the mechanism by which interim U.S. attorneys are appointed and how long interim appointees may serve. The two legislative proposals take as their starting point earlier mechanisms for appointing interim U.S. attorneys.

Statutory Changes. In the past 21 years, there have been two changes in how vacant U.S. attorney positions may be filled on an interim basis, pending nomination and Senate confirmation of a permanent successor. In 1966, Congress enacted 28 U.S.C. 541,⁶ which governs the appointment of U.S. attorneys. The language for filling vacancies with interim U.S. attorneys enacted at that time reflected existing language.⁷ That language read as follows:

The district court for a district in which the office of United States attorney is vacant may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.⁸

In 1986, Congress amended the language to allow for the district court to continue to make an interim appointment, but first allowed the Attorney General to make an interim appointment of no more than 120 days. The revised language read as follows:

- (a) Except as provided in subsection (b), the Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant.
- (b) The Attorney General shall not appoint as United States attorney a person to whose appointment by the President to that office the Senate refused to give advice and consent.
- (c) A person appointed as United States attorney under this section may serve until the earlier of—
 - (1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or
 - (2) the expiration of 120 days after appointment by the Attorney General under this section.

⁵ 28 USC § 541 (b).

⁶ P.L. 89-554, § 4(c), Sept. 6, 1966, 80 Stat. 617.

⁷ Before 1966, 28 USC § 506 (62 Stat. 909) used the same language as enacted in P.L. 89-554.

⁸ P.L. 89-554, § 4(c), Sept. 6, 1966, 80 Stat. 618. This language, and all amending language, refers to 28 USC § 546.

(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.⁹

In 2006, as part of the reauthorization of the USA PATRIOT Act, the method for filling vacancies was again altered, allowing the Attorney General to fill a vacancy indefinitely, not for just 120 days. The current language reads as follows:

(a) Except as provided in subsection (b), the Attorney General may appoint a United States attorney for the district in which the office of United States attorney is vacant.

(b) The Attorney General shall not appoint as United States attorney a person to whose appointment by the President to that office the Senate refused to give advice and consent.

(c) A person appointed as United States attorney under this section may serve until the qualification of a United States Attorney for such district appointed by the President under section 541 of this title.¹⁰

As a result of the 2006 law, district courts now play no role in appointing interim U.S. attorneys to fill vacancies. Supporters of the 2006 law have argued that district courts occasionally failed to appoint individuals put forward by the Department of Justice to interim U.S. attorney positions,¹¹ and that allowing federal judges to appoint interim U.S. attorneys raises separation-of-powers concerns.¹² Critics of the 2006 law have claimed that the new law allows U.S. attorneys to be dismissed for "political reasons"¹³ and that interim replacements for terminated U.S. attorneys may serve indefinitely without presidential nomination or Senate confirmation to four-year terms.¹⁴

Identification of U.S. Attorneys Serving Less than Four Years

The recent dismissal of seven U.S. attorneys has raised interest in patterns in departures of U.S. attorneys not related to completion of a four-year term or a change in presidential administration. The dismissal has also renewed focus on how interim U.S. attorneys are appointed, with several Members of Congress asserting that the

⁹ P.L. 99-646, § 69, Nov. 10, 1986, 100 Stat. 3616.

¹⁰ P.L. 109-177, § 502, Mar. 9, 2006, 120 Stat. 246.

¹¹ Marcia Coyle, "In Wake of Seven Firings, Branches Clash Over Interim U.S. Attorney Nominees," *National Law Journal*, Feb. 13, 2007.

¹² *Ibid.*

¹³ Sen. Charles Schumer, "Unanimous-Consent Request — S. 214," remarks in the Senate, *Congressional Record*, daily edition, vol. 153 (Feb. 15, 2007), p. S1995.

¹⁴ Sen. Dianne Feinstein, "Unanimous-Consent Request — S. 214," remarks in the Senate, *Congressional Record*, daily edition, vol. 153 (Feb. 15, 2007), p. S1995.

2006 change was "slipped into"¹⁵ the reauthorization of the USA PATRIOT Act. CRS attempted to ascertain how often, prior to 2007, U.S. attorneys left office before completing their four-year terms without a change in presidential administration.

Methodology

In order to determine how many U.S. attorneys had served less than four years with tenure uninterrupted by a change in presidential administration, CRS began by contacting the Executive Office for United States Attorneys (EOUSA), which serves as the liaison between U.S. attorneys and the Department of Justice. CRS first contacted the EOUSA January 24, 2007, to seek records on the appointment and termination dates for U.S. attorneys. As of February 20, 2007, EOUSA had not provided the requested data. CRS also contacted the Office of Personnel Management (OPM), which maintains the Central Personnel Data File (CPDF). CRS spoke with a representative in OPM's Congressional Liaison Office and was told that the database could not produce the information needed. The OPM representative referred CRS to the Department of Justice.

Absent direct information on starting and termination dates of U.S. attorneys, as well as reasons for their termination, CRS collected data on presidential nomination and Senate confirmation of U.S. attorneys during the 97th (1981-1982) through 109th (2005-2006) Congresses. The Legislative Information System (LIS)¹⁶ provides a searchable database of all nominations submitted to the Senate for consideration, which allowed CRS to build records of succession for Senate-confirmed occupants of the 93 U.S. attorney positions. Using the LIS database, CRS identified each U.S. attorney who was nominated to the position less than four years after his or her predecessor was confirmed to the same position. Nomination of a successor less than four years after the confirmation of a predecessor suggests that the predecessor had served less than four years in the office.¹⁷ Excluded from these calculations were U.S. attorneys appointed after a change in presidential administration; U.S. attorneys have typically been removed from office by a new President so that the new President could appoint his own U.S. attorneys.¹⁸

Two examples may prove illustrative. In 1991, President George H.W. Bush nominated, and the Senate confirmed, Maurice Ellsworth to the position of U.S. Attorney for the District of Idaho. In September 1993, President Clinton appointed, and the Senate confirmed, Betty Richardson to the same position. Although Maurice Ellsworth served less than four years, CRS did not conduct further analysis of this

¹⁵ Ibid.

¹⁶ [<http://www.congress.gov/nomis>]. LIS only provides this data in electronic format for the 1981-2006 time period.

¹⁷ The President may nominate a successor before the term of a U.S. Attorney expires, anticipating the incumbent's departure at the end of his or her term. Of the 54 cases identified and listed in the appendix, CRS found no instances where the U.S. Attorney served a full four-year term.

¹⁸ Dan Eggen, "U.S. Attorney Firings Set Stage for Congressional Battle," *Washington Post*, Feb. 4, 2007, p. A07.

incomplete term because different Presidents made the initial and new appointments. By contrast, President George W. Bush appointed (and the Senate confirmed) Michael Mosman to the position of U.S. Attorney for the District of Oregon in 2001. President George W. Bush then appointed (and the Senate confirmed) Karin Immergit to the same position in 2003. Given that Michael Mosman left office before the completion of his four-year term, and his replacement was appointed by the same President, CRS attempted to ascertain the reason for his departure.

Using this methodology, CRS identified 54 instances from 1981 through 2006 in which the tenure of a U.S. attorney fell short of the four-year term specified by statute (see the appendix). This approach likely underestimates the number of U.S. attorneys who departed office before completion of their four-year terms. A U.S. attorney would not have been included in the appendix if the individual resigned (of his or her own initiative or at the President's request) before completing a four-year term, was replaced by someone appointed by a district court or the Attorney General, and the President did not make a nomination to replace the individual until after four years from the start of the resigned U.S. attorney's term. If, for example, a U.S. attorney confirmed in 1993 resigned in 1996, but a nomination to replace that individual was not made until 1998, the data collection method utilized by CRS would not have captured the individual who resigned in 1996.

Once CRS identified all U.S. attorneys who met these criteria, CRS used secondary sources, including Martindale Hubbell Lawyer Locator,¹⁹ Nexis news searches,²⁰ and the LIS nominations database²¹ to ascertain the dates and the reasons that the identified U.S. attorneys left office.²²

Findings

The appendix identifies 54 U.S. attorneys who were appointed between 1981 and 2006, left office before completing their four-year terms, and whose terms did not extend beyond one President's tenure in office. The entries in the appendix are sorted in ascending order of confirmation date. In each case, CRS has annotated the results of secondary source searches regarding the approximate date of departure and the reason for departure from the position. Seventeen of the 54 U.S. attorneys left office early to take positions as Article III federal judges. For each of those individuals, the appendix provides the month that the individual was confirmed to the federal judgeship as the departure date from the position of U.S. attorney. One additional U.S. attorney, Paul Michael Warner, left in January 2006, before the completion of his second term, to become a U.S. magistrate judge. Six U.S. attorneys left their posts early to take other positions in the executive branch; all but one of those (Jim J. Marquez, who left in February 1984 to become General Counsel

¹⁹ [<http://lawyers.martindale.com/marhub/>].

²⁰ [<http://www.nexis.com/research/>].

²¹ [<http://www.congress.gov/nomis/>].

²² Heather Negley and Maureen Bearden, CRS Information Research Specialists, performed these searches.

to the Department of Transportation) took positions elsewhere in the Department of Justice. Four other individuals appear to have left office to seek elective office; two more left to serve in state government. One U.S. attorney died while in office. All of the above categories account for 31 of the 54 U.S. attorneys listed in the appendix.

