

White House, Democrats clash over rules for impeachment

By JONATHAN LEMIRE,
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Associated Press

WASHINGTON — The U.S. Constitution gives the House “the sole power of impeachment” — but it confers that authority without an instruction manual.

Now comes the battle royal over exactly what it means.

In vowing to halt all cooperation with House Democrats’ impeachment inquiry, the White House on Tuesday labeled the investigation “illegitimate” based on its own reading of the Constitution’s vague language.

In an eight-page letter, White House counsel Pat Cipollone pointed to House Speaker Nancy Pelosi’s failure to call for an official vote to proceed with the inquiry as grounds to claim the process a farce.

“You have designed and implemented your inquiry in a manner that violates fundamental fairness and constitutionally mandated due process,” Cipollone wrote.

But Douglas Letter, a lawyer for the House Judiciary Committee, told a federal judge Tuesday that it’s clear the House “sets its own rules” on how the impeachment process will play out.

The White House document lacked much in the way



Speaker of the House Nancy Pelosi, D-Calif., speaks during a news conference and with local officials about Venezuelan democracy efforts in Weston, Fla.

of legal arguments, seemingly citing cable TV news appearances as often as case law. And legal experts cast doubt upon its effectiveness.

“I think the goal of this letter is to further inflame the president’s supporters and attempt to delegitimize the process in the eyes of his supporters,” said Stephen Vladeck, a law professor at the University of Texas.

Courts have been historically hesitant to step in as referee for congressional oversight and impeachment.

In 1993, the Supreme Court held that impeachment was an issue for the Congress and not the courts.

In that case, Walter Nixon, a federal district judge who was removed from office, sought to be reinstated and argued that the full Senate, instead of a committee that was established to hear testimony and collect evidence, should have heard the evidence against him.

The court unanimously rejected the challenge, finding impeachment is a func-

tion of the legislature that the court had no authority over.

As for the current challenge to impeachment, Vladeck said the White House letter “does not strike me as an effort to provide sober legal analysis.”

Gregg Nunziata, a Philadelphia attorney who previously served as general counsel and policy adviser to Republican Sen. Marco Rubio, said the White House’s letter did not appear to be written in a “traditional good-faith back and

forth between the legislative and executive branches.”

He called it a “direct assault on the very legitimacy of Congress’ oversight power.”

“The Founders very deliberately chose to put the impeachment power in a political branch rather than the Supreme Court,” Nunziata told The Associated Press. “They wanted this to be a political process and it is.”

G. Pearson Cross, a political science professor at the University of Louisiana at Lafayette, said the letter appeared to act as nothing more than an accelerant on a smoldering fire.

“It’s a response that seems to welcome a constitutional crisis rather than defusing one or pointing toward some strategy that would deescalate the situation,” Cross said.

After two weeks of a listless and unfocused response to the impeachment probe, the White House letter amounted to a declaration of war.

It’s a strategy that risks further provoking Democrats in the impeachment probe, setting up court challenges and the potential for lawmakers to draw up an article of impeachment accusing President Donald Trump of obstructing their investigations.

Democrats have said that if the White House does not

provide the information, they could write an article of impeachment on obstruction of justice.

It is unclear if Democrats would wade into a lengthy legal fight with the administration over documents and testimony or if they would just move straight to considering articles of impeachment.

House Intelligence Committee Chairman Adam Schiff, D-Calif., who is leading the Ukraine probe, has said Democrats will “have to decide whether to litigate, or how to litigate.”

But they don’t want the fight to drag on for months, as he said the Trump administration seems to want to do.

A federal judge heard arguments Tuesday on whether the House had undertaken a formal impeachment inquiry despite not having taken an official vote and whether it can be characterized, under the law, as a “judicial proceeding.”

The distinction matters because while grand jury testimony is ordinarily secret, one exception authorizes a judge to disclose it in connection with a judicial proceeding. House Democrats are seeking grand jury testimony from special counsel Robert Mueller’s Russia investigation as they conduct the impeachment inquiry.

