WASHINGTON — When the Bush administration ran the Civil Rights Division at the Justice Department, career lawyers wanted to look into accusations that officials in one state had illegally intimidated blacks during a voter-fraud investigation.

But division supervisors refused to “approve further contact with state authorities on this matter,” according to a new report by the Government Accountability Office auditing the activities of the division from 2001 to 2007.

Congress is set to release that report, which did not identify the state in question, on Thursday as the House of Representatives takes up its first oversight hearing of the Civil Rights Division under the Obama administration.

The 180-page report, obtained by The New York Times, is densely packed with statistics about civil rights enforcement by the division’s sections. The accountability office also examined a sampling of matters that were closed without further action, finding several cases — including the curtailed voter intimidation inquiry — in which supervisors rejected the recommendations of career lawyers to go forward.

The report represents a comprehensive review of the division’s litigation activity in the Bush administration. When compared with the Clinton administration, its findings show a significant drop in the enforcement of several major antidiscrimination and voting rights laws. For example, lawsuits brought by the division to enforce laws prohibiting race or sex discrimination in employment fell from about 11 per year under President Bill Clinton to about 6 per year under President George W. Bush.

The study also found a sharp decline in enforcement of a section of the Voting Rights Act that prohibits electoral rules with discriminatory effects, from more than four cases a year under Mr. Clinton to fewer than two cases a year under Mr. Bush.

Joseph Rich, a civil rights lawyer who has been invited by Democrats to testify and was among those given an early copy of the report, said it provided hard data that the division was politicized in the Bush years.

The report “confirms the types of problems we have been discussing for several years, particularly with respect to the enforcement record of the Bush administration,” said Mr. Rich, who spent 37 years in the Civil Rights Division and led its voting rights section.

Republicans have signaled that they will use the hearing to accuse the Obama administration of politicizing the division in its own way. They are focusing on a decision to downgrade voter-intimidation charges...
stemming from an incident in the 2008 election in which two members of the New Black Panther Party stood outside a Philadelphia precinct in militia uniforms, one of them holding a night stick. The charges were brought in the final days of the Bush administration and were downgraded and partially dropped in May.

At Republicans’ request, the Justice Department’s internal ethics office opened an investigation into the decision, which is continuing. But in a joint statement on Wednesday, Representatives Lamar Smith of Texas and Frank R. Wolf of Virginia, both Republicans, accused the department of a “cover-up,” saying officials have refused to answer questions about it.

“If the Justice Department had any credible reason for dropping these charges, what do they have to hide by providing those answers to Congress?” Mr. Smith and Mr. Wolf asked. “The continued refusal of this administration to answer these simple questions is proof wrongful political considerations were behind the administration decision to drop charges against their political ally.”

Democrats and civil rights groups said the Republicans were seeking to distract from the new evidence. During the Bush years, such criticism was based on anecdotes and incomplete data. But a report released in January by the department’s inspector general, citing internal e-mail and personnel files, confirmed that political appointees sought to hire conservatives and block liberals for career positions, contrary to civil service laws.

Similarly, the new Government Accountability Office report presents comprehensive data that demonstrates a fall-off in certain kinds of civil rights enforcement during the Bush years.

The office also found that case files often had no information explaining why supervisors had decided to close cases, sometimes against the recommendation of career officials. In a companion report, it also found that six years of internal audits about the division’s case-tracking system were missing.

In a prepared opening statement, the assistant attorney general for civil rights, Thomas E. Perez, said the reports about hiring and enforcement activity “underscore the point that the division, in recent years, was not doing all that it could to fulfill our responsibility to enforce all the civil rights laws fairly and aggressively.”

He added, “That changed immediately this past January.”

Mr. Perez, who was confirmed in October, described a sharp uptick in enforcement activity across a range of civil rights matters since the Obama administration took office.

Republicans invited Grace Chung Becker, who was the acting assistant attorney general for civil rights at the end of the Bush administration under Attorney General Michael Mukasey, to testify alongside Mr. Rich.

Ms. Becker’s prepared statement emphasized that the division had set “new record highs” in the number of cases filed to assist non-English-speakers obtain access ballots in their own language and in the number of human trafficking cases.

She also said that in 2008 the section that handles employment discrimination cases filed the most lawsuits in its history.
Statistics from 2008 were not included in the new study. But Mr. Rich, who is generally critical of the Bush administration, agreed that the division’s enforcement and hiring improved under Mr. Mukasey and his team.