Of the remaining 23 U.S. attorneys, the secondary sources indicate that 15 left to enter or return to private practice. Included in this category are individuals who explicitly indicated (in news reports or elsewhere) that their intent was to take a position with a law firm or as house counsel for a business. Of the remaining eight individuals, two were apparently dismissed by the President. Those two were:

- **William Kennedy, U.S. Attorney for the Southern District of California.** Kennedy, appointed by President Reagan, was reportedly dismissed in 1982 "for charging that the Justice Department, at the request of the Central Intelligence Agency, was blocking his attempt to prosecute Mr. [Miguel] Nassar [Haro], because he had been a key CIA informant on Mexican and Central American affairs."²³
- **J. William Petro, U.S. Attorney for the Northern District of Ohio.** Petro, appointed by President Reagan, was reportedly dismissed in 1984 because the Department of Justice was "investigating allegations that Mr. Petro disclosed information about an indictment pending from an undercover operation and that the information reached a subject of the investigation."²⁴ Petro was later convicted on the charges.²⁵

For the remaining six U.S. attorneys, the only information available was that they had resigned from office. News reports suggested that, in at least three of those cases, their resignations were the result of questionable conduct. Briefly, those three cases were as follows:

- **Larry Colleton, U.S. Attorney for the Middle District of Florida.** Colleton, appointed by President Clinton, according to news reports, "had been U.S. attorney for Florida's middle district for only five months on May 6 [1994] when he was videotaped grabbing Jacksonville television reporter Richard Rose by the throat. The newsman had been trying to question him about recent decisions in his office."²⁶ He resigned in July 1994.

²³ "Mexican Security Official Held on Auto Theft Charge," *Christian Science Monitor*, Apr. 26, 1982, p. 2 (Midwestern Edition).

²⁴ Leslie Maitland Weber, "U.S. Attorney in Cleveland Is Discharged by President," *New York Times*, Oct. 3, 1984, p. A16.

²⁵ "Conviction Clouding Future for Ohio Republican," *New York Times*, Mar. 10, 1985, p. A23.

²⁶ Anne Groer, "Colleton Resigns as U.S. Attorney, Gets Another Post," *Orlando Sentinel*, (continued...)

- **Kendall Coffey, U.S. Attorney for the Southern District of Florida.** Coffey, appointed by President Clinton, resigned on May 12, 1996, according to news reports, "amid accusations that he bit a topless dancer on the arm during a visit to an adult club after losing a big drug case."²⁷
- **Frank L. McNamara, Jr., U.S. Attorney for the District of Massachusetts.** McNamara, appointed by President Reagan, reportedly resigned on January 30, 1989, because he had "been the focus of heated dispute since the Justice Department announced in November [1988] that he was the target of an internal probe."²⁸ That probe sought to identify "whether he had lied to federal officials when he accused his predecessor as U.S. attorney, William F. Weld, of smoking marijuana. McNamara also admitted experimenting with the drug."²⁹ The same news story reported that had McNamara not resigned of his own accord, he would have been suspended by Attorney General Richard Thornburgh.³⁰

For the remaining three individuals, CRS was unable to locate additional information on the reasons for their resignations. In one of these cases, Humberto Garcia, the tenure was nearly four full years (from March 2003 to January 2007).

Legislation in the 110th Congress

Companion legislation has been introduced in the House and the Senate to change the method of appointing interim U.S. attorneys. Both the House bill, H.R. 580, sponsored by Representative Berman, and the Senate bill, S. 214, sponsored by Senator Feinstein, as amended, would allow the Attorney General to make an interim appointment that would expire after 120 days. After 120 days, the district court would be empowered to appoint an interim U.S. attorney whose tenure would last until the President nominates, and the Senate confirms, a successor. These proposals would return the method for appointing interim U.S. attorneys to the system used between 1986 and 2006.

S. 214 contains an additional provision not currently in H.R. 580 that would terminate the appointments of any existing interim U.S. attorneys 120 days after the legislation is enacted (or a successor is confirmed by the Senate, whichever comes

²⁶ (...continued)
July 30, 1994, p. A1.

²⁷ Associated Press, "U.S. Attorney Resigns Amid Turmoil," *Tulsa World*, May 18, 1996, p. A13.

²⁸ Elizabeth Neuffer and Stephen Kurkjian, "McNamara Resigns as US Attorney; Prosecutor Cites Swirl of Controversy," *Boston Globe*, Jan. 31, 1989, p. 1.

²⁹ Ibid.

³⁰ Ibid.

earlier.) Under S. 214, vacancies created by the expiration of the term of an interim U.S. attorney would be filled by the district court. A hearing was held on S. 214 on February 6, 2007, and the bill, as amended, was approved by the Senate Judiciary Committee on February 8, 2007. The chairman reported the bill, as amended, on February 12, 2007. H.R. 580 was referred to the Commercial and Administrative Law Subcommittee of the House Judiciary Committee on February 2, 2007.

**Appendix. U.S. Attorneys Who Left Office After Serving Less than Full Four-Year Terms
During the Tenure of One President (1981-2006)**

District	U.S. Attorney	Nomination Date	Confirmation Date	Departure Date	Departure Reason
N.OK	Francis Anthony Keating II	05/14/81	06/10/81	1983	Sought Elective Office
W.OK	David L. Russell	05/14/81	06/10/81	12/81	Federal Judge
S.IN	Sarah Evans Barker	06/25/81	07/15/81	03/84	Federal Judge
W.TX	Edward C. Prado	06/16/81	07/15/81	03/84	Federal Judge
NH	W. Stephen Thayer III	07/29/81	09/16/81	1984	State Government
N.IL	Dan K. Webb	09/22/81	10/21/81	02/01/85	Private Sector
ID	Gly Gordon Huributt	09/17/81	10/29/81	1984	Private Sector
S.CA	William H. Kennedy	09/17/81	11/10/81	04/05/82	Dismissed
CT	Alan H. Nevas	10/07/81	11/18/81	10/85	Federal Judge
KS	Jim J. Marquez	09/17/81	11/24/81	02/84	Executive Branch
DC	Stanley S. Harris	11/04/81	12/16/81	11/83	Federal Judge
NV	Lamond Robert Mills	12/04/81	02/08/82	1985	Private Sector
C.CA	Stephen S. Trott	12/09/81	02/08/82	07/83	Executive Branch
N.OH	J. William Petro	12/11/81	03/04/82	10/02/84	Dismissed
E.OK	Gary Loy Richardson	03/29/82	04/21/82	1984	Private Sector
E.NY	Raymond J. Dearie	07/28/82	08/20/82	03/86	Federal Judge
N.FL	William Thomas Dillard III	12/14/82	02/23/83	1986	Private Sector
S.IN	John D. Tinder	06/04/84	06/15/84	08/87	Federal Judge
M.GA	Joe D. Whitley	03/17/86	04/23/86	1987	Executive Branch
E.WI	Joseph P. Stadtmueller	05/14/86	06/06/86	05/87	Federal Judge
N.FL	K. Michael Moore	04/23/87	05/19/87	05/19/87	Executive Branch
W.OK	William S. Price	04/23/87	07/01/87	1989	Sought Elective Office

District	U.S. Attorney	Nomination Date	Confirmation Date	Departure Date	Departure Reason
MA	Frank L. McNamara, Jr.	04/02/87	11/05/87	01/30/89	Resigned
NJ	Samuel A. Alito, Jr.	08/03/87	12/08/87	04/90	Federal Judge
W.WI	Patrick J. Fiedler	11/19/87	02/25/88	01/91	State Government
SC	E. Bart Daniel	05/16/89	06/22/89	1992	Private Sector
UT	Dee V. Benson	05/31/89	06/22/89	09/91	Federal Judge
W.OK	Vicki Lynn Miles-LaGrange	07/29/93	09/21/93	11/94	Federal Judge
N.AL	Claude Harris Jr.	09/07/93	09/30/93	10/02/94	Died
S.OH	Edmund A. Sargus, Jr.	09/07/93	09/30/93	08/96	Federal Judge
SC	Joseph Preston Strom, Jr.	08/06/93	09/30/93	1996	Private Sector
S.FL	Kendall Brindley Coffey	10/13/93	11/20/93	05/17/96	Resigned
M.FL	Larry Herbert Colleton	11/19/93	02/10/94	07/94	Resigned
M.GA	James Lamar Wiggins	11/19/93	02/10/94	1996	Sought Elective Office
N.GA	Kent Barron Alexander	01/26/94	03/25/94	1997	Private Sector
W.KY	Stephen Beville Pence	08/03/01	09/14/01	2003	Sought Elective Office
DC	Roscoe Conklin Howard, Jr.	08/02/01	09/14/01	05/28/04	Resigned
S.IA	Steven M. Colloton	09/05/01	10/12/01	09/03	Federal Judge
OR	Michael W. Mosman	08/01/01	10/12/01	09/03	Federal Judge
W.NC	Robert L. Conrad Jr.	08/03/01	10/23/01	2004	Private Sector
MD	Thomas M. DiBiagio	09/05/01	10/23/01	2005	Resigned
E.MO	Raymond W. Gruender	08/02/01	10/23/01	05/04	Federal Judge
W.AR	Thomas C. Gean	08/02/01	10/23/01	06/07/04	Private Sector
N.GA	William S. Duffey, Jr.	09/05/01	11/06/01	06/04	Federal Judge
E.MI	Jeffrey Gilbert Collins	09/05/01	11/06/01	08/22/04	Private Sector
S.GA	Richard S. Thompson	10/25/01	11/30/01	2004	Private Sector
W.NY	Michael A. Battle	11/15/01	01/25/02	06/05	Executive Branch
S.NY	James B. Comey	03/04/02	04/12/02	12/09/03	Executive Branch

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District	U.S. Attorney	Nomination Date	Confirmation Date	Departure Date	Departure Reason
N.TX	Jane J. Boyle	12/20/01	04/12/02	06/04	Federal Judge
S.IL	Miriam F. Miquelon	05/23/02	07/29/02	09/01/03	Private Sector
S.FL	Marcos D. Jimenez	04/15/02	07/29/02	05/20/05	Private Sector
W.WI	J.B. Van Hollen	05/15/02	08/01/02	01/31/05	Private Sector
PR	Humberto S. Garcia	11/19/02	03/07/03	01/07	Resigned
UT	Paul Michael Warner	07/14/03	08/01/03	01/06	Magistrate Judge

Source: Nomination and Confirmation data from Legislative Information System (LIS), at [<http://www.congress.gov/nomis>]. CRS obtained information for departure dates and departure reasons from secondary sources.

