

# THE MONICA GOODLING REPORT

The Department of Justice's Inspector General's Office has released another of its reports on the politicization of DOJ under Bush. This one ought to be called the Monica Goodling report, as it focuses on her litmus test hiring. I'll post some updates on the details, but here is the conclusion:

In sum, the evidence showed that Sampson, Williams, and Goodling violated federal law and Department policy, and Sampson and Goodling committed misconduct, by considering political and ideological affiliations in soliciting and selecting IJs, which are career positions protected by the civil service laws.

Not only did this process violate the law and Department policy, it also caused significant delays in appointing IJs. These delays increased the burden on the immigration courts, which already were experiencing an increased workload and a high vacancy rate. EOIR Deputy Director Ohlson repeatedly requested candidate names to address the growing number of vacancies, with little success. As a result of the delay in providing candidates, the Department was unable to timely fill the large numbers of vacant IJ positions.

We also concluded that Goodling committed misconduct when she provided inaccurate information to a Civil Division attorney who was defending a lawsuit brought by an unsuccessful IJ candidate. Goodling told the attorney that she did not take political factors into consideration in connection with IJ hiring, which was not accurate.

In addition, we concluded that Williams provided inaccurate information to us concerning her Internet research activities.

Because Goodling, Sampson, and Williams have resigned from the Department, they are no longer subject to discipline by the Department for their actions described in this report. Nevertheless, we recommend that the Department consider the findings in this report should they apply in the future for another position with the Department.

In addition, we concluded that EOUSA Deputy Director John Nowacki committed misconduct by drafting a proposed Department response to a media inquiry which he knew was inaccurate. Although Nowacki knew that Goodling had used political and ideological affiliations to assess career attorney candidates for EOUSA detail positions, he drafted a media statement in which the Department would have denied the allegations. Nowacki is still employed by the Department. Therefore, we recommend that the Department consider appropriate discipline for him based upon the evidence in this report.

Hey! Good news! We might actually get to fire someone over this—John Nowacki, who is still employed by DOJ, just got caught lying about Goodling's practices. Though, in Mukasey's statement on the report, he somehow forgot to mention that he was going to fire Nowacki for covering up his colleague's illegal activities.

Even as I commend the hard work and collaboration of the Justice Department's Offices of Inspector General and Professional Responsibility on today's report, I am of course disturbed by their findings that improper political considerations were

used in hiring decisions relating to some career employees. I have said many times, both to members of the public and to Department employees, it is neither permissible nor acceptable to consider political affiliations in the hiring of career Department employees. And I have acted, and will continue to act, to ensure that my words are translated into reality so that the conduct described in this report does not occur again at the Department.

Over the course of the last year and a half, the Justice Department has made many institutional changes to remedy the problems discussed in today's report, and the report itself commends these changes. The report includes one new recommendation for institutional change, and I have directed the prompt implementation of that recommendation. It is crucial that the American people have confidence in the propriety of what we do and how we do it, and I will continue my efforts to make certain they can have such confidence.

I guess that means we'll just have to try to get Sampson and Goodling and Nowacki disbarred based on this report.

Update: Conyers and Sanchez are considering a criminal referral for perjury. I'm still reading the report, but I bet this would be a tough thing to pull off, since Sampson did admit Goodling's politicization of Immigration Judges, and Monica admitted to it all.