

# CHANGE PIXIE DUST WE CAN BELIEVE IN

Apparently, Greg Craig (who IMHO thus far is batting about 0-3 in his tenure as White House Counsel, counting his erroneous response on FISA, his juvenile cover-up of Rahm's calls, and his response to the botched Oath) believes in Pixie Dust.

A day before Obama signed executive orders closing Guantánamo Bay and banning torture, the White House's top lawyer privately indicated to Congress that the new president reserved the right to ignore his own (and any other president's) executive orders. In a closed-door appearance before the Senate intelligence committee, White House counsel Gregory Craig was asked whether the president was required by law to follow executive orders. According to people familiar with his remarks, who asked for anonymity when discussing a private meeting, Craig answered that the administration did not believe he was. The implication: in a national-security crisis, Obama could deviate from his own rules. A White House official said that Craig's remarks were being "mischaracterized." [my emphasis]

Note Craig said this in response to a question—presumably from one of the Senators. As a reminder, both Sheldon Whitehouse and Russ Feingold sit on the SSCI. They're the two guys trying to legislate away this kind of Pixie Dust, the claim that the President can just ignore his own executive orders. Whitehouse, of course, is the guy who first pointed out the way Bush had used Pixie Dust to wish away Saint Ronnie's prohibitions on spying on Americans. And Whitehouse asked this very question of Michael Mukasey before he was confirmed, only to have Mukasey flip-flop on it as Attorney

General.

So I'm guessing that the question, at least, was asked by Whitehouse with Feingold the second most probable.

Someone ought to tell Mr. Greg "0-4" Craig, though, that once you espouse Pixie Dust you've lost all credibility to claim your remarks were "mischaracterized."