Michael Thielen

From: Michael Thielen
Sent: 3/2/2007 6:25:13 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY ;
Bcc:
Subject: [FWD: Re: inquiry from the New York Times]

Sure you know this coming down the pike. Obviously RNLA has no role to play in this story and no comment but I thought I would send this to you as an FYI. (I have not heard lawyers wonder this btw.)

----- Original Message -----

Subject: Re: inquiry from the New York Times
From: "David Kirkpatrick"
Date: Fri, March 02, 2007 6:15 pm
To: "Michael Thielen"

I just called you again: I am at 202 862 or 917 826 I am working on an article about the replacement of several U.S. Attorneys, and I am calling because I had heard that for some time now some lawyers had wondered why the Bush administration had not yet replaced U.S. Attorneys who appeared to ignore or disagree with administration policy. I had been told that you might be a good person to ask about that.

If you can try me again, I would be very very grateful. I will keep the mobile phone with me even if I leave my desk.

David

On 3/2/07, Michael Thielen

> wrote:

I just called your phone number 202 862 0394 but no one was there. I was already "done for the day" but came back to call you. Is there a good time to talk Monday or can you give me more details on what you are interested in discussing? Often times, I redirect questions to a more appropriate person.

----- Original Message -----

Subject: inquiry from the New York Times
From: "David Kirkpatrick"
Date: Fri, March 02, 2007 5:47 pm
To: thielen

Mr. Thielen - I am a reporter for the New York Times working on an article involving the National Republican Lawyers Association that I am hoping to talk to you about. Can I ask you to give me a call or let me know how to reach you? My number is 202 862 at my desk or 917 826 on my mobile phone. The latter is probably best.

Thanks very much

David D. Kirkpatrick
The New York Times

PS- I am using this account because our email system is down.

Scott Jennings

From: Scott Jennings
Sent: 3/4/2007 4:36:25 PM
To: Jay McCleskey - Political;
Cc:
Bcc:
Subject: RE: NEWSWEEK: GOP Lawmakers Played a Role In U.S. Attorney Purge

he said/she said between Wilson, PVD and Iglesias.

it's not good.

From: Jay McCleskey - Political
Sent: Sun 3/4/2007 11:29 AM
To: Scott Jennings; Trey Best
Subject: Fw: NEWSWEEK: GOP Lawmakers Played a Role In U.S. Attorney Purge

-----Original Message-----

From: Foster Morss - Research/Communications
To: Foster Morss - Research/Communications
Sent: Sun Mar 04 10:31:34 2007
Subject: NEWSWEEK: GOP Lawmakers Played a Role In U.S. Attorney Purge

OP Lawmakers Played a Role In U.S. Attorney Purge

A Mass Firing Puts Justice on the Hot Seat

Newsweek

By Michael Isikoff

March 12, 2007 issue - The firings of eight U.S. attorneys has put the heat on top Justice Department officials—and some GOP members of Congress. The unusual mass dismissals took place late last year, but the controversy escalated last week when David Iglesias, the former U.S. attorney in New Mexico, went public with a dramatic charge: that he had gotten phone calls from two unidentified GOP lawmakers in D.C. last October, pressing him to bring indictments in a high-profile corruption case involving a prominent local Democrat before the November election. Iglesias—a former Navy prosecutor who was the model for Tom Cruise's character in "A Few Good Men"—said he refused to answer. Six weeks later, a Justice official ordered him to resign. This week, Iglesias has been subpoenaed along with three other fired prosecutors to testify before Congress. He plans to name the lawmakers who called him as Rep. Heather Wilson (who was in a tight re-election battle at the time) and Sen. Pete Domenici (who originally sponsored him for the job), according to two sources familiar with his account who asked not to be identified talking about the upcoming testimony. An aide to Wilson said "no comment." Domenici's office didn't return repeated phone calls. A senior Justice official, anonymous because of the confidential subject, confirmed to NEWSWEEK that Domenici "did express general concerns" about Iglesias to senior DOJ officials—but insisted he did not specifically complain about the corruption case. "It's absolutely 100 percent inaccurate" to suggest that Iglesias's failure to bring the corruption case against the Democrat led to his dismissal, department spokesman Brian Roehrkasse said.

The decision to fire the U.S. attorneys en masse was made late last year by two top aides to Attorney General Alberto Gonzales—chief of staff Kyle Sampson and deputy A.G. Paul McNulty—according to a senior department official who asked not to be identified talking about personnel. McNulty may have fueled the controversy when he told the Senate last month that most of the fired prosecutors were let go because of "performance-related issues." That infuriated some of the dismissed prosecutors (all of them Bush appointees), prompting them to defend themselves. "When I heard him say that, I lit up like a tree," said one of the prosecutors, who asked not to be identified because of pending congressional testimony. In fact, internal Justice performance evaluations seen by NEWSWEEK show that those who were fired had gotten mostly glowing reviews. Congressional Dems now smell blood. After this week's hearings featuring the fired prosecutors, "I expect we will have 100 more questions for the Justice Department," said one Democratic staffer who requested anonymity.

D Foster Morss

Republican National Committee

Allen Weh

From: Allen Weh
Sent: 3/5/2007 11:31:22 PM
To: Scott Jennings /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SJENNINGS;
Cc:
Bcc:
Subject: NM USA

FYI, I have identified the source of who sabotaged Bibb....Mickey Barnett, who used his long standing relationship with Steve Bell to influence the senator to find someone else. Don't know what motivated him but he has connections to Richardson, or it could've been his support of Pfeiffer.

Because of this, reinforced by the Iglesias' soapbox being played out tomorrow, if DOJ finds Bowles problematic and doesn't want him, I've got Kennedy and Rogers willing to speak directly to Domenici on Bibbs' behalf to resurrect his nomination. They both enjoy the senator's confidence and I'm reasonably confident they would now override the Barnett influence.

The only question would be Domenici's willingness to nominate anybody now but a virgin, given he's had to make a public apology for the first time in his political career? On the other hand perhaps that would be motivation on his part not to have any part of who gets the job? This has been traumatic for that office, they aren't used to this kind of political combat.

Scott Jennings

From: Scott Jennings
Sent: 3/6/2007 7:15:53 AM
To: Allen Weh
Cc:
Bcc:
Subject: RE: NM USA

We are having a meeting today with Counsel to discuss all of this. Will report back.

From: Allen Weh
Sent: Monday, March 05, 2007 11:31 PM
To: Scott Jennings
Subject: NM USA

FYI, I have identified the source of who sabotaged Bibb... Mickey Barnett, who used his long standing relationship with Steve Bell to influence the senator to find someone else. Don't know what motivated him but he has connections to Richardson, or it could've been his support of Pfeiffer.

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Shields, Mike

From: Shields, Mike
Sent: 3/5/2007 12:08:44 PM
To: Mike Britt /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=MBRITT;
Cc:
Bcc:
Subject: RE: Names

Thanks mike. Yes 8 am.

Mike Shields
Chief of Staff
U.S. Rep. Dave Reichert
202-225-7761
www.house.gov/reichert
Sign up for Congressman Reichert's weekly e-newsletter [here!](#)

From: Mike Britt [mailto:mbritt@gwb43.com]
Sent: Monday, March 05, 2007 10:51 AM
To: Shields, Mike
Subject: Names

Mike,

Here are two names I received for possible replacements for the US Attorney of the Western Region of WA State. There are Julie Keyes (sp) and Vince Lombardi. Let me know if you're okay with these names.

Regards, Mike

How are we still on for breakfast tomorrow at the CHC?

Michael J. Britt
Associate Director
Office of Political Affairs, The White House
Washington, DC 20502
Phone: 202.456.
Fax: 202.456.
mbritt@gwb43.com

Mike Britt

From: Mike Britt
Sent: 3/6/2007 11:53:19 AM
To: Shields, Mike
Cc:
Bcc:
Subject: RE: Names

202-456

From: Shields, Mike
Sent: Tuesday, March 06, 2007 11:54 AM
To: Mike Britt
Subject: Re: Names

I agree. I will call you in a minute what is your direct I'm away from my desk

Mike Shields
202-812-

-----Original Message-----

From: Mike Britt <mbritt@gwb43.com>
To: Shields, Mike
Date: Tue Mar 06 11:50:34 2007
Subject: RE: Names

As you already know, the White House is taking this process very seriously. Therefore, I believe we should widen the process for more names.

From: Shields, Mike
Sent: Tuesday, March 06, 2007 11:10 AM
To: Mike Britt
Subject: RE: Names

Just talked to norm. as you did.

He is going to think about some more names to throw in the mix

I have to think about what I am going to tell patty murray's office

Mike Shields

Chief of Staff

Rep. Dave Reichert

202-225-7761

www.house.gov/reichert

Sign up for Congressman Reichert's weekly e-newsletter [here!](#)

From: Mike Britt [<mailto:mbritt@gwb43.com>]

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Michael J. Britt

Associate Director

Office of Political Affairs, The White House

Washington, DC 20502

Phone: 202.456

Fax: 202.456

mbritt@gwb43.com

Grover Norquist

From: Grover Norquist
Date: 3/6/2007 10:41:48 AM
To: Karl Rove kr@georgewbush.com;
Cc:
Bcc:
Subject: FW: from John Carlson in Seattle

Karl.
An analysis of the candidates to replace John McKay as US attorney in Washington by John Carlson former CA party chair.

