

# ROVE'S SUBPOENA

Apparently, Chairman Conyers received yet another letter from Robert Luskin claiming that Rove can spout off all he wants about his involvement (or not) in Governor Siegelman's prosecution, but he can't or won't do so before the House Judiciary.

Conyers isn't going to wait around for more of the same.

We were disappointed to receive your May 21 letter, which fails to explain why Mr. Rove is willing to answer questions in writing for the House Judiciary Committee, and has spoken on the record to the media, but continues to refuse to testify voluntarily before the Committee on the politicization of the Department of Justice, including allegations regarding the prosecution of former Governor Don Siegelman. Because of that continuing refusal, we enclose with this letter a subpoena for Mr. Rove's appearance before the Committee's Commercial and Administrative Law Subcommittee at 10:00 a.m. on July 10, 2008.

(Nice touch, Chairman Conyers, having the Subcommittee vote on it without, as far as I've heard, the news getting word.)

Now, as Conyers points out, this subpoena is a bit different than the subpoena that Harriet Miers blew off. For starters, Rove has been completely willing to answer questions in writing—and at least until now, he hasn't asked Bush whether Bush wanted to protect the alleged conversations between Rob Riley and Rove and the Public Integrity Division of DOJ. And, as Conyers reiterates, Rove has been blabbing and blabbing and blabbing about this to the press, so it'll be tough to argue that he can't continue to blab under oath.

One more difference. I wonder how the Courts will feel about enforcing a subpoena issued by someone who said "Someone's got to kick his ass"?

Just off the House floor today, the Crypt overheard House Judiciary Committee Chairman John Conyers tell two other people: "We're closing in on Rove. Someone's got to kick his ass."

Asked a few minutes later for a more official explanation, Conyers told us that Rove has a week to appear before his committee. If he doesn't, said Conyers, "We'll do what any self-respecting committee would do. We'd hold him in contempt. Either that or go and have him arrested."

And finally, this weedy note. Apparently, Office of Professional Responsibility has informed the committee that it "has opened an investigation into" the politicized prosecutions of the Bush Administration.

Separately, Chairman Conyers recently received a letter from DOJ's Office of Professional Responsibility (OPR) indicating that the office has opened an investigation into allegations of selective prosecution of Siegelman and others.

Call me crazy, but it sounds like OPR is trying to stave off the Rove subpoena by claiming it has a prior investigation started.

Update: Or maybe I'm just being paranoid about the OPR investigation. I had remembered there was an earlier OPR investigation of Alice Martin that seemed, um, incomplete. But maybe under new management (Mukasey) and faced with the news that the prosecution did not turn over information that should have been turned over under Jencks, they decided to really do an investigation.

Update 2: This is kind of cool. CREDO called on its customers last month to encourage Marshall Jarrett to launch an investigation into the politicization of investigations.

So we here at CREDO picked this issue up, and in our April phone bills, urged our customers to send a letter to Dept. of Justice Counsel H. Marshall Jarrett and ask that he launch an investigation of apparent political motives in the selective prosecution of Siegelman.

Almost 20,000 of our customers sent hard-copy letters to Counsel Jarrett over the past several weeks...and just this morning, it was revealed that he **has** in fact **initiated an investigation** into the Siegeleman case from the DOJ's Office of Professional Responsibility.