

CONYERS TO LUSKIN: WE TOLD YOU SO

Today it's Conyers' turn to take a victory lap with Harriet Miers, Josh Bolten, and Karl Rove. This time, it's the letter to Luskin that is the most enjoyable, particularly for the paragraph that basically says, "Remember when we said this absolute immunity stuff was bullshit? Well, Judge Bates agrees."

As your July 29, 2008, letter points out, the "precise legal issue" raised by Mr. Rove's claim of immunity from our subpoena as a former White House official was before Judge Bates in Committee on the Judiciary v. Miers. Yesterday's decision in that case provides an unequivocal answer. In accordance with the ruling by Chairwoman Sanchez rejecting your immunity assertion, the court found that the absolute immunity claim is "entirely unsupported by existing case law" and explicitly "reject[ed] the Executive's claim of absolute immunity for senior presidential aides." Opinion at 78.

Then, Conyers makes the most of Lamar Smith's blabby mouth, reminding Luskin that Smith has promised Rove would abide by Bates' decision.

In his letter to me of July 29, 2008, Committee Ranking Member Lamar Smith also noted the pendency of the District Court case and stated that "Mr. Rove assuredly will abide by the court's decision when it issues."

Then again, long ago Luskin assured Dan Abrams that Rove would testify. And we see how that worked out.