

April 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 am counsel for Karl Rove and am writing to respond to your letter of April 17, 2008, inviting Mr. Rove to testify before the Committee on the alleged “politicization of the Department of Justice during this Administration.”

Your invitation is premised on reports that I had expressed Mr. Rove’s “willingness to testify before the Committee.” The report in question was based on an email exchange with a producer for a cable news network and was taken grossly out of context. I am aware that the Committee has been exploring issues related to the Department of Justice for nearly a year and that the Committee had previously sought Mr. Rove’s testimony on the same general subject. I know, too, that the question of whether and under what circumstances Mr. Rove (and other current and former senior White House officials) might appear before the Committee has long been discussed by the Committee and the White House and is now the subject of litigation in the United States District Court for the District of Columbia. I never intended to short circuit this process. My remarks were intended only to convey, in response to inflammatory statements by Governor Siegelman, that Mr. Rove would not assert any personal privileges in connection with any potential testimony. Had Mr. Rove’s position in fact changed, we would, of course, have advised you directly.

Although your letter invites Mr. Rove’s testimony on the “politicization of the Department of Justice during this Administration,” the letter principally focuses on allegations arising from the prosecution of former Governor Siegelman. I cannot discern from your letter whether your invitation encompasses the larger question that you pose or the more narrow issue concerning Governor Siegelman. The former includes matters, such as the firing of U.S. Attorneys, that are

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the subject of litigation concerning the scope of executive privilege. As you are well aware, the privilege is not Mr. Rove's personally, and he is not free to take a position at odds with that taken by the White House.

However, we recognize the Committee's legitimate interest in putting to rest the baseless and unsubstantiated charges that have been made by Governor Siegelman and others about his prosecution. In an effort to assist the Committee in its inquiry, Mr. Rove is prepared to make himself available for an interview on this specific issue with Committee staff. Mr. Rove would speak candidly and truthfully about this matter, but the interview would not be transcribed nor would Mr. Rove be under oath. We believe that such an accommodation is consistent with the positions asserted by the White House in prior discussions with the Committee and in the pending litigation, but would also address the Committee's interest in resolving this issue.

Please let me know whether this offer is acceptable to you so that we can make appropriate arrangements.

Yours sincerely,



Robert D. Luskin

Copy: Honorable Linda T. Sanchez
Honorable Tammy Baldwin
Honorable Artur Davis
Elliot Mincberg, Esq.