

Justice's Plan for Firing 7 Prosecutors

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WASHINGTON (AP) - The Justice Department laid out an elaborate, five-step plan for firing seven U.S. attorneys on Dec. 7.

Entitled, "Plan for Replacing Certain United States Attorneys," the step-by-step instructions were sent by Attorney General Alberto Gonzales' chief of staff, Kyle Sampson, as an attachment to an e-mail. Sampson resigned Tuesday. The e-mail was released Tuesday by the House Judiciary Committee.

Steps 1 and 2: On Dec. 7, the Justice Department was to simultaneously notify the Republican home-state senators of the impending dismissals, as well as those dismissed.

In his calls to the prosecutors, Mike Battle, who oversees all 93 U.S. attorneys, was to say that the administration is grateful for their service but decided to "give someone else the opportunity" to serve in the post starting in Jan. 31, 2007, according to the memo.

Step 3 was prescient, its title underscored: "Prepare to Withstand Political Upheaval." It predicted the fired prosecutors would make "strenuous" efforts to save their jobs by appealing to other officials in the Bush administration. The memo contained responses to likely questions from those fired.

"Recipients of such 'appeals' must respond identically," the memo said, as follows:

"-What? U.S. attorneys serve at the pleasure of the president (there is no right nor should there be any expectation that U.S. attorneys would be entitled to serve beyond their four-year term).

"-Who decided? The administration made the determination to seek the resignations (not any specific person at the White House or the Department of Justice).

"-Why me? The administration is grateful for your service, but wants to give someone else the chance to serve in your district.

"-I need more time! The decision is to have a new acting or interim U.S. attorney in place by January 31, 2007 (granting "extensions" will hinder the process of getting a new U.S. attorney in place and giving that person the opportunity to serve for a full two years)."

Steps four and five directed Justice Department officials to name replacements and submit them for Senate confirmation.

Source: Dec. 4, 2006 e-mail from Justice Department chief of staff Kyle Sampson to Associate Attorney General William Mercer and White House officials William K. Kelley and Harriet Miers.