From: Carlson, John
Sent: Monday, March 05, 2007 5:21 PM.
To: Grover Norquist
Subject: from John Carlson in Seattle

Hi Grover,

I thought you'd want to know about the leading finalists to replace John McKay at US Attorney out here.

- 1). Jeff Sullivan. Already working at the US attorney's office. Older but able, used to be prosecuting attorney in Yakima county where he publicly endorsed the nation's first "Three Strikes, You're Out" ballot measure.
- 2). Harry Korrell. Part of Davis Wright Tremaine's legal defense team for Republican Dino Rossi during the Governor recount trial in '05. Also appeared before the US Supreme Court two months ago, claiming that the Seattle School District's outrageous policy of using a child's race to decide what school they can attend is unconstitutional. He's younger than Jeff and a rising star.

Mike Vaska. I like Mike personally, but we're on opposite ends of a bitter legal case that George Will wrote about in Newsweek Fall. Mike argued before our State Supreme Court that my radio commentary boosting a ballot measure to repeal a gas tax increase was tantamount to an in-kind contribution to the initiative's campaign! You can imagine the chilling effect this would have on all talk radio hosts that discuss political candidates and causes - especially when limits on campaign contributions are in play. The Court has yet to rule, but this is the roadmap to regulating - not even legislating, but regulating - the First Amendment out of existence as we know it today. Keep in mind that I had no role in that campaign, no title, and didn't receive a dime from the people running it. What was Mike's connection to the case? His law firm is one of the state's leading bond counsels, and stands to make millions from issuing the bonds backed by the new gas tax.

If I hear anything else, I'll let you know.

John Carlson
425-829-

Karl Rove

From: Karl Rove
Sent: 3/6/2007 4:10:54 PM
To: gnorquist
Cc: Scott Jennings sjennings@gwb43.com ;
Bcc:
Subject: Re: from John Carlson in Seattle

Thanks - appreciate the heads-up.

-----Original Message-----

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To: Karl Rove
Sent: Tue Mar 06 10:41:48 2007
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I hear anything else, I'll let you know

John Carlson

329-

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Scott Jennings

From: Scott Jennings
Date: 12/15/2006 6:09:14 PM
To: Tim Griffin

Bcc:
Subject: RE: Press Release

Awesome.

From: Tim Griffin
Sent: Friday, December 15, 2006 5:07 PM
To: Sara Taylor; Scott Jennings
Subject: Press Release
Importance: High

Fyi, this press release is going out tonight. Thank you for everything you have done for me. I will make you proud. TG

[ADD U.S. ATTORNEY STATIONARY]

**JUSTICE DEPARTMENT ANNOUNCES APPOINTMENT
OF J. TIMOTHY GRIFFIN AS INTERIM UNITED STATES ATTORNEY
FOR THE EASTERN DISTRICT OF ARKANSAS**

LITTLE ROCK, Ark. — The Justice Department today announced the appointment of J. Timothy Griffin to serve as the interim U.S. Attorney for the Eastern District of Arkansas. Mr. Griffin will serve under an Attorney General appointment. He will succeed Bud Cummins, who will resign on December 20, 2006, to pursue opportunities in the private sector.

Mr. Griffin currently serves as a Special Assistant U.S. Attorney in the Eastern District of Arkansas. He recently 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.

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.

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. He also 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.

HJC 11385

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 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.

###

From: griffin
Sent: 12/26/2006 5:32:05 PM
To: Karl Rove; Sara Taylor; Scott Jennings;
Cc:
Bcc:
Subject: Arkansas Democrat Gazette Lead Editorial Today

EDITORIALS

Don't be fooled
Person vs. perception

TIM GRIFFIN will make a fine U.S. attorney for the Eastern District of Arkansas.

Enter hysteria from left.

Mr. Griffin is an experienced lawyer and prosecutor, a cum laude graduate of both Hendrix College and Tulane University in New Orleans. He even went to grad school at Oxford, the one across the big pond. He has experience in the private and public sectors...

Gnashing of teeth, rending of garments on cue. All that's just a smokescreen!

Despite his rough-and-tumble years in Washington, this son of Magnolia, Ark., knows and loves the Natural State.

Wrath, fury, charges of rewarding blind political loyalty over real qualifications.

But didn't Tim Griffin leave a high-ranking post in the White House to spend a year serving in Iraq? Scarcely the act of a blind partisan.

Irrelevant! It was probably just a PR stunt! He's still a GOP hit man!

YOU KNOW how easy it'd be to do a slash-and-burn piece on Tim Griffin? We mean a real verbal kneecap job on the guy? Google tim griffin and republican and stand back. He's as easy to demonize as his old boss, Karl Rove.

... since Mr. Griffin has now been appointed the next U.S. attorney for the Eastern District of Arkansas, well, let the demonizing begin!

It already has from Arkansas' junior senator, Mark Pryor. Or, rather from the junior senator's flock, Michael Teague. He/they are shocked! shocked! at the idea of the president's making a political appointment to a political office. And to appoint Mr. Griffin during a congressional recess, why, that's... playing politics!

To quote Mark Pryor's mouthpiece: The one thing that stands out is that [Tim Griffin] worked for Karl Rove in the West Wing of the White House. Is he getting special treatment? ... Is he going to make good legal decisions, or is he going to make political decisions?

Gosh, we don't remember Mark Pryor/Michael Teague/the DNC expressing similar reservations when President Bill Clinton was punting all those Democrats into U.S. attorney slots during his seemingly endless tenure.

But here's the difference: Tim Griffin is... a Republican.

Horrors!

Not only that, but he spent the '04 campaign running Oppo Research for the Republican National Committee. He can't deny it: in the politics-ain't-beanbag world of, well, politics, yes, Tim Griffin played hardball.

So he must be evil incarnate, right?

Wrong.

There's no doubt Mr. Griffin has been a Republican loyalist, operative, opposersearcher and all-around hand for the Grand Old Party which can sling mud as fast as... the other grand old party. There's also no doubt that he's perfectly qualified for this post, having twice served as deputy federal prosecutor and having worked as a lawyer in the Justice Department. (He was a special assistant to Michael Chernoff in the criminal division of the U.S. attorney general's office.)

Whatever Mr. Griffin's politics, and at least you don't have to guess about them! he's sharp as a new box of tacks, and the God-and-country Arkansas you'd expect to do just what he did. That is, leave behind a desk job as Karl Rove's deputy in Iraq. Tim Griffin may have played hardball, but far as we know he never threw at anybody's head.

Always a good source for information, not just rumor and scuttlebutt, we called Mr. Griffin on an occasional basis when he...

Washington. Inevitably, the conversation would go from politics to the real stuff: the Hogs and their chances in whatever season was in full bloom in Arkansas. Inevitably, we'd ask Tim how the gig was going, and he'd say, every time: It's okay. But it's not Arkansas.

We can't remember a young, off-to-Washington politico who was so regularly homesick. And who kept getting dragged back to the Beltway by one exciting job offer after another. How does a young Republican turn down a personal appeal from Karl Rove? Remember, before Mr. Rove was this election's goat, he was last election's genius.

But why let the actual person get in the way of Mark Pryor's caricature of him? Here's the party line of the other party: Tim Griffin wouldn't have a snowball's chance at this post if he didn't have all those suspicious connections to the Bush White House. And look how close he is to Karl Rove. And look at those vicious campaigns he worked on. (Never mind that Democrats have plenty of their own Tim Griffins. Just check out the bright young types in their war rooms.)

Well, as the kids used to say and maybe still do. Duh. That's the way these things work. That's why they're called political appointments. The most we the people can hope for is that the political appointees have qualifications other than their politics.

LUCKILY, we know Tim Griffin. We've known him for a long time. He may be the smartest guy we know. If he's not, he's on the short list. And we're confident he'll do the job right. If you're looking for legal qualifications and Camp Pryor claims to be, then just look a little closer at Tim Griffin's background:

Now in his 10th year as an officer in the Army Reserve, Major Griffin of the Judge Advocate General's Corps served as a prosecutor at Fort Campbell, Ky. Remember that case about the private who tried to murder his platoon sergeant? Major Griffin prosecuted it as well as some 40 other criminal cases.

When he previously served as a special assistant U.S. attorney in Arkansas, Tim Griffin handled drug and firearm cases. He also organized the Eastern District of Arkansas' state-federal effort to reduce gun violence, which was styled Project Safe Neighborhoods. For a partisan appointee, Tim Griffin makes a pretty nonpartisan law-and-order guy.

But something tells us that Mark Pryor isn't especially interested in carefully appraising this appointee's record in the law, but in how much hay he can make of Tim Griffin's association with Karl Rove, the man everybody loves to hate this year. After all, Mark Pryor's own résumé didn't exactly scream Perry Mason before he ran for attorney general of Arkansas. He'd spent a decade in private law practice (did he ever try a case?) while serving a few less than distinguished terms in the Legislature and, naturally, losing the Ledge once he was out. Then when he got to be Arkansas' attorney general, what brilliant stroke did he exhibit in that office besides letting the payday lenders loose on the state?

Mark Pryor may not be the greatest legal mind ever to serve in the U.S. Senate (may not be?) but, boy, he's got plenty of nerve. Because that's what it takes for somebody with his nondescript record at the bar to challenge Tim Griffin's.

But this wasn't supposed to be about Mark Pryor's qualifications and experience but Tim Griffin's. To review: Tim Griffin comes with a law degree, experience as a federal prosecutor in at least two jurisdictions, a sense of loyalty and duty, and a love of country, especially Arkansas, USA. Plus, if you know the guy, you know he's quality.

