

Gorsuch heads for confirmation as Senate tears up own rules

WASHINGTON (AP) — In a confrontation that could reshape the Supreme Court for generations, Republicans tore up the Senate's voting rules Thursday to allow Trump nominee Neil Gorsuch to ascend to the high court over furious Democratic objections.

Democrats denounced the GOP's use of what both sides dubbed the "nuclear option" to put Gorsuch on the court, calling it an epic power grab that would further corrode politics in Congress, the courts and the nation. Many Republicans bemoaned reaching that point, too, but they blamed Democrats for pushing them to it.

"We will sadly point to today as a turning point in the history of the Senate and the Supreme Court," declared Democratic Minority Leader Chuck Schumer of New York.

"This is going to be a chapter, a monumental event in the history of the Senate, not for the better but for the worse," warned Sen. Lindsey Graham of South Carolina, a senior Republican.

A final confirmation vote on Gorsuch is expected Friday, and he should be sworn in soon to hear the final cases of the term. He was nominated by President Donald Trump shortly after the January inauguration.

The Senate change, affecting how many votes a nominee needs for confirmation, will apply to all future Supreme Court candidates, likely ensuring more ideological justices chosen with no need for consultation with the minority party. Trump



Senate Majority Leader Mitch McConnell of Ky. signals a thumbs-up as he leaves the Senate chamber on Capitol Hill in Washington, Thursday, after he led the GOP majority to change Senate rules and lower the vote threshold for Supreme Court nominees from 60 votes to a simple majority in order to advance Neil Gorsuch to a confirmation vote.

himself predicted to reporters aboard Air Force One that "there could be as many as four" Supreme Court vacancies for him to fill during his administration.

"In fact, under a certain scenario, there could even be more than that," Trump said. There is no way to know how many there will be, if any, but several justices are quite elderly.

Even as they united in indignation, lawmakers of both parties, pulled by fierce political forces from left and right, were unwilling to stop the confirmation rules change.

The maneuvering played out in a tense Senate chamber

with most members in their seats, a rare and theatrical occurrence.

First Democrats tried to mount a filibuster in an effort to block Gorsuch by denying him the 60 votes needed to advance to a final vote.

That was successful only briefly, as Gorsuch fell five votes short. Then Majority Leader Mitch McConnell, R-Ky., raised a point of order, suggesting that Supreme Court nominees should not be subjected to a 60-vote threshold but instead a simple majority in the 100-member Senate.

McConnell was overruled, but he appealed the ruling. And on that he prevailed on

a 52-48 party-line vote. The 60-vote filibuster requirement on Supreme Court nominees was effectively gone, and with it the last vestige of bipartisanship on presidential nominees in an increasingly polarized Senate.

The developments were accompanied by unusually bitter accusations and counter-accusations. And yet in many ways the showdown had been pre-ordained, the final chapter in years of partisan warfare over judicial nominees.

In 2005, with the Senate under GOP control, Republicans prepared to utilize the "nuclear option" to remove the filibuster for lower-court

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nominees. A bipartisan deal at the time headed off that change. But then in 2013, with Democrats in charge and Republicans blocking President Barack Obama's nominees, the Democrats did take the step, removing the filibuster for all presidential appointments except the Supreme Court.

McConnell accused Democrats of forcing his hand by trying to filibuster a highly qualified nominee in Gorsuch, 49, a 10-year veteran of the 10th U.S. Circuit Court of Appeals in Denver with a consistently conservative record.

"This is the latest escalation in the left's never-ending judicial war, the most audacious yet, and it cannot and will not stand," McConnell said.

But Democrats were unable to pull back from the brink, partly because they remain livid over McConnell's decision last year to block Obama's Supreme Court nominee, Judge Merrick Garland, who was denied even a hearing after the death of Justice Antonin Scalia in February 2016. Instead McConnell kept Scalia's seat open, a calculation that is now paying off for Republicans and Trump.

Even as Graham and other senior Republicans lamented the voting change,

McConnell and some allies argued that all they were doing was returning to a time, not long ago, when filibusters of judicial nominees were unusual, and it was virtually unheard-of to try to block a Supreme Court nominee in that fashion.

Even Clarence Thomas got onto the court without a filibuster despite highly contentious confirmation hearings involving sexual harassment claims.

Some senators fear that the next to go could be the legislative filibuster, one of the last remaining mechanisms to force bipartisan cooperation on Capitol Hill. Republican Sen. Susan Collins of Maine and Democrat Chris Coons of Delaware were circulating a letter to colleagues Thursday in support of keeping the filibuster in place for legislation.

With his final vote set for Friday, Gorsuch counts 55 supporters: the 52 Republicans, along with three moderate Democrats from states that Trump won — Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana. A fourth Senate Democrat, Michael Bennet from Gorsuch's home state of Colorado, refused to join in the filibuster Thursday but announced he would vote against Gorsuch's confirmation.

Nunes steps away from Russia probe, citing ethics complaints

Associated Press

WASHINGTON — The Republican chairman is stepping aside from leading a congressional investigation of Russian interference in last year's U.S. presidential election, citing ethics complaints that he mishandled classified information.

The decision by Rep. Devin Nunes of California comes amid partisan turmoil on the House intelligence committee. Democrats have alleged that Nunes, who was on President Donald Trump's transition team, is too close to the White House and cannot lead an impartial inquiry. In an extraordinary step, the usually-quiet House ethics committee said that it is investigating whether Nunes improperly disclosed classified information. President Donald Trump said Nunes is "a very honorable guy."

Nunes blamed "left-wing activist groups" for filing accusations against him with the Office of Congressional Ethics.

"The charges are entirely false and politically motivated and are being leveled just as the American people are beginning to learn the truth about the improper unmasking of the identities of U.S. citizens and other abuses of power," Nunes said in a statement.

