

BURRIS' CAMPAIGN FOR THE SENATE SEAT

In this post, I'm going to make a wildarsed guess at what actually went down with Burris' campaign to be Senator. See the timeline of known interactions below.

The key to understanding what really happened in Burris' campaign to be Senator is a discrepancy between what RobBlago is saying and what Burris is saying. In a statement to the Sun-Times, RobBlago's lawyer Michael Ettinger claimed that RobBlago didn't know about Burris' interest in the Senate seat when he made three fund-raising calls to Burris.

"He didn't know he was in the running for the U.S. Senate seat," Michael Ettinger said.

But Burris had already expressed his interest in running to at least three people (John Wyma and Doug Scofield at a June fundraiser, and Lon Monk in July and/or September) by the time RobBlago first called. And Burris said that the Senate seat came up during at least two of their calls. In fact, Burris says that when RobBlago first called in October, RobBlago clearly stated that he knew Burris was in consideration for the seat.

I asked Rob Blagojevich what was going on with the selection of a successor if then-Senator Obama were elected President, and he said he had heard by name mentioned in the discussions.

So here's what I think happened (and this is all a wildarsed guess).

Burris told all the Blago people he had ties with of his interest in the seat. By early October, RobBlago was already trying to fund-raise off candidates for the seat. He called Burris and specifically in the context of the

Senate seat asked him to do a fund-raiser for Blago (note, this would almost certainly have taken place before Fitz bugged Blago's office, so there's almost certainly no tape of this conversation). Burris deferred until after the election, perhaps because he wanted to make sure of two things: that Obama got elected and that he was under serious consideration before he went to the trouble of having a fundraiser. It is fairly clear that Burris was playing Blago's game at this point, because he was already a known candidate for Obama's seat—doing a fundraiser in October would be perceived as just as much an "attempt to curry favor" from Blago as would a fundraiser after the election!! But rather than saying no, Burris said, talk to me after the election.

After the election, John Harris (who was one of the first people taped after the election pushing Blago to get money for the seat) called Burris to touch base on the Senate seat; Harris remained non-committal about the seat, perhaps to suggest to Burris that unless he started fundraising he wouldn't even be in the running. After which RobBlago called (as if on cue) and pushed Burris to do a fund-raiser again.

Now this second post-November call is where it gets interesting. Because it sure seems like Burris and RobBlago were talking about ways that Burris could fundraise without it looking like a clear quid pro quo. At least one of these meetings took place at the campaign headquarters—which was bugged. But when it first came out that Fitz had tapped Blago, he seemed to assume that Wyma and others were wired, not that they had bugged his office. So I wonder whether they thought they were being safe by meeting face to face.

So RobBlago asks Burris for money. And Burris responds that he could not hold a fundraiser because it "could be viewed as an attempt to curry favor with [Blago] regarding his decision to appoint a successor to President Obama." In response, RobBlago suggested having others

donate—that is, rather than Burris donating himself or having a fundraiser, he should do some kind of bundling. (Recall, by the way, Jesse Jackson Jr's denials of paying for the seat—he said no one did it on his orders, and he didn't know about it, but he never denied that someone had held a fundraiser on his behalf; this appears to be a parallel structure of plausible deniability as Burris and RobBlago seem to have discussed.)

I'm totally agnostic on whether or not someone did fundraise for Burris. But it's worth noting that Burris' partner, Fred Lebed, was on the board of the charity that, until recently, employed Patti Blagojevich, and when asked about Lebed's ties to Blago, Burris claimed he knew nothing about it nor was involved. And Lebed has been involved in Burris' prior campaigns.

In any case, after getting busted for trying to sell the seat, and after Ed Genson assured everyone that Blago wouldn't appoint anyone to the seat, Blago's not defense lawyer Sam Adam Jr. approached Burris about the seat in two face-to-face meetings at Burris' house—two conversations that (particularly since Adam was a long-time associate of Burris') would probably escape the direct notice of the FBI. Only after those two conversations did Blago call, in a conversation that was surely taped, and offer Burris the seat.

Burris spent the next several weeks denying he had any untoward ties with Blago's people. In his sworn testimony before the IL legislature, Burris dodged questions regarding:

- Whether he had spoken with RobBlago, John Harris, John Wyma, and Doug Scofield
- Whether he would have reported a quid pro quo offer to the Feds
- Whether he had bundled donations for Blago

And only after he was sworn in as Senator did he reveal what Fitz surely knew—that Blago's people had made a quid pro quo offer.

What Burris hasn't admitted—but which the evidence suggests—is that Burris and RobBlago were trying to find a way for Burris to fundraise for Blago without leaving any tracks.

Here's the timeline:

June 27, 2008: At a \$1000 fundraiser for Blago, Burris told both Doug Scofield and John Wyma that he was interested in Obama's Senate seat.

July (maybe—Burris was unclear whether this was July or September): Burris asks Lon Monk to tell Blago he is interested in Obama's seat.

September (maybe—Burris was unclear whether this was July or September): Burris asks Lon Monk to tell Blago he is interested in Obama's seat. There may have been a conversation about whether Blago would think Burris were qualified.

Early October: RobBlago calls Burris to ask him to hold a fund-raiser. Burris asks RobBlago "what was going on with the selection of a successor" for Obama's seat. RobBlago responds that Burris' name has come up in those discussions. Burris says he won't give money now, but will wait until after the election.

October: Burris leaves a voice mail for John Harris, ostensibly to pitch his nephew for a job with the State.

November (probably post-election—Burris describes it as "approximately three weeks" after he left his email): Harris calls Burris. Burris pitches his nephew for the state job. Then, Burris asks "whether there was any news" about the Senate seat. Harris says there is no news.

November, post-election: RobBlago makes two calls to Burris. RobBlago now says he did not know that Burris wanted the Senate seat,

presumably to be able to claim there was no quid pro quo. But given the repeated calls, the subtext was clear. It appears possible that Burris and RobBlago talked about how to fundraise in such a way that the fundraising was not tied directly to Burris.

December 26: Conversation with Sam Adam Jr., Blago's maybe Defense Attorney, about appointment

December 28: Conversation with Adam, then Blago, accepting seat

January 5: Roland signs affidavit that does not address contacts with Blago's people, beyond the appointment discussions on December 26 and 28.

In it he states:

Prior to the December 26, 2008 telephone call from Mr. Adams Jr., there was not any contact between myself or any of my representatives with Governor Blagojevich or any of his representatives regarding my appointment to the United States Senate.

January 8: In State Legislative hearing, Burris admits to contacts with Lon Monk, but does not mention contacts with four other Blago representatives

January 15: Burris sworn in as Senator

February 5: Burris writes a new affidavit, revealing additional conversations