

Oversight Hearings Can Lead Straight to Impeachment

by Nancy Spannaus

While most Democrats, even those with a record of demanding the removal of President George W. Bush and Vice-President Dick Cheney from office, are currently repeating the mantra that “impeachment is off the table,” there is no reason to necessarily take them at their word. In the course of his webcast Nov. 16, Lyndon LaRouche put it this way:

“Some Democrats are not saying ‘impeachment,’ if they’re in the Congress. Why? They’re for impeachment. We are for impeachment. But why are they saying that? . . . But in general, they’re right. Why? Because, as they will tell you, as Conyers, for example, who’s the head of the relevant incoming committee of the Congress, will tell you, when you are putting the President on trial, where you have to be a judge and jury, you can not be a prosecutor from the outset. You must conduct the proper procedure, because you can not destroy law itself and due process, in the process of seeking to do something which is even necessary.”

In fact, over the past six years, and especially the three and a half years since the Iraq war was launched, the Democrats have been assiduously documenting the malfeasance of the Bush Administration in a large number of areas, and demanding oversight hearings, which have, in most cases, been blocked by the dictatorial Republican majority. Now that the Republican stranglehold is broken, hearings in these areas of unfinished business are expected to proceed expeditiously. And these hearings are the necessary prerequisite for the required impeachment.

Carried out correctly, the hearings will produce a ton of evidence against especially Dick Cheney, evidence itself which will immediately raise the question of impeachment for high crimes and misdemeanors.

We cite four major areas in which the groundwork for oversight hearings has been thoroughly prepared:

1. The manipulation and misuse of intelligence going into the Iraq war.
2. The abuse of Presidential power through illegal wiretaps, and violation of international and domestic law through torture.
3. The abuse and ripoff of the public by contractors, especially Halliburton, in the Iraq war.
4. The malfeasance and abdication of responsibility

by the Bush Administration in the face of the Katrina disaster.

In most of these areas, the Democrats have been forced to carry out special policy hearings, sometimes confined to a small room in the Capitol basement, in an attempt to air the issues which the Republican majority would not allow to be subjected to oversight. As Democratic Senator Byron Dorgan (N.D.), head of the Oversight Committee which the Republican majority simply eliminated when Newt Gingrich took over in 1994, has explained, the Republicans unilaterally abdicated the Congress’s constitutional responsibility of oversight. A list of the dozens of briefings which the Democratic Senate Policy Committee held, in lieu of oversight hearings, can be found on its web site.

A couple of such briefings have also been held on the House side, and additionally, leading Democrats, such as Henry Waxman (Calif.), the ranking member of the House Government Reform Committee, and John Conyers (Mich.), the ranking member of the House Judiciary Committee, have put their staffs to work assembling extensive dossiers on the misconduct of Bush government officials, all of which are available as starting points for thorough investigation.

In the Senate: Cheney’s Lies Leading to War

The most fruitful area for oversight has already been identified by the incoming Democratic chairman of the Senate Select Committee on Intelligence (SSCI), Sen. Jay Rockefeller of West Virginia. As he put it in a statement Nov. 16, the Committee “must complete the long-overdue, unfinished business, related to the use and misuse of intelligence leading up to the war in Iraq.” He noted that the Committee had already put out three reports related to prewar intelligence, and now “we will complete the three remaining sections of Phase II.”

As early as *June 2003*, the SSCI began an inquiry into Iraq prewar intelligence. In October 2003, the probe was broadened to include the White House; but in November, under pressure from Vice President Cheney, the investigation was all but shut down, and the Republicans moved to put the blame on the CIA, not on the Administration.

Thanks to institutional pressures, however, including from the military and intelligence circles, Cheney was not able to totally shut down the investigation. It was first split into two segments: Part I to deal with the actual nature of the intelligence that was gathered prior to the launching of war on Iraq, and Part II to deal with the *use* of the intelligence.

On July 9, 2004 the SSCI released a 551-page report, Part I on the prewar intelligence fiasco, which report provided damning evidence that the bulk of that intelligence showed that Iraq posed no imminent threat to the United States, U.S. allies, or neighbor countries. At that point, SSCI chairman Pat Roberts (R-Kan.) declared that Part II, which would deal with the operations of the apparatus run through the Vice President's office, which bypassed the official intelligence assessment, would be withheld until *after* the November 2004 elections!

