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### Rove-Gate and Jeffy/Jim Gannon/Guckert

Posted on Saturday, October 08 @ 09:40:48 EDT by [drew](#)



Oct. 7, 2005 | To understand why Karl Rove is believed to be in grave danger of indictment for his role in the Wilson leaks, let's return to the earliest days of the investigation. If Rove is found criminally liable for lying, then the falsehoods that led to his downfall may well have been uttered during the weeks when his old friend and client John Ashcroft was still in charge of the leaks probe -- and before the case was turned over to the special counsel, U.S. Attorney Patrick Fitzgerald.

During the autumn of 2003, after repeated requests from the CIA, Ashcroft finally exercised his duty as attorney general to investigate the disclosure of Valerie Plame Wilson's identity by administration officials to various journalists. Although the CIA first notified the Justice Department as early as July 30 of a potentially serious crime -- namely, a violation of the Intelligence Identities Protection Act -- Justice didn't open an investigation until the end of September, after the CIA informed the department that it had completed its own review of the facts.

For three months, until Ashcroft decided to [recuse himself](#), the investigation remained under his control, despite the well-founded suspicions of Rove's involvement. Ashcroft willfully ignored his own inherent conflict in overseeing a case that might lead to an indictment of Rove, who had assisted his political campaigns in Missouri and had directed the process that led to his appointment as attorney general. Only after repeated protests from Democrats in Congress, strong editorial comment on the unseemliness of Ashcroft's conduct, and polls showing public demand for an independent counsel did he finally recuse himself from the Wilson matter.

By then, however, the investigation had already begun, and Rove, among others in the White House, was already on record publicly denying any involvement in the leaks. Indeed, those denials by Rove himself and White House press secretary [Scott McClellan](#) returned to haunt them and the president earlier this year, following evidence provided by Time magazine reporter Matthew Cooper about his July 2003 conversation with Rove concerning the Wilsons.

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So now we know the truth about Rove's role -- or at least part of the truth -- and we know that he wasn't being honest back then. The question is what he may have told the FBI agents assigned to investigate the matter during those autumn weeks, before Ashcroft turned over the case to Fitzgerald in late December.

On Oct. 24, 2003, the Washington Post reported that Rove and McClellan, among dozens of others, had submitted to FBI interrogation about the leaks. Two months later, the Post quoted administration officials saying that Rove had been among the very first people to be interviewed by the FBI in pursuit of information about the case.

Back then, Rove might well have assumed that the case would be buried without any undue inconvenience to him. The president had publicly predicted, after all, that the perpetrators of the leak were unlikely to be identified. There was no reason, at the outset, to think that an independent-minded prosecutor would take over from Ashcroft a few months later.

If Rove told the FBI agents the same story that he and McClellan were telling the press, then he might have set himself up for a felony charge of lying to a federal law enforcement official. And if he lied, then he need not have been under oath to have committed a crime.

Another intriguing possibility in the leaks case brings back the baroque personality of right-wing pressroom denizen [Jeff Gannon](#), born James Guckert.

The New York Times [reported Friday](#) that in addition to possible charges directly involving the revelation of Valerie Wilson's identity and related perjury or conspiracy charges, Fitzgerald is exploring other possible crimes. Specifically, according to the Times, the special counsel is seeking to determine whether anyone transmitted classified material or information to persons who were not cleared to receive it -- which could be a felony under the 1917 Espionage Act.

One such classified item might be the still-classified State Department document, written by an official of State's Bureau of Intelligence and Research, concerning the CIA's decision to send former ambassador Joseph Wilson to look into allegations that Iraq had tried to purchase uranium from Niger. Someone leaked that INR document -- which inaccurately indicated that Wilson's assignment was the result of lobbying within CIA by his wife, Valerie -- to right-wing media outlets, notably including Gannon's former employers at Talon News. On Oct. 28, 2003, Gannon posted an interview with Joseph Wilson on the Talon Web site, in which he posed the following question: "An internal government memo prepared by U.S. intelligence personnel details a meeting in early 2002 where your wife, a member of the agency for clandestine service working on Iraqi weapons issues, suggested that you could be sent to investigate the reports. Do you dispute that?"

Gannon later hinted, rather coyly, that he had learned about the INR memo from an article in the Wall Street Journal. He also told reporters last February that FBI agents working for Fitzgerald had questioned him about where he got the memo. At the very least, that can be interpreted as confirming today's Times report about the direction of the case.

All such speculation about criminal indictments must be tempered with caution. Nobody outside Fitzgerald's office can be certain what charges he is considering or whose fate he is mulling over. Even the highest-ranking figures in the Bush White House, which would deprive others of their constitutional rights and has already done so, deserve the presumption of innocence.

But certain persons in this government committed a serious offense against the national security of the United States to serve political partisan ends -- and they don't deserve to get away it.

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