

July 29, 2008

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VIA FACSIMILE

The Honorable John Conyers, Jr.
Chairman, Committee on the Judiciary
House of Representatives
Congress of the United States
2138 Rayburn House Office Building
Washington, DC 20515

Re: Karl C. Rove

Dear Chairman Conyers:

I understand that the Committee may shortly consider whether or not to recommend that my client, Karl C. Rove, be held in contempt in connection with a subpoena to Mr. Rove for his testimony before a Subcommittee on July 10. Because such a step would serve no useful purpose, I respectfully urge the Committee to decline to take such a step.

As you know from our extensive correspondence on this matter, Mr. Rove has not asserted any personal privileges in response to the Committee's subpoena. Rather, he has declined to appear because he was directed not to do so by the President of the United States. While we understand that the Committee disagrees with the legal position that the President has taken, punishing Mr. Rove will not vindicate the Committee's authority. Neither will a contempt vote resolve the dispute. As you are, of course, aware, the precise legal issue posed by the subpoena to Mr. Rove is before the United States District Court for the District of Columbia. Holding Mr. Rove in contempt, while we all await a decision by the court, would be a gratuitously punitive step that will not, by even a day, expedite a final resolution on the merits.

As you also know, we have tried hard to seek constructive alternatives that would immediately address the Committee's interest in addressing the allegations raised by Governor Siegelman, while the larger question of whether Mr. Rove must appear is decided by the courts. We have also made clear that such alternatives may be employed without prejudice to any later efforts by the Committee to enforce its subpoena if it is dissatisfied with Mr. Rove's responses. To that end, we recently provided concise written answers to questions posed by Ranking Member Smith. We remain committed to exploring other alternatives.

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In short, I urge the Committee to decline to recommend that Mr. Rove be held in contempt. A contempt vote serves neither the Committee nor the interests of justice.

Yours sincerely,



Robert D. Luskin

Copy: The Honorable Lamar S. Smith
The Honorable Chris Cannon
Elliot M. Mincberg