

A TIMELINE OF LAMAR SMITH'S PATHETIC ATTEMPT TO SAVE KARL ROVE

I noticed something rather curious about the timeline of Lamar Smith's panicked attempt to save Karl Rove's ass.

July 1: Luskin writes Conyers claiming "Mr. Rove will respectfully decline before the Subcommittee on July 10 on the grounds that Executive Privilege confers upon him immunity from process in response to a subpoena directed to this subject."

July 9: Michael Mukasey says that, "there are various avenues open for exploring those allegations [that Rove was involved in the Siegelman prosecution], including exploring their source and having testimony on the subject."

July 9: Fred Fielding writes to Luskin who writes to Congress invoking absolute immunity—but not once mentioning Executive Privilege.

July 15: Lamar Smith submits questions to Karl, giving a July 16 deadline.

July 15: Luskin confirms receipt of the questions for Karl, stating they will respond by July 22.

July 22: Luskin submits Karl's responses.

July 23: Mukasey testifies and is asked—predictably—about why Rove can't show up if Mukasey himself has said they can have a hearing. As a follow-up to that question, Darrell Issa introduces Rove's responses into the record,

claiming Rove has therefore dispensed with any questions that might be asked of him that don't relate to Executive Privilege (and he uses that term).

You see, Lamar Smith's attempt to save Karl Rove's ass didn't even start until after Rove had blown off Congress! It was not, then, an attempt to proactively get testimony from Rove. It was an attempt (however pathetic transparent) to be able to claim that Rove had provided information to Congress before Attorney General Mukasey came to testify. (In fact, I'd wager that the colloquy someone tried to invite Conyers into at the beginning of the hearing was an attempt to enter these questions into the record before Mukasey first got asked about Rove's non-appearance.)

I suspect the Republicans all know that Rove's no-show was completely illegal, based not least on his claim that these were his "official duties." I suspect they see some risk that Mukasey will balk at this one (I'll do another post on this, but Mukasey seemed to claim that Rove had properly invoked Executive Privilege, even while DOJ hadn't done any analysis of the instant request). And given the risk that Rove's entire basis for blowing off the Subcommittee is so obviously unfounded, they got these questions to try to tamp down the calls for Rove to testify.