About the only knock on him is that he's too Republican for Mark Pryor. But that's Mark Pryor's problem, not Tim Griffin's.

From: griffin;
Date: 12/26/2006 12:43:59 PM
To: Karl Rove kr@georgewbush.com;

Bcc:
Subject: Re: Arkansas Democrat Gazette Lead Editorial Today

Thank you. Hope you are having a great break. TG

-----Original Message-----

From: Karl Rove <KR@georgewbush.com>
Date: Tue, 26 Dec 2006 12:48:00
To: <griffin>;
Subject: Re: Arkansas Democrat Gazette Lead Editorial Today

Wow! Very nice.

On 12/26/06 12:32 PM, "griffin";

wrote:

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Now in his 10th year as an officer in the Army Reserve, Major Griffin of the Judge Advocate General's Corps served as a prosecutor at Fort Campbell, Ky. Remember that case about the private who tried to murder his platoon sergeant? Major Griffin prosecuted it—as well as some 40 other criminal cases.

When he previously served as a special assistant U.S. attorney in Arkansas, Tim Griffin handled drug and firearm cases. He also organized the Eastern District of Arkansas' state-federal effort to reduce gun violence, which was styled Project Safe Neighborhoods. For a partisan appointee, Tim Griffin makes a pretty nonpartisan law-and-order guy.

But something tells us that Mark Pryor isn't especially interested in carefully appraising this appointee's record in the law, but in how much hay he can make of Tim Griffin's association with Karl Rove, the man everybody loves to hate this year. After all, Mark Pryor's own résumé didn't exactly scream Perry Mason before he ran for attorney general of Arkansas. He'd spent a decade in private law practice (did he ever try a case?) while serving a few less than distinguished terms in the Legislature and, naturally, lobbying the Ledge once he was out. Then when he got to be Arkansas' attorney general, what brilliant stroke did he exhibit in that office—besides letting the payday lenders loose on the state?

Mark Pryor may not be the greatest legal mind ever to serve in the U.S. Senate (may not be?) but, boy, he's got plenty of nerve. Because that's what it takes for somebody with his nondescript record at the bar to challenge Tim Griffin's.

But this wasn't supposed to be about Mark Pryor's qualifications and experience but Tim Griffin's. To review: Tim Griffin comes with a law degree, experience as a federal prosecutor in at least two jurisdictions, a sense of loyalty and duty, and a love of country, especially Arkansas, USA. Plus, if you know the guy, you know he's quality.

About the only knock on him is that he's too Republican for Mark Pryor. But that's Mark Pryor's problem, not Tim Griffin's.

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Tim Griffin

From: Tim Griffin
Sent: 1/3/2007 10:40:01 PM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Subject: FW: New Contact Information

fyi, jay will be in touch about a tour.

From: Jay Dickey
Sent: Wednesday, January 03, 2007 9:39 PM
To: 'Tim Griffin'
Subject: RE: New Contact Information

Three things:

1. Congratulations on your most recent accomplishment
2. Thanks for information about White House tour
3. And thanks for contact data.

God bless you and your deliberations in your new responsibility.

Jay. P.S. Happy New Year, for sure, to you and Elizabeth.

Jay Dickey
Consulting Co.
E. Southern Pines Dr.
The Bluff, AR 71603
Tel: 202.302

-----Original Message-----

From: Tim Griffin
Sent: Wednesday, January 03, 2007 9:05 PM
To: Tim Griffin
Subject: New Contact Information

Dear All, in September I completed my year of Army active duty (and military leave from the White House). I am still in the Army Reserve but back in the civilian world. Elizabeth and I have returned to Arkansas and on 20 December, I was sworn in as U.S. Attorney for the Eastern District of Arkansas. Here is my new contact info:

Tim Griffin
U.S. Attorney
Eastern District of Arkansas
P O. Box 1229
Little Rock, Arkansas 72203
Work: 501 340 2800
Cell: 501 837

Please continue to use this email:

Stay in touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

Jane Cherry

From: Jane Cherry
Date: 1/4/2007 8:06:45 AM
To: Tim Griffin
Cc:
Bcc:
Subject: RE: New Contact Information

Ok. He emailed me last night.

From: Tim Griffin
Sent: Wednesday, January 03, 2007 10:40 PM
To: Jane Cherry
Subject: FW: New Contact Information

fyi, jay will be in touch about a tour.

From: Jay Dickey
Sent: Wednesday, January 03, 2007 9:39 PM
To: Tim Griffin
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Three things:

1. Congratulations on your most recent accomplishment
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And thanks for contact data.

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Jay Dickey
JD Consulting Co
47 E. Southern Pines Dr
Pine Bluff, AR 71603
Cell: 202.302.

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Sent: Wednesday, January 03, 2007 9:05 PM
To: Tim Griffin
Subject: New Contact Information

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U.S. Attorney
Eastern District of Arkansas
P.O. Box 1229
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Work: 501 340 2600
Cell: 501 837

Please continue to use this email:

Stay in touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

Tim Griffin

From: Tim Griffin
nt: 1/7/2007 6:43:20 PM
: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Cc:
Bcc:
Subject: FW: New Contact Information

Fyi, please read this.

Kevin Crass' son and Judge Susan Webber Wright's daughter, Robin Wright, (Judge Wright asked me about it at church today.) are both at Washington and Lee. They would both make great interns. Can you help? Any advice on who else I should discuss this with if anyone?

-----Original Message-----

From: Kevin Crass
Sent: Saturday, January 06, 2007 10:19 AM
To: griffin
Subject: Re: New Contact Information

Tim,

I was planning on calling you next week to follow up on a discussion about my son. Will is a freshman at W and L and wants to work in DC this summer. I will send you his bio Monday. If you could help with contacts for an internship, I would be grateful. We had talked about your old shop and talking to Jane. I also thought the DOJ may have opportunities. Thanks for your help.

Kevin

-----Original Message-----

From: "Tim Griffin"
To: BCC: Kevin Crass
Kevin Crass <>
Creation Date: 1/6 9:38 am
Subject: New Contact Information

Dear All, in September I completed my year of Army active duty (and military leave from the White House) I am still in the Army Reserve but back in the

civilian world. Elizabeth and I have returned to Arkansas and on 20 December, I was sworn in as U.S. Attorney for the Eastern District of Arkansas. Here is my new contact info:

Tim Griffin
U.S. Attorney
Eastern District of Arkansas
P.O. Box 1229
Little Rock, Arkansas 72203
Work: 501 340 2600
Cell: 501 837

Please continue to use this email: griffin;

Stay in touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

Jane Cherry

From: Jane Cherry
nt: 1/8/2007 8:38:11 AM
o: Tim Griffin
Cc:
Bcc:
Subject: RE: New Contact Information

I am happy to talk to both of them. Can you send me their contact information?

-----Original Message-----

From: Tim Griffin
Sent: Sunday, January 07, 2007 6:43 PM
To: Jane Cherry
Subject: FW: New Contact Information

Fyi, please read this

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Creation Date: 1/6 9:38 am
Subject: New Contact Information

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U.S. Attorney
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Little Rock, Arkansas 72203
Work: 501 340 2600
Cell: 501 837

Please continue to use this email

Stay in touch, take care and God bless, TG

*If you feel you have received this email in error, please let me know, and
will remove your name from my list.*

From: griffin
At: 1/8/2007 8:57:36 AM
To: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
Cc:
Bcc:
Subject: Re: New Contact Information

Yeah. I am waiting on their bios. Should have today. I mailed key

-----Original Message-----

From: "Jane Cherry" <jcherry@gwb43.com>
Date: Mon, 8 Jan 2007 08:38:10
To: "Tim Griffin"
Subject: RE: New Contact Information

I am happy to talk to both of them. Can you send me their contact information?

-----Original Message-----

From: Tim Griffin
Sent: Sunday, January 07, 2007 6:43 PM
To: Jane Cherry
Subject: FW: New Contact Information

Fyi, please read this.

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Please continue to use this email:

Stay in touch, take care and God bless, TG

*If you feel you have received this email in error, please let me know,
and
I will remove your name from my list.*

Jane Cherry

From: Jane Cherry
Sent: 1/8/2007 8:59:24 AM
To: griffin;
Cc:
Bcc:
Subject: RE: New Contact Information

Great. Thank you.

-----Original Message-----

From: griffin;
Sent: Monday, January 08, 2007 8:58 AM
To: Jane Cherry
Subject: Re: New Contact Information

Yeah. I am waiting on their bios. Should have today. I mailed key

-----Original Message-----

From: "Jane Cherry" <jcherry@gwb43.com>
Date: Mon, 8 Jan 2007 08:38:10
To: "Tim Griffin"
Subject: RE: New Contact Information

I am happy to talk to both of them. Can you send me their contact information?

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From: Tim Griffin
Sent: Sunday, January 07, 2007 6:43 PM
To: Jane Cherry
Subject: FW: New Contact Information

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Subject: Re: New Contact Information

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To: BCC: Kevin Crass

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Subject: New Contact Information

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Please continue to use this email:

Stay in touch, take care and God bless, TG

*If you feel you have received this email in error, please let me know,
and
I will remove your name from my list.*

From: griffin
nt: 1/9/2007 11:15:32 AM
cc: Karl Rove kr@georgewbush.com;
Bcc:
Subject: Re: Update

No worries! I will make you proud.

-----Original Message-----
From: Karl Rove
Date: Tue, 09 Jan 2007 10:30:30
To: <griffin>
Subject: Re: Update

Then do them!