At the time of the Part I release, the Democratic minority, led by Senators Rockefeller, Carl Levin (D-Mich.), and Richard Durbin (D-Ill.), appended "Additional Views" to the report, wherein they noted that "the central issue of how intelligence on Iraq was used or misused by the Administration" had been left out, and they identified the role of a "private intelligence operation not authorized in law," led by Undersecretary of Defense Doug Feith, in "stovepiping" misinformation to the Secretary of Defense and Vice President Dick Cheney, which they used to ram through the decision for war.

Not surprisingly, the Republicans fiercely stonewalled the second phase of the investigation, in tandem with their similar actions in defense of Cheney's Chief of Staff, I. Lewis Libby, who was ultimately indicted in the matter of the "outing" of Valerie Plame Wilson, the wife of the former Ambassador who had exposed the nonexistence of evidence that Saddam Hussein's Iraq was out to buy tons of yellowcake (uranium) from Niger.

On Nov. 1, 2005, the issue of the lying manipulation of intelligence blew open again, when Democratic Minority Leader, Sen. Harry Reid (Nev.), took dramatic action to compel an emergency closed session of the Senate, under Senate Rule 21, in order to force a discussion of the scandalous misuse of intelligence on the war by the Administration. Reid took direct aim at Vice President Cheney's role in putting forward totally discredited intelligence. As a result of the aggressive, surprise maneuver, the Republican Senators once again agreed to proceed with Phase II of the SSCI investigation.

The warfare continued, and it was not until Sept. 7, 2006 that the SSCI released another section of its investigative report on the pre-Iraq war intelligence failures. This report concludes that the Administration consistently lied to the Congress, and to the public, in order to support its decision to go to war. In the words of Sen. Levin, this report "is a devastating indictment of the Bush Administration's unrelenting, and deceptive attempts to convince the American people that Sad-

dam Hussein was linked with al-Qaeda."

Senators Rockefeller and Levin at that time issued strong protests about the partial report, arguing that it had been substantially rewritten in order to protect the White House, and Levin, in particular, zeroed in on the outright falsehoods being put forward by Vice President Cheney. The public must see the full, unclassified report, they argued. (See *EIR*, Sept. 22, 2006.)

Now that the American electorate has put the Democrats in charge of the SSCI, the road is wide open for this investigation to be opened up, presenting to the world, and to the full Congress, the evidence of the *fraud* carried out by the apparatus headed by the Vice President.

In the House: 'Constitution in Crisis'

Congressman Conyers, who will take over the House Judiciary Committee, the traditional prime mover in impeachment proceedings, is also well prepared to proceed with assembling the evidence required for impeachment. On Aug. 4, 2006, he released a 350-page report, entitled "Constitution in Crisis," in which he identified 26 laws and regulations which the Bush Administration may have violated, matters which he insisted should be taken up by the Congress as a whole, in fulfillment of its responsibilities to the American people and the Constitution.

Conyers's report, by his own testimony, was the result of reviewing tens of thousands of documents and materials, including testimony submitted at two hearings; hundreds of media reports, including interviews with Administration officials; scores of government reports; relevant laws and administrative guidelines; and the Administration's own statements. His conclusion was:

"In brief, we had found that there is substantial evidence the President, the Vice President and other high ranking members of the Bush Administration misled Congress and the American people regarding the decision to go to war in Iraq; mistated and manipulated intelligence information regarding the justification for such war; countenanced torture and cruel, inhuman and degrading treatment in Iraq; permitted inappropriate retaliation against critics of their Administration; and approved domestic surveillance that is both illegal and unconstitutional."

Conyers then identified the specific laws, regulations, and Constitutional provisions which these actions violated. But his main concern was that Congress move to carry out its Constitutional responsibility of investigating these accusations. That is the process which is now free to proceed.

The full transcript of Conyers's report, as well as the dossiers by Rep. Waxman on Halliburton, and others, can be found by logging on to the Congressmen's websites. With these solid beginnings, the Congress is poised to do its job and demand cooperation from the Administration in submitting to oversight. If the Administration won't cooperate, there is little doubt that the subpoenas will come next.