Turkey launches offensive against Kurdish fighters in Syria

By LEFTERIS
PITARAKIS AND SARAH
EL DEEB
Associated Press

AKCAKALE, Turkey — Turkey launched airstrikes and fired artillery aimed at crushing Kurdish fighters in northern Syria on Wednesday after U.S. troops pulled back from the area, paving the way for an assault on forces that have long been allied with the United States.

Turkish President Recep Tayyip Erdogan announced the start of the campaign, which followed an abrupt decision Sunday by U.S. President Donald Trump that American troops would step aside to allow for the operation.

Trump’s move, which has drawn harsh bipartisan opposition at home, represented a shift in U.S. policy that essentially abandoned the Syrian Kurdish fighters who have been America’s

only allies inside Syria in the fight against the Islamic State group.

After Turkey’s offensive began, there was sign of panic in the streets of Ras al-Ayn— one of the towns under attack with residential areas close to the borders. Cars raced to safety, although it was not clear if they were leaving the town or heading away from border areas. Near the town of Qamishli, plumes of smoke were seen rising from an area close to the border after activists reported sounds of explosion nearby.

At least one member of the Kurdish-led force known as the Syrian Democratic Forces was killed in the Turkish bombardment, Kurdish activists and a Syria war monitor said.

Turkey’s campaign — in which a NATO member is raining down bombs on an area where hundreds of U.S. troops are stationed — drew



A graffiti of modern Turkey’s founder Mustafa Kemal Atatürk is seen on the Turkish side of the border between Turkey and Syria, as a TV journalist works in Akcakale, Sanliurfa province, southeastern Turkey.

immediate criticism and calls for restraint from Europe.

“Coalition forces are not near the places Turkey has struck so far,” an official with the U.S.-led coalition told The Associated Press.

The Kurdish forces have warned of a “humanitarian catastrophe” that could potentially unfold because of the Turkish

military operation.

“Our mission is to prevent the creation of a terror corridor across our southern border, and to bring peace to the area,” Erdogan said in a tweet.

He added that Turkish Armed Forces, together with Turkish-backed Syrian fighters known as the Syrian National Army, had begun

what they called “Operation Peace Spring” against Kurdish fighters to eradicate what Erdogan said was “the threat of terror” against Turkey.

Minutes before Erdogan’s announcement, Turkish jets began pounding suspected positions of Syrian Kurdish forces in the town of Ras al Ayn, according to Turkish media and Syrian activists. The sound of explosions could be heard in Turkey.

A photograph released to Turkish media showed Erdogan at his desk, reportedly giving orders for the start of the operation.

It was difficult to know what was hit in the first hours of the operation.

Mustafa Bali, a spokesman for the U.S.-backed Syrian Democratic Forces, said Turkish warplanes were targeting “civilian areas” in northern Syria, causing “a huge panic” in the region.

Before Turkey’s attack, Syrian Kurdish forces that

are allied with the United States issued a general mobilization call, warning of a “humanitarian catastrophe.”

The Turkish operation meant to create a so-called “safe zone” carries potential gains and risk for Turkey by getting even more deeply involved in the Syria war. It also would ignite new fighting in Syria’s 8-year-old war, potentially displacing hundreds of thousands.

Turkey has long threatened to attack the Kurdish fighters whom Ankara considers terrorists allied with a Kurdish insurgency in Turkey. AP journalists on the Turkish side of the border overlooking Tal Abyad saw Turkish forces crossing into Syria in military vehicles.

Expectations of an invasion increased after Trump’s announcement, although he also threatened to “totally destroy and obliterate” Turkey’s economy if the Turkish push into Syria went too far.

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This special section will print in the Hermiston Herald on Nov. 13th, 2019 and in the East Oregonian on Nov. 12th, 2019. There is **NO CHARGE** to be included. Bring us or send in photos of servicemen, servicewomen or veterans, along with the information in the form to the right, by **November 1, 2019**.

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