

IS LARRY CRAIG STICKING AROUND FOR IMMUNITY FROM SUBPOENA?

Larry Craig's not gonna go, he says. At least not yet.

That's not that big a surprise—he had been threatening to un-resign since early in September. Though his decisions to resign and then un-resign correlate curiously with his receipt of a subpoena in the Brent Wilkes trial.

August 13: Subpoenas issued (to House members)

August 27: Roll Call busts Craig's bust

August 28: "I am not gay and I have never been gay."

September 1: Craig resigns, effective September 30

September 4: Craig says he may un-resign

September 5: Subpoenas served (to House members)

September 26: Craig says he's staying put, for now

October 2: Scheduled subpoena date for all House members subpoenaed (and probably Craig too)

Now, Craig was still in Idaho the first week of the month, so I assume he was officially served his subpoena after the House members. Though word of the Wilkes subpoenas may have surfaced by the time Craig did his resignation headfake.

Craig called himself an old friend of Duke Cunningham and claims that he was ignorant to Duke's bribing ways. But Wilkes Craig also appears to have been a clear recipient of a quid pro quo—where he supported an earmark for Wilkes in exchange for at least \$43,500 in donations from Wilkes' employees. So Craig may well have some insight into "the Congressional

appropriations process and how it works" that he'd rather not share under oath.

And frankly, I suspect Craig's colleagues probably don't want him to share it under oath, either. From the House Counsel's response to the subpoena, it appears that a Congressman has a good deal of immunity from subpoena (though I'm not sure if the Senate, too, has a rule that prohibits him from testifying). But it's not clear that that immunity extends to disgraced former Senators.

By prolonging his resignation, Craig may well be outlasting his Wilkes subpoena, until such a time as it gets quashed because Senator Larry Craig enjoys immunity for such things. This week, at least.

Airport Update: Paul Kiel says that the Senators haven't gotten their subpoenas yet.

Note that Kiel misses one key detail about why Inouye and Rockefeller (as well as Craig) would be subpoenaed. All three appear on a list of people whose re-election Mitch Wade believed would help MZM. So the ties between Inouye and Rockefeller and this bribery ring may well pre-date their chairmanship of Defense Appropriations and SSCI respectively.