

*Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.*

***The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.***

*Section 3 – The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.*

*Immediately after they shall be assembled*

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## **FEATURE:** **Impeachment: week in review**

A Monday one paragraph summary report and analysis, followed by recaps (with links) of representative on-line articles and essays – typically 800 to 1,600 words.

**Week ending 12/17/2017 (~1,390 words)**

**Note: In observance of Christmas, there will be no edition of this feature for 12/25/17**

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**Minneapolis 12/18/17 Edition** – At a time when the Republican drive for what they call “tax reform” has reached a boil, impeachment news was mostly roiling below the surface this past week. The Washington Post published a major and highly critical analysis of President Trump’s continuing emotional denial of “Russian Interference” – examining how that denial appears to both distort the briefings he is receiving, and ongoing U.S. foreign policy. Rumors that Special Counsel Robert Mueller may soon be fired have also be swirling, amid a clash with the still-operating Trump Transition office over a trove of e-mails Mueller obtained – the Transition Office challenges his right to have them. Amid the recent wave of career-ending sexual harassment allegations, a new impeachment question has emerged: can the President be impeached based on such alleged misconduct directly – rather than as it may relate to other illegal actions such as perjury and obstruction of justice? “Conventional Wisdom” suggests the answer is no – but this issue is far from resolved. All of this is happening in the context of other major year-end uncertainty, including the need to resolve such issues as a still-possible government shutdown, and the fate of the “Dreamers.”

### **President Trump's posture on "Russian Interference": emotional denial**

In a major, exclusive news analysis, [journalists from the Washington Post](#) offer a gloomy analysis of relations with Russia under the oversight of President Trump, who is portrayed as

emotionally and stubbornly unwilling to acknowledge the reality of overt Russian interference in the 2016 election, or to do anything about it going forward. The President's Daily Briefs are reported to be routinely "spun" -- to downplay and soft pedal continuing Russian activities that can be seen in the context of on-going interference; briefers are fearful they might "upset" the President. The Post reports: "Michael V. Hayden, who served as CIA director under President George W. Bush, has described the Russian interference as the political equivalent of the Sept. 11, 2001, attacks, an event that exposed a previously unimagined vulnerability and required a unified American response. 'What the president has to say is, "We know the Russians did it, they know they did it, I know they did it, and we will not rest until we learn everything there is to know about how and do everything possible to prevent it from happening again,"' Hayden said in an interview. Trump 'has never said anything close to that and will never say anything close to that.'" The Post analysis continues: "overall, U.S. officials said, the Kremlin believes it got a staggering return on an operation that by some estimates cost less than \$500,000 to execute and was organized around two main objectives — destabilizing U.S. democracy and preventing Hillary Clinton, who is despised by Putin, from reaching the White House.... The Russian operation seemed intended to aggravate political polarization and racial tensions and to diminish U.S. influence abroad. The United States' closest alliances are frayed, and the Oval Office is occupied by a disruptive politician who frequently praises his counterpart in Russia." This concluding observation is offered by the Post: "‘Putin has to believe this was the most successful intelligence operation in the history of Russian or Soviet intelligence,' said Andrew Weiss, a former adviser on Russia in the George H.W. Bush and Bill Clinton administrations who is now at the Carnegie Endowment for International Peace. 'It has driven the American political system into a crisis that will last years.'" The Post report included additional crucial information: During a late July summit in Hamburg, President Trump reportedly had a private conversation with Russian President Putin, with no other person present except a Kremlin interpreter.

### **Amid clash over e-mails, rumors of imminent firing, Mueller probe plows on**

Amid rumors that President Trump may soon fire Special Counsel Robert Mueller, [The Hill](#) reports former GOP Congressman Joe Walsh (R-IL) tweeted: "If President Trump fires Robert Mueller, he will be impeached. And he will deserve to be impeached." On December 18th, President Trump was reported to deny he was considering firing Mueller, despite a swirl of

rumors that such an action may be imminent. "As the White House has repeatedly and emphatically said for months, there is no consideration at the White House of terminating the special counsel," White House attorney Ty Cobb said in a statement to Politico. [The AP reports](#) President Trump told the media Sunday he was not considering firing Mueller.

In an essay for [The Nation](#), national-affairs Correspondent John Nichols reports Walter Schaub, a former director of the US Office of Government Ethics, reacted strongly against an apparent plan to end the Mueller investigation. Nichols writes: "after a Trump-aligned member of the House, Florida Congressman Matt Gaetz, appeared on CNN and announced: 'I call on my Republican colleagues to join me in the firing of Bob Mueller'—Schaub wrote: 'Make a plan folks. Be ready to take to the streets. This is an attack on our Republic.'" Nichols then opines: "Taking it to the streets is always a good idea when the oligarchs and plutocrats spin out of control. That's why the founding generation of the American experiment established First Amendment rights to assemble and to petition for the redress of grievances. But it is important, now, before a potential crisis becomes a real one, to signal what that reaction will be."

[Axios reports](#): "Officials of President Trump's transition team plan to ask Special Counsel Robert Mueller to return 'many tens of thousands' of transition emails they contend were unlawfully provided to him. But the prosecutor's office says emails being used in the investigation were properly obtained." Special Counsel spokesman Peter Carr reportedly said: "When we have obtained emails in the course of our ongoing criminal investigation, we have secured either the account owner's consent or appropriate criminal process." It's interesting to note that the Trump Transition e-mails were reportedly obtained by Mueller's office through the GSA, which had custody of them -- one wonders whether if Hillary Clinton had used the same procedure used by the Trump Transition team, if the GSA would also have had custody of her e-mails near the outset of the Obama administration.

## **New impeachment question: Can President be “fired” for sexual harassment?**

[NBC News reports](#) on an emerging question: can President Trump be impeached for sexual harassment? While many private sector employees have recently lost their jobs over such allegations, some argue the President is different; having Constitutional tenure. Some have concluded that certain crimes can be categorized as "private and personal" – in contrast to others

that are a breach of some public trust or official obligation; as such, they may not rise to the "high crimes and misdemeanors" standard, widely held to be a requirement for impeachment. While the underlying conduct leading to President Clinton's impeachment had to do with alleged sexual misconduct, the actual impeachment charges had to do with false testimony under oath and obstruction of justice, more "traditional" wrongdoing as impeachable precedent. The emerging question of sexual misconduct as a sufficient basis for removal from office is far from resolved.

### **New Analysis: Why did first House Impeachment vote fail so badly?**

[CNN offers an analysis](#) of why the House's first vote on impeachment, taken December 7th, failed badly despite the fact that seven in ten Democrats favor impeachment. Democrats who voted in favor of the first motion to begin impeachment come from districts that gave Hillary Clinton a margin of votes about twenty percent above the average for districts represented by Democrats who voted against impeachment (some Democrats represent districts that voted for President Trump.) It appears at this point that from the point of "swing district" Democrats, impeachment remains too risky.

### **Approval/Disapproval polls – Impeachment Odds**

[The Telegraph](#) (UK), which has been updating a continuing feature, shows results are virtually unchanged from late October to December 12th -- currently 57% disapprove of President Trump, while 38% approve. Most recently, a 40% chance is reported that he will not complete his first term -- which could be the result of impeachment -- this has also been steady for six weeks.

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