

LEAHY TO BYBEE: HERE'S YOUR CHANCE TO CHAT

Well, I guess if Leahy can't have his truth commission he can invite Jay Bybee to perjure himself before the Senate Judiciary Committee. (h/t TP)

I write to invite you to testify before the Senate Judiciary Committee.

I enclose a recent article from The Washington Post. It suggests that you have expressed regret at the content of the Office of Legal Counsel (OLC) memoranda issued while you headed that office and that you feel that they were misused. **The article reports that you were concerned about the exercise of the policies that the opinions authorized,** that you were "disappointed by what was done to prisoners," and that you felt that "the spirit of liberty has left the republic." **The article notes that your associates claim you do not feel ownership of these memos** but, instead, describe your involvement this way: "He was head of the OLC, and it was written, and he was not pleased with it." By coming forward and testifying before the Committee, you will have the opportunity to amplify or correct these accounts, and explain your role and your views.

The Post article concludes that you have allegedly found it "frustrating" not to be able to explain your position with regard to these memos. By coming forward to testify, you will be able to explain your position with regard to these matters, including your involvement and your knowledge regarding how these memos were written and approved, what considerations went into that process,

who was consulted in that process and the roles of various individuals.

According to the press account, **you became the Assistant Attorney General in charge of the Office of Legal Counsel after interviewing with White House Counsel Alberto Gonzales because you were interested in being nominated to a judgeship on the Ninth Circuit Court of Appeals.** Apparently he asked if you would be willing to head OLC first. I am sure you would like an opportunity to come forward and set the record straight with respect to whether and, if so, how your judicial ambitions related to your participation at OLC.

You were nominated by President George W. Bush to serve as head of OLC on September 4, 2001. You were confirmed on October 23, 2001. While serving as the head of OLC you were then first nominated by President George W. Bush to be a Federal Judge on the United States Court of Appeals for the Ninth Circuit on May 22, 2002, and renominated on January 7, 2003.

I'm guessing Maureen Mahoney is really regretting that WaPo article about now. Poor Judge Bybee is going to have to decide whether he'll admit that he signed his name to John Yoo's piece of crap opinion for a lifetime appointment—or whether he'll just take responsibility for authorizing torture.

Mind you—Leahy doesn't seem to believe that Bybee's going to take this opportunity to perjure himself—he didn't even include a date for the testimony. But it make Bybee think twice before seeding self-serving articles in the NYT.