

**Opening Statement of
Chairman John Conyers, Jr.
Committee on the Judiciary
Oversight Hearing on the
Continuing Investigation into the U.S. Attorneys Controversy and Related Matters
October 3, 2008**

Today we are pleased to welcome the Inspector General of the Department of Justice Glenn Fine to testify about the U.S. Attorney firings. And let me also recognize two fine former United States Attorneys who are with us here today - Dan Bogden of Nevada and John McKay of Washington state.

As we begin, I would like to commend Mr. Fine for his outstanding 8 years of service as Inspector General. On a series of issues, from National Security Letters, to torture, to the improper politicization of the Department of Justice, Mr. Fine and his team have approached their work with the utmost independence and skill. And in doing so, they have bettered the Department and helped our government live up to its own ideals.

Today, we will review the Inspector General's findings on the US Attorney firings. As we consider this matter, let me make three short points.

First, with this detailed Report before us, there can no longer be any dispute that the firings were improper, that false statements were made to Congress, and that the Justice Department has been severely harmed as a result. As the Report states - and I quote: "Political partisan considerations were an important factor in the removal of several of the U.S. Attorneys."

The examples are familiar:

- David Iglesias forced from office because New Mexico Republicans complained that he would not bring voter cases and because he crossed two Members of Congress.
- Bud Cummins forced out in Arkansas to make a place for Karl Rove's assistant Tim Griffin.
- And our investigation has suggested other examples, such as Republican complaints about fired prosecutor John McKay, which further IG investigation may corroborate.

The Report makes equally clear that Administration officials made false statements to this Committee and the Congress:

- David Iglesias was not an “absentee landlord” as the Justice Department claimed.
- The firings were not based on “poor performance” in virtually every case, despite the Administration’s repeated claims to the contrary.
- And the White House did not play a minor and perfunctory role, as we were told. Instead, it was deeply involved in the creation of the plan, and White House figures were central to several of the firings.

This Report also echoes earlier ones issued on this matter, which confirmed that applicants for a range of Department positions were improperly screened for their political views. These included career prosecutors, immigration judges, top-level details - even summer internships.

Monica Goodling told this Committee that she “crossed the line.” Well, Mr. Fine and his team established that she - and others - repeatedly crossed the line, and then kept on going until they got caught.

Second, I was deeply disappointed to read that the same White House stonewalling that has impeded our own investigation has also hampered the work of Mr. Fine and his team. The Report before us today is riddled with examples of withheld documents and uncooperative witnesses. It clearly shows that Harriet Miers’s and Karl Rove’s refusal to cooperate has kept us from learning key facts or determining criminal culpability.

So even now, almost two years after the firings, we still do not have the whole truth.

As I stated months ago, the trail of breadcrumbs continues to lead straight to the White House. We simply must hear from these central figures. There can be no more stonewalling.

Third, I am concerned about Attorney General Mukasey’s role in this matter. Yesterday, I wrote Mr. Mukasey regarding a key memo - which apparently contains Karl Rove’s own statements about this matter - that were withheld from Mr. Fine’s team by the Department of Justice on Mr. Mukasey’s watch.

Earlier this year, it was Mr. Mukasey who ordered the U.S. Attorney not to prosecute our contempt citations for Harriet Miers and Josh Bolten. And now, despite the calls from both Senators and Members of the House for appointment of a truly independent outside prosecutor to investigate this matter, he has refused. So the question is - how independent can the DOJ prosecutor he has selected truly be.

The problems at the Department of Justice did not start on Mr. Mukasey's watch, but he has refused to clean them up. Like many, I had high hopes after he replaced Alberto Gonzales, but I have been sorely disappointed.

I understand that the Inspector General, now working with a well-respected Acting United States Attorney, will continue the Department's investigation of this matter. And of course I pledge to fully support their efforts.

But let me make clear to Mr. Rove, and to Ms. Miers, and to Mr. Bolten, and to anyone else listening today - this Committee will continue its own efforts and will fulfill its own constitutional duty.

Rest assured, as a co-equal branch of government, we are determined to gain access to the documents and testimony we need to do our duty. This is the only way our system of government can work. And we intend to use all powers available to get the truth.