

# SOLICIT

One last post on Clement. I wanted to call your attention to the way Clement pretends that the White House is protecting advice from outsiders that they *solicited*. Here's Clement's language justifying invoking privilege over communications between the White House and those outside of government.

Naturally, in order for the President and his advisers to make an informed decision, presidential aides must sometimes **solicit** information from individuals outside the White House and the Executive Branch. This need is particularly strong when the decision involved is whether to remove political appointees, such as U.S. Attorneys, who serve in local districts spread throughout the United States. In those situations, the President and his advisers will be fully informed only if they **solicit** and receive advice from a range of individuals. [my emphasis]

Clement would have you believe that Bush is protecting advice he went out and solicited. But let's look at some of what we know he's actually protecting:

- Calls made in November or December 2006 from Senator Domenici to Karl Rove and George Bush about David Iglesias. Domenici placed the call to Rove, at least, on his own initiative.
- Several contacts between Allen Weh and Pat Rogers and Rove, requesting him to fire Iglesias. At least some of these were initiated by the

New Mexico Republicans.

- Contacts between Washington state Republicans and Rove's office after the 2004 gubernatorial election. Miers would later use the word "mishandled" to refer to McKay's actions in the fraud case, suggesting she, too, may have heard from disgruntled Washington Republicans.

Those are just three examples—but all three suggest that the initiative for the contact came from the disgruntled Republican, not from anyone in the White House. In other words, Bush was not seeking advice. Rather, he was responding to political pressure. And presumably, only after he got that pressure did he even consider firing the US Attorneys in question. So Bush is actually trying to enshrine a new kind of privilege in the Constitution, the deliberate lobbying privilege.