

### What I Wish I Knew Then: U.S. Rep. Dan Goldman

By Steve Cohen

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**D**an Goldman is a member of the U.S. Congress representing Lower Manhattan and parts of Brooklyn. He was first elected in 2022. Prior to running for office, Dan served as lead counsel for the first House impeachment inquiry of Donald Trump.

Dan spent 10 years as an assistant U.S. attorney in the Southern District of New York, where he prosecuted Russian organized crime, reputed Genovese crime family mobsters, and alleged inside traders. Dan clerked for Judge Charles Breyer of the U.S. District Court for the Northern District of California and Robert D. Sack of the U.S. Court of Appeals for the Second Circuit. He is a graduate of Stanford University and Yale Law School.

We talked in early July after I heard him give a speech about corruption and the lack of public trust in government at New York Law School. His insights were pointed and well informed, and I was hoping to explore this topic in the context of lessons he's learned. Dan didn't disappoint.

#### On Unexpected Paths

"I wrote my senior thesis in college on the Jewish involvement in the civil rights movement, and Jack Greenberg was my idol," said Dan.

Greenberg, I was reminded, was the director-counsel of the NAACP Legal Defense Fund from 1961 through 1984, succeeding Thurgood Marshall. Greenberg argued 40 civil rights cases before the U.S. Supreme Court.

Dan continued: "I wanted to go to law school and try to become Jack Greenberg. I went, and during my first summer, I did employment discrimination work. I learned that while there were many important cases, if one was trying to do impact litigation, it was hard to find cases that were unusual or hadn't already been done. So, I wound up taking a slightly different path, doing a lot of voting rights and criminal justice reform work."

"Coming out of law school, I originally only wanted to do public interest work. But I wound up clerking for a judge who had been an assistant district attorney, and he spoke so highly of that work that I started really enjoying that aspect of the law during my clerkship; and it continued



**Daniel Goldman, U.S. House of Representatives from New York's 10th congressional district.**

Credit: US House

during my second clerkship at the Second Circuit. Surprisingly, I went straight from there to the U.S. Attorney's Office in the Southern District."

"I think one of the lessons I learned was that a variety of experiences can really help you understand what is out there. Another is not getting locked into a vision of one path that you need to take. You may have an interest in something when you go to law school, but when you get there, you may be piqued by something else. Be open to it and find a passion, find an interest. And then the other thing is, find a passion, find an interest. A lot of my law school classmates kind of fumbled their way into law firms for lack of something else that they wanted to do. They were the ones who were the least happy."

### **The Lack of Public Trust in Government**

Dan's talk at the 199th City Law breakfast at New York Law School was entitled "Democracy on the Brink: Corruption and the Public Trust." He discussed not only several examples of what he saw as President Trump's abuse of power, but also both Democrats and Republicans betraying the public trust. He cited, for example, Trump accepting a luxury jet from the royal family of Qatar without the consent of Congress, and selling VIP White House tours to the top buyers of his cryptocurrency. Both examples, he believed, were done to advance the Trump family's and friends' financial interests.

"Donald Trump is so brazen about it that he puts Republicans in a difficult position. We see very well-timed stock trades by people with direct access to the President—when he's making an announcement about a tariff or he tweets out now's a good time to buy—and that's just five hours before he rolls back the tariffs," Dan said.

On the other side of the aisle, Dan discussed former U.S. Sen. Bob Menendez of New Jersey,

who was convicted on public corruption charges. And New York City Mayor Eric Adams, who was indicted on public corruption charges.

"Stopping corruption has traditionally been a very bipartisan issue. But they don't. The majority of them also feel the negative impact of the few who are engaged in malfeasance. Very simply, members of Congress should just not be able to trade stocks. The vast, vast, vast majority, of course, do not use any confidential information in the furtherance of their personal stock trading. But there's an appearance of having access to more information than the average person. And if that perception exists, you're never going to get rid of the suspicion that members of Congress do trade for their personal gain. And for that reason, one critical way to restore faith in our political system is to ban stock trading by Members and their families. The appearance of corruption is almost as damaging as corruption itself."

I asked Dan if he thought such a ban could get passed by Congress.

"Yes," he said.

And will President Trump sign it?

"He'll sign it as long as it doesn't apply to him," he replied.

### **Lessons from the Impeachments**

We shifted gears and talked about lessons learned from the impeachment hearings.

"A lot of lessons," Dan said. "One is that it's almost impossible to imagine impeachment being a true vehicle for accountability in this polarized climate. If you can't get two thirds of the Senate to convict for January 6th, then I can't imagine a scenario where you would. Although Donald Trump surprises me all the time."

Another insight Dan shared was the difference between career officials versus political appointees.

"Another thing that really jumped out to me is that, for the most part, career officials in the government—the apolitical people—took very seriously congressional power, congressional authority, congressional subpoenas, and the rule of law," he said. "They took their duty, their oath to the Constitution, very seriously, and for the most part, they appeared and testified when they were subpoenaed. The political appointees were the ones who refused to comply with a congressional subpoena. Our government, our democracy depends on people—of each branch and both parties—to adhere to the Constitution on their own, not by force or compulsion. And it was very disappointing that there were very few repercussions for people—from the President and senior political appointees—who refused to turn over documents or comply with subpoenas."

One of the most impassioned parts of our talk involved tribalism and its triumph over truth.

"During the first impeachment hearing, we did a really thorough, objective investigation. It was as solid an investigation as I would have done when I was a prosecutor. The witnesses were all either career government officials or Republican appointees. We didn't make up any of the facts. It was all based on the testimony. And yet, the Republicans decided they were going to make allegations that it was somehow a partisan investigation. That was their defense strategy: they infected the public with the idea that it was a partisan witch hunt—which it wasn't—but their framing the story as partisan was. And then, in true circular fashion, they voted against impeachment because they said it was partisan.

They created the fake partisanship, and I think it was a reflection of how damaging tribalism can be to our political system."

### **Advice for Young Lawyers**

Goldman's advice for young lawyers was simple and practical.

"The most important thing is to be accurate. It is also valuable to be open and willing to say you don't know an answer. Where people really get into trouble is when they sort of make an assumption, or they exaggerate a little or say that an argument is more supported than it actually is," he advises. "I would much rather have somebody say either that they really didn't find anything to support a position or an argument. It is not a failure to say, 'I don't know the answer to that question, I have to look it up.'"

Dan continued:

"Another big piece of advice is do what you're asked. Don't do something more or something different because you think it might be better. There's always an opportunity to talk about doing something different or more at another time. But make sure you do what you're asked to do. One seemingly obvious thing—that many young lawyers take too long to realize—is understand how the lawyer you are working for likes to work. Because people like to work different ways. Pay attention: does this person want things fully written out? Does that person like things in bullet points? Try to be adaptable, and then you'll learn different ways of doing things yourself. And most importantly, be reliable!"

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