

Cheney and His Patsy, Bush, Face Impeachment Furor

by Jeffrey Steinberg

“Impeach, impeachment, and impeachable are words now back in prominent usage, as the result of the antics of Dick Cheney and his patsy, George W. Bush,” Lyndon LaRouche commented on Dec. 22. LaRouche was referring to the firestorm of Congressional and judicial reactions to the Vice President’s openly totalitarian assertion that, as the result of the attacks of Sept. 11, 2001, there are no Constitutional limits on the power of the U.S. Presidency.

Cheney’s defense of the right of the U.S. military and intelligence agencies to kidnap and torture suspected terrorists had already triggered a bipartisan, bicameral revolt by the U.S. Congress against the Vice President (see *EIR* Dec. 23, 2005, “Cheney Is the Albatross Around George Bush’s Neck”), when the *New York Times*, on Dec. 16, revealed that President Bush, under Cheney’s influence, had signed a secret order, shortly after 9/11, authorizing the National Security Agency (NSA) to spy on American citizens, without first obtaining a warrant from the Foreign Intelligence Surveillance Court. The 1978 Foreign Intelligence Surveillance Act created the secret FISA court, to give judicial approval in those instances where surveillance of American citizens was warranted. In extreme cases, FISA provided the government with permission to conduct surveillance and receive retroactive authorization from the court, 72 hours after the fact.

The *Times* story singled out Vice President Cheney as the architect of the unconstitutional espionage program, noting that the first Congressional briefing on the NSA spying, took place in Cheney’s office in early 2002. Confirming the *Times* account of Cheney’s role, on Dec. 19, Sen. Jay Rockefeller (D-W.V.), the current ranking Democrat on the Senate Select Committee on Intelligence, released a letter that he handwrote to Dick Cheney on July 17, 2003, expressing his grave concerns over the NSA surveillance program, which he had been

briefed on that day (see *Documentation*).

Two days after the *Times* story—which had been kept on hold for more than a year, under White House pressure—was published, President Bush delivered his weekly Saturday radio address, and launched into an unabashed defense of the NSA illegal, warrantless spying on Americans. In what was tantamount to a suicidal public confession of an impeachable offense, the President admitted: “In the weeks following the terrorist attacks on our nation, I authorized the National Security Agency, consistent with U.S. law and the Constitution [sic], to intercept the international communications of people with known links to al-Qaeda and related terrorist organizations. . . . This is a highly classified program that is crucial to our national security.”

Contrast that to a statement made by President Bush on April 20, 2004: “Now, by the way, any time you hear the United States government talking about wiretap, it requires—a wiretap requires a court order. Nothing has changed, by the way. When we’re talking about chasing down terrorists, we’re talking about getting a court order before we do so.”

The day after the President’s shocking Saturday radio address, John Dean, who was White House General Counsel under President Richard Nixon at the time of Watergate, in a public discussion with Sen. Barbara Boxer (D-Calif.), called George Bush “the first President to admit to an impeachable offense.”

In a Sunday night, Dec. 18, television address, initially billed as a discussion with the American people about the just-concluded Iraqi elections, the President tightened the noose around his own neck, and once again went out of his way to defend the indefensible spying program. On Monday morning, Dec. 19, in a year-end press conference, the President was bombarded with questions about the illegal spy program,



The Texas Young Republican Federation web site

Cheney and his patsy: "Bye, bye."

and he yet again asserted an un-American notion of limitless Presidential authority, in the wake of 9/11.

Cheney's Ultramontane Dogma

Bush's bizarre public confession, that he approved a patently unconstitutional program of illegal surveillance of American citizens, has confounded both media pundits and the general public.

No one, however, was particularly shocked when, in a similar series of public interviews last week, Vice President Cheney, the "Tomás de Torquemada" of the Bush Administration, asserted his doctrine of ultramontanist Presidential power, and snarled at reporters who dared challenge him.

While travelling in the Persian Gulf and South Asia, the Vice President agreed to be interviewed by ABC-TV News for a Dec. 19 "Nightline" broadcast. In that interview with Terry Moran, Cheney asserted that the illegal spying program was implicitly approved by the Congress, when it passed the resolution authorizing the President to take military action against Afghanistan, following 9/11; and in "the President's Constitutional authority as Commander in Chief."

But, on Dec. 23, former Senate Democratic Leader Tom Daschle (D-S.D.) wrote an op-ed in the *Washington Post*, revealing that the Bush White House had explicitly tried to shape the language of that September 2001 resolution to include approval for domestic operations, and it was explicitly blocked. "This last minute change," Sen. Daschle wrote, "would have given the president broad authority to exercise expansive powers not just overseas—where we all understood he wanted authority to act—but right here in the United States, potentially against American citizens. I could see no justification for Congress to accede to this extraordinary request for additional authority. I refused. . . . The Bush admin-

istration now argues those powers were inherently contained in the resolution adopted by Congress—but at the time, the administration clearly felt they weren't, or it wouldn't have tried to insert the additional language."

