

# WHY DID TERRY O'DONNELL TELL MICHAEL ISIKOFF WHAT CHENEY REFUSED TO TELL FITZGERALD?

It's time, I think, to compare what Terry O'Donnell told Michael Isikoff about the declassification of what was purported to be the NIE with what Dick Cheney said to Patrick Fitzgerald.

First, here's how Cheney responded to Fitzgerald when asked about insta-declassification.

When asked if he ever advised Libby that the President had decided to declassify the NIE, the Vice President declined to answer in view of his concerns about sharing potentially privileged conversations between himself and the President. It was clarified for the Vice President that he was not being asked to comment on the substance of his conversations with the President, but rather, only whether he ever told Libby that he had had such a discussion with the President. In response, Vice President Cheney repeated his assertion that he must refrain from commenting to the investigators about any private/or privileged conversations he may have had with the President.

And here's what Terry O'Donnell, a fine upstanding member of the bar, told a mere reporter, under the cover of anonymity, at a time when O'Donnell's client was feeling the heat.

A lawyer familiar with the investigation, who asked not to be identified because of the sensitivity of

the matter, told NEWSWEEK that the “president declassified the information and authorized and directed the vice president to get it out.” But Bush “didn’t get into how it would be done. He was not involved in selecting Scooter Libby or Judy Miller.” Bush made the decision to put out the NIE material in late June, when the press was beginning to raise questions about the WMD but before Wilson published his op-ed piece.

So Cheney, after having told Pat Fitzgerald to go fuck himself in the name of presidential communication privilege, trotted out his defense lawyer at a time when he needed to put out a nice cover story, and provided an answer.

I will have far more to say about this in the coming days. But for the moment, this little kabuki really exemplifies what this whole story is about.