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House Judiciary Trio Calls For Impeach Cheney Hearings

by John Nichols

Three senior members of the House Judiciary Committee have called for the immediate opening of impeachment hearings for Vice President Richard Cheney.

Democrats Robert Wexler of Florida, Luis Gutierrez of Illinois and Tammy Baldwin of Wisconsin on Friday distributed a statement, "[A Case for Hearings](#)," that declares, "The issues at hand are too serious to ignore, including credible allegations of abuse of power that if proven may well constitute high crimes and misdemeanors under our constitution. The charges against Vice President Cheney relate to his deceptive actions leading up to the Iraq war, the revelation of the identity of a covert agent for political retaliation, and the illegal wiretapping of American citizens."

In particular, the Judiciary Committee members cite the recent revelation by former White House press secretary Scott McClellan that the Vice President and his staff purposefully gave him false information about the outing of Valerie Plame Wilson as a covert agent as part of a White House campaign to discredit her husband, former Ambassador Joe Wilson. On the basis of McClellan's statements, Wexler, Gutierrez and Baldwin say, "it is even more important for Congress to investigate what may have been an intentional obstruction of justice." The three House members argue that, "Congress should call Mr. McClellan to testify about what he described as being asked to 'unknowingly [pass] along false information.'"

Adding to the sense of urgency, the members note that "recent revelations have shown that the Administration including Vice President Cheney may have again manipulated and exaggerated evidence about weapons of mass destruction — this time about Iran's nuclear capabilities."

Although Wexler, Gutierrez and Baldwin are close to Judiciary Committee chair John Conyers, getting the Michigan Democrat to open hearings on impeachment will not necessarily be easy. Though Conyers was a leader in suggesting during the last Congress that both President Bush and Vice President Cheney had committed impeachable offenses, he has been under immense pressure from House Speaker Nancy Pelosi, D-California, to keep Constitutional remedies for executive excesses "off the table" in this Congress.

It is notable, however, that Baldwin maintains warm relations with Pelosi and that Wexler, a veteran member of the Judiciary Committee has historically had an amiable and effective working relationship with Conyers. There is no question that Conyers, who voted to keep open the impeachment debate on November 7, has been looking for a way to explore the charges against Cheney. The move by three of his key allies on the committee may provide the chairman with the opening he seeks, although it is likely he will need to hear from more committee members before making any kind of break with Pelosi — or perhaps convincing her that holding hearings on Cheney's high crimes and misdemeanors is different from putting a Bush impeachment move on the table.

The most important immediate development, however, is the assertion of an "ask" for supporters of impeachment. Pulled in many directions in recent months, campaigners for presidential and vice presidential accountability have focused their attention on supporting a House proposal by Ohio Congressman Dennis Kucinich, a candidate for the Democratic

presidential nod, to impeach Cheney. When Kucinich forced consideration of his resolution on November 7, Pelosi and her allies used procedural moves to get it sent to the Judiciary Committee for consideration. Pelosi's hope was that the proposal would disappear into the committee's files.

The call for hearings by Wexler, Gutierrez and Baldwin puts impeachment on the table, at least as far as activists are concerned, creating a pressure point that can serve as a reply when House Democrats who are critical of Bush but cautious about impeachment ask: "What do you want me to do?" The answer can now be: "Back the call for Judiciary Committee hearings on whether to impeach Dick Cheney?"

"Some of us were in Congress during the impeachment hearings of President Clinton. We spent a year and a half listening to testimony about President Clinton's personal relations. This must not be the model for impeachment inquiries. A Democratic Congress can show that it takes its constitutional authority seriously and hold a sober investigation, which will stand in stark contrast to the kangaroo court convened by Republicans for President Clinton. In fact, the worst legacy of the Clinton impeachment - where the GOP pursued trumped up and insignificant allegations - would be that it discourages future Congresses from examining credible and significant allegations of a constitutional nature when they arise," write Wexler, Gutierrez and Baldwin.

"The charges against Vice President Cheney are not personal," the House members add. "They go to the core of the actions of this Administration, and deserve consideration in a way the Clinton scandal never did. The American people understand this, and a majority support hearings according to a November 13 poll by the American Research Group. In fact, 70 percent of voters say that Vice President Cheney has abused his powers and 43 percent say that he should be removed from office right now. The American people understand the magnitude of what has been done and what is at stake if we fail to act. It is time for Congress to catch up."

Arguing that hearings need not distract Congress, Wexler, Gutierrez and Baldwin note that the focus is on Cheney for a reason: "These hearings involve the possible impeachment of the Vice President — not our commander in chief — and the resulting impact on the nation's business and attention would be significantly less than the Clinton Presidential impeachment hearings."

They also argue, correctly, that the hearings are necessary if Congress is to restore its position in the Constitutionally-defined system of checks and balances.

"Holding hearings would put the evidence on the table, and the evidence — not politics — should determine the outcome," the Judiciary Committee members explain. "Even if the hearings do not lead to removal from office, putting these grievous abuses on the record is important for the sake of history. For an Administration that has consistently skirted the constitution and asserted that it is above the law, it is imperative for Congress to make clear that we do not accept this dangerous precedent. Our Founding Fathers provided Congress the power of impeachment for just this reason, and we must now at least consider using it."

John Nichols' new book is [The Genius of Impeachment: The Founders' Cure for Royalism](#). Rolling Stone's Tim Dickinson hails it as a "nervy, acerbic, passionately argued history-cum-polemic [that] combines a rich examination of the parliamentary roots and past use of the 'heroic medicine' that is impeachment with a call for Democratic leaders to 'reclaim and

reuse the most vital tool handed to us by the founders for the defense of our most basic liberties.”

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