On Dec. 20, aboard Air Force Two, en route to Muscat, Oman, Dick Cheney went really over the top, asserting that the War Powers Act was unconstitutional, and boasting that he came into office as Vice President, committed to reversing the erosion of Presidential power that had occurred after Watergate, and, later, with the Iran-Contra scandal.

"Either we're serious about fighting the war on terror or we're not," Cheney said. "Either we be-

lieve that there are individuals out there doing everything they can to try to launch more attacks, to try to get ever deadlier weapons to use against us, or we don't. The President and I believe very deeply that there's a hell of a threat, that it's there for anybody who wants to look at it. And that our obligation and responsibility given our job is to do everything in our power to defeat the terrorists. And that's exactly what we're doing."

The Vice President then let the cat out of the bag, practically daring Congress and the courts to come after him: "But if there's anything improper or inappropriate in that, my guess is that the vast majority of the American people support that, support what we're doing. They believe we ought to be doing it, and so if there's a backlash pending, I think the backlash is going to be against those who are suggesting somehow that we shouldn't take these steps in order to protect the country."

Death By a Thousand Cuts

Through interviews with a range of government and intelligence sources, *EIR* has pieced together a picture of what is behind this Cheney-provoked Constitutional crisis and political showdown, all rolled into one.

Start with the fact that Dick Cheney is in big political trouble. Lyndon LaRouche had it right when he declared, at a Washington, D.C. international webcast on Nov. 16, that we have entered the "post-Cheney era."

- Cheney's then-chief of staff Lewis "Scooter" Libby was indicted on Oct. 28, for perjury and obstruction of justice in the Valerie Plame Wilson case. The Libby indictment by Special Counsel Patrick Fitzgerald clearly named the Vice President, personally, as Libby's source on the identity of the undercover CIA officer, the wife of Bush-Cheney Iraq-war

critic Ambassador Joseph Wilson. Were Fitzgerald to indict Libby for the underlying crime of leaking Ms. Plame Wilson's name to columnist Robert Novak, he would have to indict Cheney or, at minimum, name him as an unindicted co-conspirator.

- Furthermore, last month, Special Counsel Fitzgerald requested a new grand jury, to continue his probe. Sources say that Fitzgerald is looking way beyond the outstanding issue of whether to indict White House Deputy Chief of Staff Karl Rove on similar obstruction charges, and that his investigation is entering a hyper-active phase, targeting Cheney asset John Bolton, the current U.S. Ambassador to the United Nations, and the entire White House Iraq Group (WHIG), which Cheney ran as the agitprop unit for the Iraq war.

- Cheney's open embrace of torture and "renditions," a euphemism for outright kidnapping of suspected terrorists, has triggered a bipartisan revolt in the Congress, which came to a head on Dec. 15, when the House voted by a veto-proof majority, to back the McCain Amendment, banning all forms of torture by American interrogators. The next day, President Bush threw in the towel, dropped the Cheney-driven White House opposition to the torture ban, and even staged a photo opportunity with Senators John McCain (R-Ariz.) and John Warner (R-Va.), the two drivers of the ban, and two of Cheney's sharpest Senate adversaries.

- By this time, rumors were flying around Washington power corridors, that McCain might replace Cheney as Vice President soon. Similar credible stories indicated that Cheney's partner-in-crime, Defense Secretary Donald Rumsfeld, is on his way out the Pentagon door, sometime soon after the release of the "Quarterly Defense Review" (QDR), a military planning document now being prepared by Deputy Defense Secretary Gordon England. England, who is a popular figure with the uniformed military command, in stark contrast to Rumsfeld and Cheney, is said to be a top contender to replace Rumsfeld.

Cheney was slowly being iced out of office. He was facing the political equivalent of death by a thousand cuts. Furthermore, Cheney's international Synarchist backers, typified by George Shultz, knew that, were Cheney to be dumped as Vice President, they would lose their grip on the Oval Office. Just as Cheney has dominated the Bush Administration's policy, from day one, through his manipulation of the easily duped George W. Bush, a more moderate, sane Vice President could steer the Presidency in a markedly different direction, particu-



The New York Times lead editorial Dec. 23 puts the "Vice President for torture" on the chopping block.

larly given the emerging bipartisan bloc in the Congress, opposed to the Cheney agenda.

The New York Times Story

Cheney also knew that the *New York Times* was about to come out with the exposé of the NSA surveillance of Americans. According to a Dec. 19, 2005 *Newsweek* online story by Jonathan Alter, on Dec. 6, President Bush called *New York Times* editor Bill Keller and publisher Arthur Sulzberger into the Oval Office, to demand that they kill the planned story. The *New York Times* had been sitting on the NSA story since October 2004—prior to the Presidential elections—and had been intimidated into holding back publication. This time, however, the *Times* concluded that there was no national security issue involved—just raw White House abuse of power. What is more, the erosion of Bush-Cheney political power suggested that there would be a much-reduced penalty for exposing the White House's unconstitutional power grab. The story would run.

