

MIKEY ISIKOFF'S OLD LOVERS CITE NEW PRIVILEGES

I guess Mikey Isikoff is on a roll with his old lovers. First Dick Cheney and Isikoff's super secret legal source—Dick Cheney's lawyer. And now Rove and Isikoff's super secret "White House source," Rove's lawyer. (h/t lllphd)

But then why should Isikoff feel any shame at carrying water for his old lovers?

In any case, Isikoff is doing just that, as for the first time, Fred Fielding (without any specific review from DOJ) is declaring Executive Privilege for Rove's testimony. You'd think a hotshot reporter like Isikoff would note that this is a new stance from Fielding's previous stance—which extended exclusively to "absolute immunity." But then, you wouldn't be talking about Mikey Isikoff, then, would you?

To be fair, the bulk of Fielding's letter still focuses on absolute immunity (otherwise known as "blow off Congress for free"). But when Isikoff claims in his "reporting" that,

A nearly identical letter (.pdf) was also sent by Fielding the day before to a lawyer for former White House counsel Harriet Miers, instructing her not to appear for a scheduled deposition with the House Judiciary Committee.

He of course is spinning in precisely the manner that Luskin and Fielding would like him to spin. (Mwahhh!!!)

The difference between the two letters is this paragraph, which appears in Miers' letter, but not Rove's:

In letters dated June 28, 2007 and July 9, 2007, I notified you of the

President's direction that Ms. Miers was not to provide documents in this matter and not to provide testimony to the Committee.

That is, whereas Fielding cites his earlier letters to Miers—in both of which he explicitly invokes Executive Privilege, with the support of a Paul Clement letter (which seems to ignore the Constitution, but nevermind)—he does not cite his earlier letter to Rove, which makes no mention of executive privilege (and which certainly doesn't include a review of whether or not Rove's role in both firing the US Attorneys and pursuing a witch hunt of Governor Siegelman constituted privileged advice). Indeed, had Isikoff referred to that earlier letter he might have noticed ("might") that this letter is "almost identical" to this one—except in this one he has added the language of Executive Privilege.

Which is, of course, a notable addition, coming as it does without any review by DOJ.

But which is, of course, consistent with Luskin's attempt to pretend that his client has had the same kind of privilege invoked as has Harriet Miers. To be fair, in a way, Luskin's client has, finally. But this time without the review by DOJ that even Miers got, adding another layer of impropriety to Rove's privilege claim that is not there in Miers'.

But then why would Mikey Isikoff want to report that?