

**Chairman John Conyers, Jr.  
Opening Statement for the  
Resolution finding Karl Rove in contempt for failure to appear  
pursuant to subpoena and recommending to the House of  
Representatives that Mr. Rove be cited for contempt of Congress**

**2141 Rayburn House Office Building  
July 30, 2008**

This resolution recommends that the House pursue statutory contempt against Mr. Rove, and pursue other legal remedies to enforce the subpoena as appropriate.

It is regrettable that it has become necessary to pursue this course, but Mr. Rove has left us no other option.

For more than a year, this Committee has worked to obtain sworn testimony from Karl Rove about his involvement in politicization of the Department of Justice. We have made extensive efforts to find a compromise under which he would voluntarily agree to appear before us.

When those efforts did not succeed, I was compelled to issue a subpoena requiring him to appear.

But Mr. Rove refused to appear even under subpoena, claiming that congressional subpoenas are not binding on him.

That breach of our process presents a grave challenge to the authority of this Committee. We must respond appropriately, and make clear that our subpoenas are binding obligations, not optional invitations.

As Members consider this issue, let me make three short points.

First, the need for testimony from Mr. Rove on these issues is very great. As we see from this week's Inspector General's report, the politicization of the Department of Justice was pervasive, and it greatly harmed the Nation.

Respected former Attorney General and former United States Attorney Dick Thornburgh testified before two of our Subcommittees that the Committee's work had revealed the Department "fired US Attorneys not for performance-based reasons, but for political ones."

The nonpartisan American Judicature Society wrote last year that "on the basis of the facts as we know them today, the dismissals are indefensible."

The Siegelman case has drawn concern from a bipartisan array of officials, including a bipartisan group of former State attorneys general who wrote last year calling for us to investigate. Republican former attorney general of Arizona Grant Woods has stated that he believes Don Siegelman, a Democrat and former Alabama governor, was selected for prosecution to further the political interests of the Alabama Republican party.

Any suggestion that these issues are not important, or that no Administration misconduct has been revealed, is just inconsistent with the facts.

Second, many important questions remain that only Mr. Rove can answer. For example, the earliest e-mail we have found discussing the plan to fire U.S. Attorneys is titled "Question From Karl Rove" - and it reveals Mr. Rove asking if U.S. Attorneys could be fired en masse or "selectively replace[d]."

Mr. Rove must explain why he was raising this issue, and what role he played in the firings.

Mr. Rove has also been implicated in sworn testimony before this Committee about his role in the prosecution of Don Siegelman. These important matters cannot be fully investigated without sworn testimony - from Karl Rove.

Yet Mr. Rove refuses to testify, based on legally invalid claims of immunity and privilege. No court has ever recognized or approved claims of the sort made here.

We hear again and again that Janet Reno herself approved the extreme immunity position relied on by Mr. Rove in breaching our subpoena, but that simply is not so. Instead, the so-called Reno opinion addressed only the very different situation of current presidential advisers, not former advisers like Mr. Rove. And the opinion itself recognized that a court might not accept such a bold theory.

Most important, the Clinton Administration did not ultimately insist upon those theories of immunity, but instead compromised, and allowed both its current and former senior advisers to testify before Congress on many occasions.

Mr. Rove's so-called offers of accommodation to the Committee have been entirely illusory. None of these offers involved any agreement by Mr. Rove to even discuss his role in the U.S. Attorney firings.

And his offer to answer questions in writing was obviously unacceptable - written questioning of this sort is no substitute for the give and take and follow-up of live testimony. This is clear from the written answers Mr. Rove's attorney provided to Ranking Member Smith, which leave key issues open and fail to address many matters of interest to the Committee.

We have made clear to Mr. Rove several times that we are open to reasonable compromise. We even offered to interview Mr. Rove informally, without prejudice to the subpoena, if he would discuss all his involvement in the apparent politicization of Department functions.

But Mr. Rove has consistently refused such offers, a stance that is particularly unreasonable given his repeated public statements on these matters. Mr. Rove seems willing to speak about these subjects in almost any forum other than answering questions before Members of this Committee, and that is simply unacceptable.

Third, some may argue that we should not pursue Mr. Rove for contempt because the legal claims may be resolved in the civil lawsuit we have pending in the U.S. District Court against Harriet Miers and Josh Bolten. But for many reasons, we cannot afford to wait.

We have no way of knowing when that case will be resolved, or how long appeals may take. The judge may address the legal issue of immunity from subpoena that Mr. Rove is raising here; but then again, he may not.

For these reasons, I am very disappointed by Ranking Member Smith's last-minute suggestion, in a letter last night, that we simply settle for Mr. Rove's inadequate written answers to his questions, wait for a court ruling, and move on. We obviously cannot accept this suggestion.

The bottom line is this: Mr. Rove has breached his obligation to this Committee. It is our duty to respond.

I urge all Committee Members to approve the Resolution and Report.