

High Crimes and Misdemeanors Propel Double Impeachment

by Edward Spannaus and Jeffrey Steinberg

Without warning, the Bush-Cheney White House is once again overwhelmed by new evidence of high crimes and misdemeanors, by both the President and the Vice President, that once again put the issue of impeachment squarely on the table. And this time, the evidence of official criminality is hitting the White House as a whole, including the President's chief political hit-man Karl Rove, Attorney General Alberto Gonzales, and, according to several highly placed Washington sources, the President himself.

In the past two weeks, simultaneous with the jury's guilty verdict in the Lewis Libby trial, two serious scandals have erupted, that have destabilized the White House like never before, and have led to bipartisan Congressional demands for the immediate resignation of Gonzales, the former White House Counsel, and one of Bush's closest Texas friends still remaining in the Administration.

Furthermore, on March 16, Rep. Henry Waxman (D-Calif.) held dramatic hearings on the Valerie Plame Wilson leak, featuring the former CIA covert officer herself, which has opened up yet another flank on the crimes of the Vice President.

Rove and Bush in the Target Zone

Although Gonzales's chief of staff has already resigned, and many observers believe that Gonzales cannot be far behind, there is mounting evidence that the political purge of GOP-appointed U.S. Attorneys—who are the chief Federal prosecutors in each of 93 Federal judicial districts across the country—was planned and orchestrated from the highest levels of the White House.

And further, it is clear that the driving motive behind the purge was the failure of certain U.S. Attorneys to aggressively pursue what Karl Rove and the White House call “voter fraud”—the offense of “voting-while-black” (or Hispanic)—

otherwise known as “vote suppression.”

Rove's fingerprints are all over this, not only from the evidence that it was he, and not Harriet Miers or Gonzales, who initiated the idea of firing all U.S. Attorneys in January 2005, but who later settled for a more modest plan of firing a lesser number who were considered “disloyal” to the White House agenda. As former Clinton advisor Sidney Blumenthal points out in the March 15 issue of *Salon*, not only was Rove the point-man in the Republican Party for collecting complaints of “voter fraud,” and demanding prosecutions of Democrats, but the man known as “Bush's Brain” has a long history, going back to 1986 in Texas, of using the FBI to investigate his candidates' Democratic opponents. Rove was just “doin' what comes naturally.”

Background: As we have previously reported (see *EIR*, Oct. 8, 2004), there was a major shift in the Justice Department during the Bush-Cheney Administration's first term, ceasing enforcement of the Voting Rights Act, and instead pushing so-called “voting integrity” measures targetting “illegal” registration and voting by minorities and poor people who happen to vote heavily Democratic. The DOJ Civil Rights Division and its Voting Rights section were purged of career officials, who were replaced by Federalist Society activists and other right-wing types, who had a long history in GOP vote-suppression efforts.

The White House has acknowledged that last October, President Bush told Gonzales that GOP officials were complaining that various U.S. Attorneys weren't pursuing “voter fraud” investigations aggressively enough. Rove also told Miers that the DOJ was not moving aggressively on “voter fraud.”

This was a significant factor in the firings of U.S. Attorneys John McKay in Washington State, and David Iglesias of New Mexico. McKay was pressured by Republicans to bring

voter-fraud charges regarding the 2004 Washington State gubernatorial race, in which Democrat Christine Gregoire was declared the winner after two recounts. "There was no evidence," McKay told the *Seattle Times*, "and I am not going to drag innocent people in front of a grand jury." New Mexico GOP officials complained to Rove about the failure of Iglesias to indict Democrats for voter fraud; when the state GOP chairman asked Rove at a Christmas party, "Is anything ever going to happen to that guy?" Rove replied: "He's gone." And indeed, he soon was.

Vote suppression figured in a different way in the firing of Homer Cummins, the U.S. Attorney in Little Rock, Arkansas, who was dumped to clear the way for a Rove crony, John Griffin. According to the recently disclosed White House/DOJ e-mails, Bush Administration officials were concerned that if Griffin—a long-time Federalist Society activist—had to undergo a Senate confirmation hearing (which the firings were intended to bypass, using a provision of the Patriot Act), he would be questioned about his role as a GOP operative in the 2000 and 2004 campaigns, in Florida and elsewhere, challenging absentee ballots in African-American precincts.

Indicative of the way in which the White House was taken by surprise by the wildfire spread of this scandal, its explanations for the firings have been constantly shifting, but have all centered on claims—made by top DOJ officials under oath—that the U.S. Attorneys in question were dismissed for "poor performance." These ham-handed attacks on highly regarded Federal prosecutors have infuriated Republicans as well as Democrats. As one prominent former Republican U.S. Attorney, Joseph DiGenova of the District of Columbia, put it: "They have the right to fire them; they do not have the right to smear them."

Shutting Down a DOJ Investigation

While the White House and Gonzales were still reeling from the U.S. Attorney purge scandal, they were hit with another, seemingly out of the blue. According an article posted by the *National Journal* on March 15, it was upon the advice of Gonzales that Bush shut down an internal Justice Department investigation of the NSA (National Security Agency) domestic spying scandal, one year ago. Moreover, Gonzales had been informed at the time that the probe would examine his own role in authorizing the illegal spying program, while he was White House Counsel. It was clear that it would also have looked into why Gonzales had authorized the NSA program over the strenuous objections of senior career DOJ officials, who were in a battle royal with Dick Cheney's chief of staff Lewis Libby and Cheney's legal counsel David Addington, over the spy program as well as other abuses of Executive power.