One version of the story suggests that some Cheney allies were involved in leaking similar details about the NSA program to the rival *Washington Post*, to assure that the story would break publicly. Cheney, according to several well-placed intelligence sources, had concluded that he—and his dupe, G.W. Bush—had to go on the offensive. By rekindling images of the 9/11 attacks, and launching aggressive attacks on Congressional "liberals" and turncoat Republicans, for stripping America of its defenses, and so on, Cheney and his collaborators hoped to win back some measure of public support for the Bush-Cheney team.

Furthermore, there was this crucial point: By sending a duped George W. Bush out first, to take personal responsibil-

ity for the illegal wiretaps, attention would be diverted from Cheney to Bush, and the waters would be muddied for those seeking Cheney's ouster. "It seemed like a win-win plan, from the standpoint of the Cheney crowd," one senior intelligence source told *EIR*. "Either Congressional critics of the White House backed down to the Cheney bullying and bluffing, or, at minimum, it became harder to dump Cheney without also going after Bush."

Sober political leaders on both sides of the aisle in Congress, and within the institution of the Presidency, preferred to remove Cheney, without creating the need to bring down President Bush. The reasoning was that the country should be spared the political agony of another impeachment process.

Furthermore, the remaining three years of the Bush Presidency are going to be tumultuous. Real-world crises, like the already advanced collapse of the American automobile manufacturing/machine-tool sector, the ongoing disaster in Iraq, the stalled post-Katrina disaster relief effort, and the looming collapse of the entire global financial system, require direct Presidential action.

As Lyndon LaRouche has emphasized, a post-Dick Cheney Bush Presidency could be regrouped around a new second-in-command, and a new advisory team, comprised of a bipartisan group of senior policy specialists. Such a Presidency, albeit limited by George Bush's own severe limitations, could steer the country and the world through a period of grave crises, in partnership with a bipartisan Congressional majority.

As Lyndon LaRouche has persistently warned since August 2002, no such return to Executive Branch sanity is possible, so long as Cheney occupies the Vice Presidency.

The Response

Cheney's handlers badly misread the political climate. While there was no shortage of Congressional outcries against President Bush's admission about the NSA spying on Americans, the focus of attention remained where it belonged: on Dick Cheney. The clearest "establishment" response came on Dec. 23, with a *New York Times* editorial called "Mr. Cheney's Imperial Presidency."

"George W. Bush has quipped several times during his political career," the editorial began, "that it would be so much easier to govern in a dictatorship. Apparently he never told his vice president that this was a joke.

"Virtually from the time he chose himself to be Mr. Bush's running mate in 2000, Dick Cheney has spearheaded an extraordinary expansion of the powers of the presidency—from writing energy policy behind closed doors with oil executives to abrogating longstanding treaties and using the 9/11 attacks as a pretext to invade Iraq, scrap the Geneva Conventions and spy on American citizens." Fortunately, the *Times* editorialized, "There are finally signs that the democratic system is trying to rein in the imperial presidency."

The only way to "rein in the imperial presidency" is to

oust Dick Cheney from office. That is a tough fight, because Cheney will not go gently. But the events of the past days signal that the fight is on, and Cheney's opponents have been forced to shed any naive notions about a gentlemanly surrender. As LaRouche said, Cheney is going to have to be "frog-marched" out of the White House.

Documentation

Administration Officials Defend Illegal Spying

President George W. Bush, weekly radio address, Dec. 17:

As President, I took an oath to defend the Constitution, and I have no greater responsibility than to protect our people, our freedom and our way of life. . . .

To fight the war on terror, I am using authority vested in me by Congress, including the joint authorization for use of military force, which passed overwhelmingly in the first week after September the 11th. I'm also using constitutional authority vested in me as commander-in-chief. In the weeks following the terrorist attacks on our nation, I authorized the National Security Agency, consistent with U.S. law and the Constitution, to intercept the international communications of people with known links to al-Qaeda and related terrorist organizations. . . .

Yesterday, the existence of this secret program was revealed in media reports after being improperly provided to news organizations. As a result, our enemies have learned information they should not have, and the unauthorized disclosure of this effort damages our national security and puts our citizens at risk. . . . The authorization I gave the National Security Agency after September the 11th helped address that problem in a way that is fully consistent with my constitutional responsibilities and authorities. The activities I have authorized make it more likely that killers like these 9/11 hijackers will be identified and located in time.

And the activities conducted under this authorization have helped detect and prevent possible terrorist attacks in the United States and abroad. The activities I authorized are reviewed approximately every 45 days. Each review is based on a fresh intelligence assessment of terrorist threats to the continuity of our government and the threat of catastrophic damage to our homeland.

During each assessment, previous activities under the authorization are reviewed. The review includes approval by our nation's top legal officials, including the attorney general and the counsel to the President. I have reauthorized this program more than 30 times since the September the 11th attacks,