Nunes' move could be seen as a win for Democrats whose cries for an independent panel to investigate Russia's possible ties with the Trump campaign have grown. They have pointed in particular to two Nunes trips to the White House — one announced, one not — as evidence that his loyalty to Trump outweighs his commitment to leading a bipartisan investigation.

By all accounts, the intelligence committee's growing partisanship has become a distraction from its underlying investigations. The top Democrat on the committee, Adam Schiff of California, said he appreciated Nunes' decision to step aside from the Russia investigation.

"There was a cloud hanging over us after the White House incident," Schiff told The Associated Press on Thursday.

As the majority party in the House, Republicans will keep the committee chairmanship. GOP Rep. Mike



House Intelligence Committee Chairman Rep. Devin Nunes, R-Calif. leaves Capitol Hill in Washington, Thursday after a meeting with House Majority Leader Kevin McCarthy of Calif. Nunes will temporarily step aside from the panel's investigation of Russian meddling in the election because of the complaints.

Conaway of Texas, with help from Rep. Trey Gowdy of South Carolina and Rep. Tom Rooney of Florida, will temporarily take charge of the investigation, said Speaker Paul Ryan.

Trump told reporters aboard Air Force One on Thursday that he doesn't know Conaway, but he heard he was well-respected. "High quality," Trump said.

Schiff said Conaway does not have the same history with the White House that Nunes does.

Two watchdog groups, Democracy 21 and Citizens for Responsibility and Ethics in Washington, or CREW, had asked the House ethics committee to investigate whether Nunes disclosed classified information he learned from intelligence reports.

In a statement, CREW spokesman Jordan Libowitz said the group believes that Nunes' potential violation of House ethics rules "is so grave that it needs to be investigated right away."

Nunes last month disclosed that Trump associates' communications had been swept up by U.S. spy agencies and, he suggested, mishandled by Obama administration officials.

The announcement was striking, as it is unusual for a member of the committee to publicly discuss the existence of what would be classified intelligence reports.

Nunes later acknowledged that the material had been shared by a secret source on the White House grounds, raising fresh questions

about his coordination with the White House. Trump seized on the information as evidence backing up his unfounded claim that President Barack Obama wiretapped the phones at his New York skyscraper.

Schiff later saw the same material, but refused to publicly discuss what he learned. He said Thursday he understood the material was now to be shared with other intelligence committee members.

Republican Speaker Ryan said he supported Nunes' decision to step aside.

"It is clear that this process would be a distraction for the House intelligence committee's investigation into Russian interference in our election," Ryan said.

A Republican aide said Nunes met with Ryan on Wednesday night to discuss stepping aside from the Russia probe. That's when Ryan learned of the House ethics probe, according to the aide, who spoke on condition of anonymity to discuss private conversations.

Nunes said in his statement, "I will continue to fulfill all my other responsibilities as committee chairman, and I am requesting to speak to the ethics committee at the earliest possible opportunity in order to expedite the dismissal of these false claims."

The ethics committee investigation of Nunes' actions will be led by Republican Chairwoman Susan Brooks of Indiana and Democrat Ted Deutch of Florida.

BRIEFLY

Twitter challenges U.S. order for anti-Trump user records

NEW YORK (AP) — Twitter defied a U.S. government request for records that could identify users behind an account opposed to President Donald Trump, and is challenging that order in court.

The company filed its lawsuit Thursday in a San Francisco federal court against the federal Department of Homeland Security and its Customs and Border Protection office, charging that their efforts to "unmask" the people behind the account violate the First Amendment.

Twitter said its users have a constitutional right to disseminate such "anonymous and pseudonymous political speech." It declined to comment beyond the lawsuit. DHS likewise declined to comment.

THE "ALTERNATIVE" FEDERAL GOVERNMENT

The account in question is @ALT_uscis, a reference to the U.S. Citizenship and Immigration Services office. The account described its users to The Associated Press in February as employees and former employees of the agency.

In a Thursday interview, an American Civil Liberties Union lawyer now representing the account

declined to discuss anything about the person or people currently involved in the account being targeted by the Trump administration. Documents supporting the Twitter account holder's right to speak anonymously online will be filed in the next few days, said Esha Bhandari, a staff attorney for the ACLU.

"We think it's very important for the user's interests to be represented as well," Bhandari said. "The First Amendment requires the government to have a very compelling reason for unmasking someone's identity. That is important or people would be chilled from speaking out, particularly when they are speaking out against the government."

The government so far hasn't specified a reason for wanting to know the identity or identities behind the Twitter handle.

In the two months of its existence, the account has been critical of the Trump administration's immigration policies and "highlighted what the user views as a history of waste and mismanagement within USCIS and DHS," according to the lawsuit.

Clinton: 'Deeply concerned' about Russian role

NEW YORK (AP) — Hillary Clinton said she is "deeply concerned" about allegations of Russian meddling in last year's presidential election and says there needs to be an independent, nonpartisan

investigation to make sure it doesn't happen again.

Speaking Thursday in New York at a summit on women's issues, Clinton said Russian involvement was meant to sow "distrust and confusion."

"I think what was done to us was an act of aggression and it was carried out by a foreign power under the control of someone who has a deep desire to dominate Europe and send us into a tailspin," she said, referring to Russian President Vladimir Putin.

Clinton called on Congress to put party squabbles aside and look into it. Otherwise, she said, "They will be back."

Her appearance at the Women in the World Summit is the latest in a string of public appearances for Clinton in the past few weeks.

In a one-on-one conversation with columnist and author Nicholas Kristof, Clinton touched on a range of issues, including lessons learned in the election, the war in Syria and her own future plans, which include the book she's currently writing.

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