On 1/9/07 8:00 AM, "griffin"

Just a fy:

I am en route to DC this a.m. to meet with Senators Pryor and Lincoln regarding potential confirmation. I am not optimistic but will shall see.

Of course, I will keep yall updated.

Thank you Tim

Things at the US Attorney's Office are going fabulous. Couldn't be better. I see lots of opportunity to do things better.

Karl Rove

From: Karl Rove
Sent: 1/9/2007 11:20:03 AM
To: griffin
Cc:
Bcc:
Subject: Re: Update

I know that. And be cool in your meetings Don't let them rattle you.

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From: griffin
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From: griffin
Sent: 1/9/2007 11:36:40 AM
To: Karl Rove kr@georgewbush.com;
Cc:
Bcc:
Subject: Re: Update

No worries. I have nothing to hide. I will let you know how it goes. Thank you TG

-----Original Message-----

From: "Karl Rove" <KR@georgewbush.com>
Date: Tue, 9 Jan 2007 11:20:03
To: <griffin
Subject: Re: Update

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From: griffin
nt: 1/9/2007 5:24:23 PM
cc: Karl Rove kr@georgewbush.com;
Bcc:
Subject: Re: Update

I think both lincoln and pryor went better than I expected. Pryor asked me about the bogus 2004 greg palast bbc voter supression article. I told him it was untrue. Clearly the dems will bring it up when I am submitted to the senate. Pryor suggested I withdraw my name if I get stuck in the senate. I told him I couldn't promise to do that. I hope yall hang in there with me. Thank you tg

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From: griffin
nt: 1/9/2007 5:48:44 PM
To: Karl Rove kr@georgewbush.com;
Cc:
Bcc:
Subject: Re: Update

Will do. Thank you. Btw my wife is pregnant. We are thinking about naming him karl. Lol

-----Original Message-----

From: Karl Rove <KR@georgewbush.com>
Date: Tue, 09 Jan 2007 17:54:41
To: <griffin
Subject: Re: Update

We will — you stay strong!

On 1/9/07 5:24 PM, "griffin

wrote:

I think both lincoln and pryor went better than I expected. Pryor asked me about the bogus 2004 greg palast bbc voter supression article. I told him it was untrue. Clearly the dems will bring it up when I am submitted to the senate. Pryor suggested I withdraw my name if I get stuck in the senate. I told him I couldn't promise to do that. I hope yall hang in there with me. Thank you tg

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From: griffin
Sent: 1/11/2007 5:21:24 PM
To: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR; Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR;
Cc:
Bcc:
Subject: Fyi

Just released today

----- Forwarded Message

From: "Gerber, Scott (Feinstein)"

Date: Thu, 11 Jan 2007 14:21:17 -0500

To: undisclosed-recipients;

Subject: Abuse of Executive Power: Feinstein, Leahy, Pryor Fight Effort to Circumvent Senate Appointment Process for U.S. Attorneys

FOR IMMEDIATE RELEASE:
Thursday, January 11, 2007

Contact: Scott Gerber (Feinstein) 202/224-
Tracy Schmalzer (Leahy) 202/224-

Michael Teague (Pryor) 202/224-

Senators Feinstein, Leahy, Pryor to Fight Administration's Effort
to Circumvent Senate Confirmation Process for U.S. Attorneys

- A change in the Patriot Act reauthorization allows Attorney General to appoint interim U.S. Attorneys for indefinite terms when vacancies arise without confirmation;

- Feinstein-Leahy-Pryor measure would restore the interim appointment process to District Courts, ensure continuity of Senate confirmation process -

Washington, DC - U.S. Senators Dianne Feinstein (D-Calif.), Patrick Leahy (D-Vt.), and Mark Pryor (D-Ark.) today introduced legislation to prevent circumvention of the Senate's constitutional prerogative to confirm U.S. Attorneys.

"It has come to our attention that the Bush Administration is pushing out U.S. Attorneys from across the country under the cloak of secrecy and then appointing indefinite replacements without Senate confirmation. We know that this is not an isolated occurrence, but we don't know how many U.S. Attorneys have been asked to resign - it could be two, it could be ten, it could be more. No one knows," Senator Feinstein said.

"And, we have no idea why this is happening. The Attorney General could have legitimate reasons for asking for specific resignations, or this could be motivated by political concerns or worse, derailing on-going investigations. Again, we just don't know

"We believe that this use of expanded executive authority to appoint interim replacements indefinitely undermines essential constitutional checks and balances. It creates unnecessary instability in these offices and has dramatic implications for important cases currently underway. Given all that is going on with this country and the message from the American people this past election, I am surprised that the Administration would pursue a strategy to circumvent the Senate confirmation process and unsettle these important positions.

"U.S. Attorneys around the country are working on public corruption cases, terrorism cases, narcotics and drug trafficking, fighting gangs and violent crime. Which of these cases are impacted by the Attorney General's actions has yet to be determined," Senator Feinstein continued.

"The bottom line is this: U.S. Attorneys are handling major cases that need continuity and leadership. The bill we are introducing today would

restore temporary appointment authority to the District Court in which a vacancy arises until a new nominee can be sent to the Senate for confirmation."

"U.S. Attorneys are the key federal law enforcement officers of their states and hold enormous responsibility for implementing anti-terrorism efforts, prosecuting important and often complex cases, and leading the fight against public corruption," said Senator Leahy, a former prosecutor. "Political gerrymandering of these important posts is wrong and an affront to our criminal justice system. It is vital that those holding these critical positions be free from any inappropriate influence and subject to the check and balance of the confirmation process."

"Arkansas has learned first hand the unintended consequence of a little known provision in the Patriot Act," Senator Pryor said. "Unfortunately, the spirit and intent in which this provision was constructed has been abused and needs to be corrected. It appears that the Administration has chosen to use this provision, which was intended to help protect our nation, to circumvent the transparent Constitutional Senate confirmation process to reward political allies."

In a little noticed provision included in the Patriot Act reauthorization last year, the Administration's authority to appoint interim U.S. Attorneys was greatly expanded. The law was changed so that if a vacancy arises the Attorney General may appoint a replacement for an indefinite period of time - thus completely avoiding the Senate confirmation process.

The authority to fill U.S. Attorney vacancies on an interim basis was first given to the Attorney General in 1986, but the interim position was valid for a period of only 120 days. And prior to 1986, District Courts had the authority to appoint interim U.S. Attorneys when positions became vacant.

Senators Feinstein, Leahy, and Pryor have learned that the Department of Justice has asked several U.S. Attorneys from around the country to resign their positions prior to the end of their terms without cause. The number of U.S. Attorneys, currently or historically, who have been asked to resign their positions without cause is still unknown.

The measure introduced by Senators Feinstein, Leahy, and Pryor would amend the current statute and restore appointment authority to the District Court within which the vacancy arises.

The following is the letter sent by Senators Feinstein and Leahy to Attorney General Gonzales, announcing their intention to introduce the bill to grant the District Courts appointment authority:

January 9, 2007

The Honorable Alberto Gonzales
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Attorney General Gonzales:

Recently, it has come to our attention that the Department of Justice has asked several U.S. Attorneys from around the country to resign their positions by the end of the month, prior to the end of their terms without cause. We also understand the intention is to have your office appoint interim replacements and potentially avoid the Senate confirmation process altogether.

We are very concerned about this allegation, and we believe, if true, such actions would be intemperate and ill-advised. We have asked our staffs to look into changing the law to prevent such actions and are introducing legislation today that will return the law to its previous language providing a district court with the authority to appoint an interim U.S. Attorney for the district in which a vacancy arises. Therefore, we ask that if such requests have been made that you desist from moving forward with these efforts and hold the requests in abeyance.

As you know, U.S. Attorneys around the country serve important functions bringing many of the most important and difficult cases. Our U.S. Attorneys are responsible for taking the lead on public corruption cases and many of the anti-terrorism efforts across the country. U.S. Attorneys also play a vital role in combating traditional crimes like narcotics trafficking, bank robbery, guns, violence, environmental crime, civil rights violations and fraud. U.S. Attorneys are also taking the lead on prosecuting computer hacking, Internet fraud and intellectual property theft, accounting and securities fraud and computer chip theft. Continuity in these positions is of utmost importance, and freedom from any inappropriate influences or the appearance of influence must be avoided at all costs.

Please provide information regarding all instances in which you have exercised the authority to appoint an interim United States Attorney. In addition, please provide us with information on whether any efforts have been made to ask or encourage the former or current U.S. Attorneys to resign their position.

We would appreciate your prompt attention to this matter and written answers prior to your appearance before the Judiciary Committee on January 18, 2007. Please contact us or Senator Feinstein's chief counsel, Jennifer Duck (202-224-) should you have any questions.

Sincerely yours,

Dianne Feinstein
United States Senator

Patrick Leahy
United States Senator

###

Tim Griffin

From: Tim Griffin
Sent: 1/13/2007 10:47:42 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: RE:

Bud did a stupid thing today.

-----Original Message-----

From: Scott Jennings [<mailto:S.Jennings@gwb43.com>]
Sent: Saturday, January 13, 2007 4:46 PM
To: griffin
Subject: Re:

How does it feel to be the target of legislation in the US Senate?

-----Original Message-----

From: Tim Griffin
To: Scott Jennings
Sent: Sat Jan 13 17:44:22 2007
Subject: RE:

I told them you said that. They cracked up

-----Original Message-----

From: Scott Jennings [<mailto:S.Jennings@gwb43.com>]
Sent: Thursday, January 11, 2007 6:09 PM
To: griffin
Subject: RE:

I felt a disturbance in the Force.

-----Original Message-----

From: griffin
Sent: Thursday, January 11, 2007 6:48 PM
To: Scott Jennings
Subject:

Kustoff, huber and thapar all in one place!

