

AG CLAIMS CLEAR EVIDENCE OF LEGAL LIABILITY DOES NOT CONSTITUTE A BASIS FOR INVESTIGATION

AG Mukasey claims that DOJ has never gotten any facts that would warrant an investigation. But that's not true. We know DOJ received the results of the CIA IG's report in 2004, showing that the interrogation techniques depicted on the torture tapes constituted cruel and inhuman treatment in violation of the International Convention against Torture.

SJC MUKASEY HEARING, PART THREE

Arlen Specter, Chuck Grassley, Chuck Schumer, John Cornyn, Pat Leahy, and Sheldon Whitehouse question Mukasey (beginning of second round).

SJC MUKASEY HEARING

Arlen Specter, Chuck Grassley, Herb Kohl, Jeff Sessions, Joe Biden, Pat Leahy, Sam Brownback, and Ted Kennedy question Mukasey.

ANTI-IMMUNITY PORN

Feingold and Dodd are still working hard to defeat immunity for the telecoms.

JUDGE HELLERSTEIN CALLS THE CIA ON ITS BS

Wow. Judge Hellerstein is not amused with the CIA's assertion that the torture tapes—which IG staffers flew to Thailand to view as part of their investigation into CIA interrogation methods—were not part of their investigation. Nor does he buy the assertion that the “special review” is not an investigation. He basically called Bull on the CIA's assertions in about six different ways.

“IT SMELLS LIKE A COVER-UP”

The most interesting tidbit from John Rizzo's appearance before HPSCI yesterday is that Rizzo reported lawyers within CIA admitting the 9/11 Commission would probably want to see the torture tapes. If lawyers within CIA recognized the Commission wanted the tapes, then surely George Tenet did. But he declined to mention the tapes to the Commission. No wonder he lawyered up recently.

THE DUBIOUS TIMELINE FROM PINCUS' LOVE LETTER TO BOB BENNETT

I've already ranted about how irresponsible it was for Walter Pincus and Joby Warrick to publish Bob Bennett's statement on behalf of Jose Rodriguez on the same day that John Rizzo testifies before Congress. Nothing like assisting the obstruction of an ongoing investigation. But now that I've done my ranting (and enjoyed the sun), here is the dubious timeline offered in Pincus and Warrick's article.

A CHEAP PLOY TO AVOID GIVING TESTIMONY, JOSE RODRIGUEZ

Today's article from Joby Warrick and Walter Pincus answers a lot of questions we've been asking about the torture tapes—the biggest being that the tapes were stored and destroyed in Thailand. And it has a lot of interesting details. But its evident, overriding purpose, is to allow Jose Rodriguez and John Rizzo to coordinate stories before the latter testifies before Congress today.

IT'S MORE THAN JUST WHETHER THE E-MAILS ARE ON THE BACK-UPS

The judge ordering the White House to reveal whether the 10 million missing emails are on the backup tapes asked for more than that. He asked for enough information to begin to determine whether it's JUST the missing emails that aren't on the backup tapes.

BOSTON'S CHIEF JUDGE: OPR ISN'T DOING ITS JOB

The Chief Judge in Boston just sent Michael Mukasey a letter suggesting DOJ's process for investigating and responding to misconduct from government attorneys isn't work.

The chief federal judge in Boston has urged the new US attorney general to crack down on prosecutors who commit misconduct and to force Justice Department lawyers to be truthful in court.

Chief Judge Mark L.