The mechanism by which Bush shut down the investigation was simple: He ordered that security clearances be denied to investigators in the DOJ's Office of Professional Responsibility (OPR). Never before had OPR personnel been denied

security clearances; the fraudulent nature of this action was demonstrated by the fact that at the same time, lawyers in the DOJ's Criminal Division were given security clearances to investigate the leaking of the NSA program to the *New York Times*, and DOJ Civil Division lawyers were given clearances to defend the Administration against lawsuits and FOIA requests revolving around the unlawful eavesdropping program.

Almost immediately, the chairman of the House Judiciary Committee Rep. John Conyers (D-Mich.), fired off a letter to Gonzales, citing the *National Journal* report that Gonzales knew that his own conduct was about to be investigated when he recommended to the President that the investigation be shut down. Conyers demanded that Gonzales answer questions and provide documents on this matter, which Conyers said would amount to "an extraordinary abuse of authority."

Cheney Coverup Exposed

Then, on March 16, three major lies at the center of the Dick Cheney-orchestrated coverup of the Joseph Wilson/Valerie Plame case were utterly destroyed, in the hearing held by Waxman's House Oversight and Government Reform Committee. This trio of lies, repeated endlessly by apologists for Cheney and the White House, are:

1. "*Valerie Plame was not covert; there was no crime.*" Waxman opened the hearing by reading a statement he had discussed with CIA Director Gen. Michael Hayden, and which, Waxman emphasized, was cleared in its entirety by the CIA.

Waxman stated unequivocally, that Valerie Plame Wilson was undercover during her employment at the CIA, that her employment status was classified, and that at the time of the July 14, 2003 Robert Novak column, "Ms. Wilson's employment status was covert."

"Ms. Wilson worked on some of the most sensitive and highly secretive matters handled by the CIA," Waxman continued. "In her various positions at the CIA, Ms. Wilson faced significant risks to her personal safety and her life," and, "maintaining her cover was critical to protecting the safety of both colleagues and others." And, refuting those who claim that she just had "a desk job," Waxman added that "any characterization that minimizes the personal risk Ms. Wilson accepted in her assignments is flatly wrong." The disclosure of her employment with the CIA "placed her professional contacts at greater risk," Waxman declared on behalf of the CIA, and "it undermined the trust and confidence with which future CIA employees and sources hold the United States."

Within the strict limitations imposed on her by her oath of secrecy, Plame herself testified that she had been a "covert operations officer," working in the CIA's Counter-Proliferation Division, and that during the period before the Iraq War, "I raced to discover solid intelligence for senior policymakers on Iraq's presumed weapons of mass destruction program." She added the critical point, that, "While I helped

to manage and run secret worldwide operations against this WMD target from CIA headquarters in Washington, I also traveled to foreign countries on secret missions to find vital intelligence.”

And, she declared, “My name and identity were carelessly and recklessly abused by senior government officials both in the White House and State Department,” which may have “jeopardized and even destroyed entire networks of foreign agents, who in turn risk their own lives and those of their families to provide the United States with needed intelligence.”

2. *“Plame sent her husband on a junket to Africa.”* Plame provided a devastating refutation of the lies put into the Senate Intelligence Committee report by Sen. Pat Roberts (R-Kan.) and others. Plame testified that one of her colleagues had gotten a call from the Office of the Vice President about the alleged Iraq/Niger yellowcake claim. At that point, another CIA officer suggested sending her husband, former Amb. Joseph Wilson, on a mission to investigate this, and her supervisor asked her to raise it with her husband. Another colleague who was interviewed by the Senate Intelligence Committee later came to her, almost in tears, over the way his statements were distorted in the Intelligence Committee report, so as to give the impression that Plame had suggested Wilson be sent to Africa. He asked to be re-interviewed, but his request was refused.

3. *President Bush: “I want to get to the bottom of this.”* Despite repeated White House statements that anyone involved in the leaking of Plame’s identity would be fired, the head of the White House Office of Security acknowledged that his office had *never* conducted any investigation of the unauthorized disclosure of Plame’s identity—as is mandatory under various Executive Orders governing the handling of classified information. There was no investigation, no report, and there is nothing in the office’s files to show that anything was ever done.

Impeachment: The Only Remedy

Under these extraordinary conditions, Rep. Dennis Kucinich (D-Ohio) cut right to the quick in a speech on the House floor March 15, declaring that impeachment is the only way to deal with this Administration.

“This House cannot avoid its constitutionally authorized responsibility to restrain the use of Executive power,” Kucinich began, and then proceeded to address the dire situation created by the action of House Speaker Nancy Pelosi (D-Calif.) and the Democratic leadership in removing language from the Iraq War funding bill, “requiring the Administration, under Article I, Section 8, Clause 11 of the Constitution, to seek permission before it launched an attack against Iran.”

“Since war with Iran is an option of this Administration, and since such war is patently illegal, then impeachment may well be the only remedy which remains,” Kucinich aptly put it.