Tim Griffin

From: Tim Griffin
Sent: 1/13/2007 10:47:32 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: RE:

Not good but I will be fine as long the WH and DOJ stick with me!

-----Original Message-----

From: Scott Jennings [mailto:S.Jennings@gwb43.com]
Sent: Saturday, January 13, 2007 4:46 PM
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Subject:

Kustoff, huber and thaper all in one place!

Tim Griffin

From: Tim Griffin
Sent: 1/13/2007 10:52:38 PM
To: Scott Jennings;

Cc:
Bcc:
Subject: RE:

Easy now

-----Original Message-----

From: Scott Jennings [mailto:S.Jennings@gwb43.com]
Sent: Saturday, January 13, 2007 4:48 PM
To: griffin
Subject: Re:

We're putting in Stubby Stumbaugh.

-----Original Message-----

From: Tim Griffin
To: Scott Jennings
Sent: Sat Jan 13 17:47:23 2007
Subject: RE:

It's good but I will be fine as long as the WH and DOJ stick with me!

-----Original Message-----

From: Scott Jennings [mailto:S.Jennings@gwb43.com]
Sent: Saturday, January 13, 2007 4:46 PM
To: griffin
Subject: Re:

How does it feel to be the target of legislation in the US Senate?

-----Original Message-----

From: Tim Griffin
To: Scott Jennings
Sent: Sat Jan 13 17:44:22 2007
Subject: RE:

I told them you said that. They cracked up

-----Original Message-----

From: Scott Jennings [mailto:S.Jennings@gwb43.com]
Sent: Thursday, January 11, 2007 8:09 PM
To: griffin
Subject: RE:

It's a disturbance in the Force.

-----Original Message-----

From: griffin

Sent: Thursday, January 11, 2007 6:48 PM

To: Scott Jennings

Subject:

Justoff, huber and thapar all in one place!

Tim Griffin

From: Tim Griffin
Sent: 1/13/2007 10:48:31 PM
To: Scott Jennings;
Cc:
Bcc:
Subject: I assume you have seen this from the Dem Gaz?

Was asked to quit, U.S. attorney says
Cummins, others told to make way
BY LINDA SATTER
ARKANSAS DEMOCRAT-GAZETTE
January 13, 2007

A day after three U.S. senators, including Arkansas' Mark Pryor, proposed legislation to prevent indefinite interim appointments of U.S. attorneys, Bud Cummins acknowledged that the U.S. Justice Department asked him in June to leave his post to make room for a successor.

Cummins, 47, the U.S. attorney for the Eastern District of Arkansas from Dec. 21, 2001, until Dec. 20, 2006, had previously avoided directly answering whether he was "forced out," as rumor had it. He instead said in late August that he had always known his political appointment was temporary and that he had informally "let it be known" over the previous year that he expected to leave before President Bush's second term ended in late 2008.

When contacted on Friday, Cummins said that while all that was true, he wanted to clarify the situation because the proposed legislation had focused a new wave of attention on his and other U.S. attorneys' recent departures, reportedly at the administration's request.

In a news release issued jointly Thursday by Pryor, Sen. Dianne Feinstein, D-Calif., and Sen. Patrick Leahy, D-Vt., Feinstein said, "It has come to our attention that the Bush Administration is pushing out U.S. Attorneys from across the country under the cloak of secrecy and then appointing indefinite replacements without Senate confirmation. ... We don't know how many U.S. Attorneys have been asked to resign — it could be two, it could be ten, it could be more. No one knows."

On Friday, the San Diego Union Tribune reported that according to a law enforcement official, the Bush administration had already asked San Diego U.S. Attorney Carol Lam, a 2002 Bush appointee, to resign. The newspaper also quoted New Mexico U.S. Attorney David Iglesias as saying, "I was asked to resign. I asked [why] and wasn't given any answers."

Pryor had publicly complained in late December, when the department announced that attorney Tim Griffin would take over Cummins' job in a matter of days, that the administration was trying to circumvent the normal nomination process to reward a political insider, without the normal checks and balances.

Griffin, who had a reputation as an aggressive Republican campaign researcher, had previously worked under Karl Rove, Bush's main political adviser and deputy chief of staff.

Pryor's spokesman, Michael Teague, said Friday that the senator understands that such appointments are political, "which is fine — but they should go through the confirmation process."

U.S. attorneys are usually nominated by the president and then confirmed by the Senate. But a provision added in last year's reauthorization of the USAPATRIOT Act allows the U.S. attorney general to appoint interim U.S. attorneys for indefinite terms, when vacancies arise, without going through the confirmation process.

Teague noted Friday that the provision was intended to aid the country in times of crisis — such as after the Sept. 11, 2001, terrorist acts — but has been stretched beyond that intent.

Both Pryor and Feinstein voted for the USAPATRIOT Act's reauthorization. Leahy did not.

The proposed legislation aims to restore the law to its previous wording that puts district courts in charge of filling interim vacancies and puts a 120-day limit on the temporary appointments.

Cummins reiterated on Friday that the request that he step down was "entirely within the prerogative of the White House."

"The only reason I haven't specifically responded before was I thought it was going to be a short-term issue and I didn't want it to be misconstrued, but at this point I'm feeling I am being deceptive" in not answering fully, he added.

Much like Cummins, Iglesias said he was "OK with" being asked to leave, noting that chief federal prosecutors serve at the pleasure of the president. But Lam, unlike Cummins, reportedly was asked to leave because of the way she performed her job — specifically, for failing to make smuggling and gun cases a top priority.

Lam had been criticized by members of Congress and the Border Patrol for failing to prosecute certain cases. But Cummins' performance has been routinely praised in the Arkansas legal community and by Pryor and Sen. Blanche Lincoln, D-Ark.

Cummins said Friday that he asked if his job performance was a problem when he got a call in June from the director of the Executive Office of U.S. Attorneys in Washington telling him to be prepared to resign when his successor was ready.

"He assured me it was exactly the contrary," Cummins said. "He said it was not about me but about their desire to give someone else the opportunity to have the appointment."

Cummins added, "I didn't know who they were going to appoint, and it didn't matter to me. I wasn't offended. I had no problem with it then and I have no problem with it now."

He acknowledged, however, that if not for that telephone call, "I might have stayed another year or two. But I always knew, because of the nature of this job, I couldn't stay in it forever."

Brian Roehrkaase, a spokesman for the Justice Department, said Friday that there have been 11 U.S. attorney vacancies across the country since March 9. He said that in five of those cases, including the one created by Cummins' departure, the department filled the vacancy with someone from within the U.S. attorney's office other than the first assistant. Griffin had been working in the office for several months as an assistant prosecutor.

Roehrkaase said that in another five cases, the first assistant was appointed to the interim position. Cummins' first assistant, Gene Duke, had just taken maternity leave.

In one case, Roehrkaase said, the first assistant resigned at the same time as the chief prosecutor, and an interim was appointed from outside the office.

The spokesman also said that four of the 11 went through the normal nomination process, "and we are interviewing for the other seven positions," which would include the position now occupied by Griffin.

Teague has complained that since Griffin is the White House's only choice to replace Cummins — "There's no one else on their list" — he should immediately go through the nomination process.

Roehrkaase replied, "In every single case, it is the goal of this administration to have a U.S. attorney who is confirmed by the Senate. It is inconceivable 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."

Roehrkaase could not say when the nomination process might begin in Griffin's case.

Griffin, 38, reached Friday at a conference in South Carolina, declined to comment on the matter.

Cummins, meanwhile, is considering whether his next job will be in private practice or unrelated to the law.

He said that being asked to leave "doesn't change anything for me. I'm still appreciative of the president for giving me this job, and I don't have any hard feelings."

He noted that out of 93 U.S. attorneys across the country who started at roughly the same time as he did, with a new Republican administration, "well over a third, and probably close to half, have moved on for one reason or another. So it is not uncommon to move on."

Jane Cherry

From: Jane Cherry
Sent: 1/15/2007 4:37:58 PM
To: griffin
Cc:
Bcc:
Subject: RE: New Contact Information

I just called Will, told him how to apply and gave him my contact information in case he had any questions or anything.

-----Original Message-----
From: griffin
Sent: Wednesday, January 10, 2007 10:52 AM
To: Jane Cherry
Subject: Fw: New Contact Information

Fyi: Critical!

-----Original Message-----
From: "Kevin Crass"
Date: Wed, 10 Jan 2007 09:36:56
To: "Tim Griffin"
Subject: RE: New Contact Information

Tim:

Here is Will's bio. Thanks for your help and let me know if you have any questions.

Kevin

> "Tim Griffin" 1/11/2007 5:41 PM >>>

No problem Kevin. I will talk with the White House folks via email tonight and will email his bio up when I receive it. I will see if I can get him in the White House. That's the best gig. Happy to help. Thanks, TG

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From: Kevin Crass
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From: "Tim Griffin"
To: BCC: Kevin Crass
Kevin Crass <
Creation Date: 1/6 9:38 am
Subject: New Contact Information

Dear All, in September I completed my year of Army active duty (and military leave from the White House). I am still in the Army Reserve but back in the

civilian world. Elizabeth and I have returned to Arkansas and on 20 December. I was sworn in as U S. Attorney for the Eastern District of Arkansas. Here is my new contact info.

Griffin
S. Attorney
Eastern District of Arkansas
P O Box 1229
Little Rock, Arkansas 72203
Work: 501 340 2600
Cell: 501 837

Please continue to use this email

Stay in touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

From: griffin
nt: 1/15/2007 4:43:45 PM
: Jane Cherry /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=JCHERRY;
cc:
Bcc:
Subject: Re: New Contact Information

Thank you very much

-----Original Message-----

From: "Jane Cherry" <jcherry@gwb43.com>
Date: Mon, 15 Jan 2007 16:37:58
To: <griffin
Subject: RE: New Contact Information

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Tim Griffin
U.S. Attorney
Eastern District of Arkansas
P.O. Box 1229
Little Rock, Arkansas 72203
Work: 501 340 2600
Cell: 501 837

Please continue to use this email:

Stay in touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

Karl Rove

From: Karl Rove
Date: 1/15/2007 12:11:39 PM
To: Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR; Tim Griffin
Tim Griffin

Cc:
Bcc:
Subject: Re: NY Times Editorial: Politicizing Prosecutors

What about Bud Cummins?

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Your thoughts? Rich Lowry offered to help Tim -

Anyone better?

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Sent: Monday, January 15, 2007 10:39 AM
To: Sara Taylor
Subject: NY Times Editorial: Politicizing Prosecutors

NY Times Editorial: Politicizing Prosecutors
January 15, 2007

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It is particularly dangerous to put United States attorneys' offices in the hands of political operatives because federal prosecutors have extraordinary power to issue subpoenas and bring criminal charges. The Senate should fix the law and investigate whether such offices in Arkansas and elsewhere are being politicized.

H. E. Bud Cummins, the respected United States attorney in Little Rock, recently left office. He has been replaced on an interim basis by J. Timothy Griffin, who has a thin legal record but a résumé that includes working for Karl Rove and heading up opposition research for the Republican National Committee. Senator Mark Pryor, Democrat of Arkansas, wanted to raise concerns about Mr. Griffin's appointment as part of the confirmation process. But he couldn't because there was no confirmation process.

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There could be unsavory political reasons for putting a party operative in charge of federal criminal investigations in Little Rock, which has been home to two possible presidential candidates, Hillary Clinton and former Gov. Mike Huckabee. But it is not necessary to leap to extravagant conclusions. United States attorneys are so powerful that their impartiality must be beyond question. One way to ensure that is to

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Senators Feinstein, Leahy and Pryor have a bill to change the method for selecting interim United States attorneys back to what it once was: the federal district court in the jurisdiction would make the appointment. Congress should pass that bill, and take a hard look at how vacancies are being filled. There might not be fire where the senators see smoke. But Congress should not take any chances.

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nt: 1/15/2007 12:18:46 PM
Subject: Karl Rove /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=KR; Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR; Tim Griffin
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Bud might but he admitted in a front page story on Saturday that he was asked to leave. He puts foot in mouth a lot.

There is a Democrat prosecuting attorney I have worked with a lot who could be very helpful but I am not sure he wants to stick his neck out. I talked with him this a.m. He will probably help. He is in a difficult position as a Democrat. A few days ago he said he would speak on my behalf to the NYT but never got called. He would probably write an op-ed etc. If we can get someone to write, he will say great things.

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Maybe Fred Thompson who is a friend of mine?

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4. Senior counsel, house govt reform committee 1997-1999
5. Been at doj since september 2006
6. Cum laude at tulane law school. Cum laude undergrad at hendrix college here in ark. Grad school at oxford univ in modern european history.
7. Members of arkansas bar since 1995 and louisiana bar since 1994
8. 1995-1996 private practice at largest law firm in Louisiana

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Subject: NY Times Editorial: Politicizing Prosecutors

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Bcc:
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From: Karl Rove <KR@georgewbush.com>

Date: Mon, 15 Jan 2007 12:29:58

To: <griffin>, Sara Taylor <st@gwb43.com>, Tim Griffin

Subject: Re: NY Times Editorial: Politicizing Prosecutors

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Tim Griffin

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Your thoughts? Rich Lowry offered to help Tim -

Anyone better?

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Sent: Monday, January 15, 2007 10:39 AM
To: Sara Taylor
Subject: NY Times Editorial. Politicizing Prosecutors

NY Times Editorial: Politicizing Prosecutors
January 15, 2007

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It is particularly dangerous to put United States attorneys' offices in the hands of political operatives because federal prosecutors have extraordinary power to issue subpoenas and bring criminal charges. The Senate should fix the law and investigate whether such offices in Arkansas and elsewhere are being politicized.

H. E. Bud Cummins, the respected United States attorney in Little Rock, recently left office. He has been replaced on an interim basis by J. Timothy Griffin, who has a thin legal record but a resumé that includes working for Karl Rove and heading up opposition research for the Republican National Committee. Senator Mark Pryor, Democrat of Arkansas, wanted to raise concerns about Mr. Griffin's appointment as part of the confirmation process. But he couldn't because there was no confirmation process.

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There could be unsavory political reasons for putting a party operative in charge of federal criminal investigations in Little Rock, which has been home to two possible presidential candidates, Hillary Clinton and former Gov. Mike Huckabee. But it is not necessary to leap to extravagant conclusions. United States attorneys are so powerful that their impartiality must be beyond question. One way to ensure that is to require them to submit to questions from the Senate, and face a confirmation vote.

Senators Feinstein, Leahy and Pryor have a bill to change the method for selecting interim United States attorneys back to what it once was: the federal district court in the jurisdiction would make the appointment. Congress should pass that bill, and take a hard look at how vacancies are being filled. There might not be fire where the senators see smoke. But Congress should not take any chances.

Sara Taylor

From: Sara Taylor
Sent: 1/15/2007 8:57:48 PM
To: 'griffin'

Subject: RE: NY Times Editorial: Politicizing Prosecutors

You should draft letter you want sent to NY Times. Send to me and we'll figure who should sign. It should be glowing.

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Sara Taylor

From: Sara Taylor
Sent: 1/15/2007 9:15:26 PM
To: griffin

Subject: RE: NY Times Editorial: Politicizing Prosecutors

Yes. I also sent note to adam -- totally pissed. Fine if you dislike patriot act provision - but don't malign someone's qualifications when you don't have all the facts Total bullshit.

-----Original Message-----

From: griffin
Sent: Monday, January 15, 2007 9:12 PM
To: Sara Taylor
Subject: Re: NY Times Editorial: Politicizing Prosecutors

Ok. Will get on it!! Maybe even cornyn!! Thank you

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From: "Sara Taylor" <st@gwb43.com>
Date: Mon, 15 Jan 2007 20:57:48
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Tim Griffin

From: Tim Griffin
Sent: 1/16/2007 10:42:57 PM
Sara Taylor /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SMTAYLOR; Taylor, Sara M.
sara_m_taylor@who.eop.gov;
Bcc:
Subject: What do you think of this? I just threw it together but it can be tweaked if needed.

GRIFFIN RESPONSE

On Monday, 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. He is a member of both the Arkansas and Louisiana bars, and has a resume that lawyers from New York to California would envy.

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 picked up and moved with his new bride to Fort Campbell, Kentucky, where he served as an Army prosecutor. At Fort Campbell, he prosecuted numerous criminal cases. One of those cases, *U.S. v. Mikel*, drew national interest after 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, Criminal Division, 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.

Certainly, in addition to his legal experience, Mr. Griffin has significant political experience. Imagine that—a political appointee with political experience. Mr. Griffin's political experience consists primarily of two tours at the Republican National Committee for the 2000 and 2004 president campaigns. And while much has been made of his work with Karl Rove at the White House, what self-respecting Republican would turn down an opportunity like that? What one word characterizes both Mr. Griffin's political and legal work? Excellence.

Mr. Griffin is a fifth-generation Arkansan, son of a Baptist minister and cousin of the legendary Democrat Governor of Arkansas, Sidney S. McMath. Mr. Griffin caught Potomac Fever while interning for Democrat Senator Dale Bumpers of Arkansas, followed opportunity to Washington time and time again, but his heart remained in Arkansas. Mr. Griffin is fortunate to be back in Arkansas, and Arkansas is fortunate to have him as U.S. Attorney.

Steven Soper

From: Steven Soper
Date: 1/15/2007 6:12:54 PM
To: Tim Griffin

Subject: RE: New Contact Information

Congrats! And good luck.

-----Original Message-----

From: Tim Griffin
Sent: Saturday, January 13, 2007 4:35 PM
To: Tim Griffin
Subject: New Contact Information

Dear All, in September I completed my year of Army active duty (and military leave from the White House). I am still in the Army Reserve but back in the civilian world. Elizabeth and I have returned to Arkansas and on 20 December, I was sworn in as U.S. Attorney for the Eastern District of Arkansas. Here is my new contact info:

Tim Griffin
U.S. Attorney
Eastern District of Arkansas
P.O. Box 1229
Little Rock, Arkansas 72203
Work: 501 340 2600
Cell: 501 837

Please continue to use this email.

With love, touch, take care and God bless, TG

If you feel you have received this email in error, please let me know, and I will remove your name from my list.

Tim Griffin

From: Tim Griffin
Sent: 1/16/2007 8:43:49 PM
To: Steven Soper /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SSOPER;

Subject: RE: New Contact Information

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Little Rock, Arkansas 72203
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Please continue to use this email:

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Steven Soper

From: Steven Soper
Sent: 1/16/2007 8:50:40 PM
To: griffin

cc:
Subject: Re: New Contact Information

I am well. Thanks for asking. I hope you will stop by OPA next time you are in town.

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From: Tim Griffin
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To: Steven Soper /O=REPUBLICAN NATIONAL COMMITTEE/OU=RNC/CN=RECIPIENTS/CN=SSOPER;
Cc:
Bcc:
Subject: RE: New Contact Information

Good to hear Will do. Look forward to it. TG

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From: Steven Soper (mailto:SSoper@rwb43.com)
Sent: Tuesday, January 16, 2007 7:51 PM
To: griffin
Subject: Re: New Contact Information

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