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Subject: The left is going crazy over the Andrew McCabe firing, but Attorney General Jeff Sessions got it exactly right

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The left is going crazy over the Andrew McCabe firing, but Attorney General Jeff Sessions got it exactly right

Attorney General Jeff Sessions got it exactly right. He followed the recommendations of the career, non-political, Justice Department staff, to fire former FBI Deputy Director Andrew McCabe. And by doing so, ensured that the process was not politicized. The reaction now shows just how politically weaponized the agency had become, with the left defending those who abused their positions to utilize the nation's intelligence services against their political opponents.

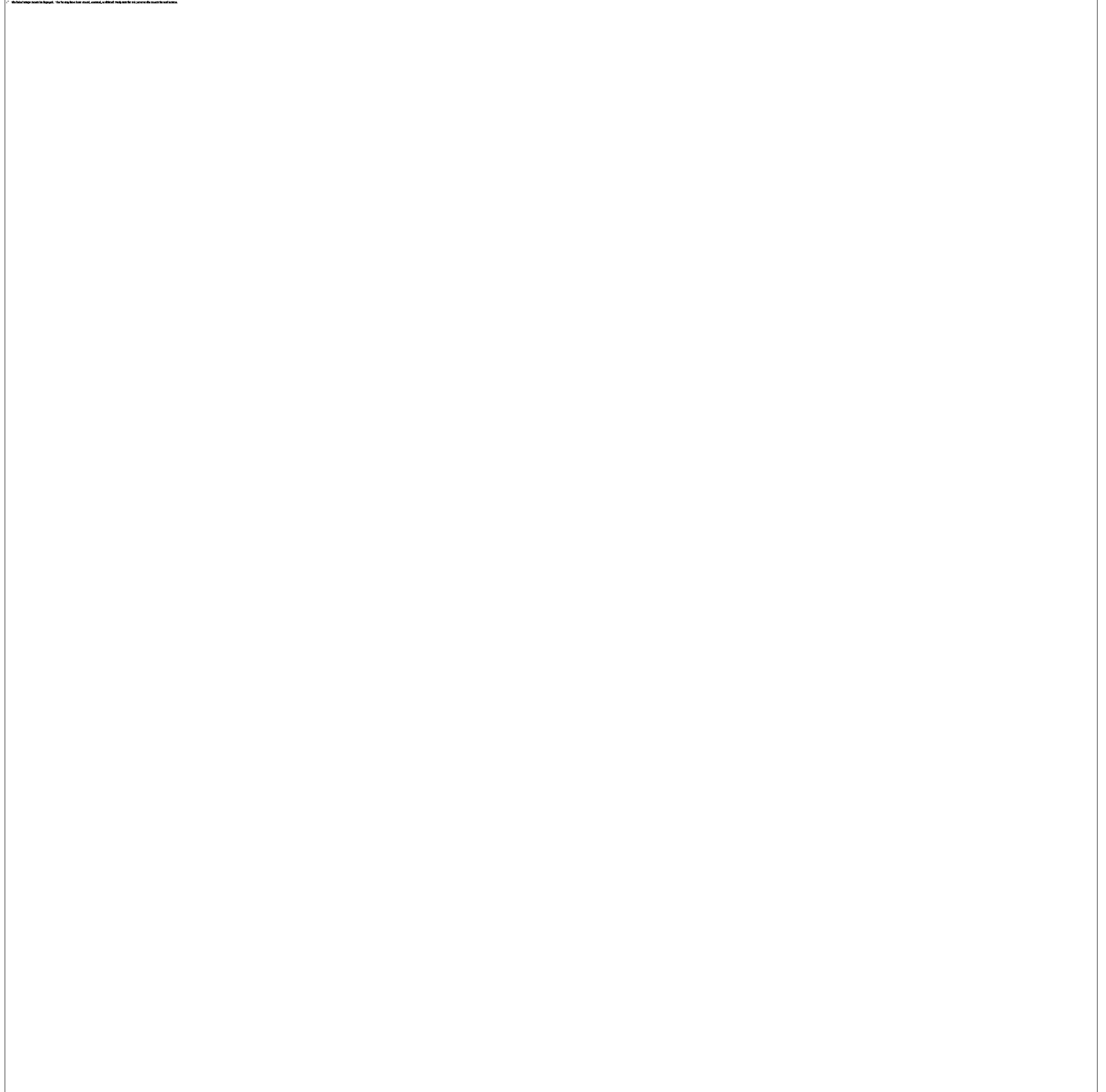
Jeff Flake doesn't deserve to lead, complicit with establishment do-nothings

Early polling in a potential primary showed Sen. Jeff Flake was going to get clobbered, and so he announced his retirement, giving a widely hailed speech on the Senate floor where he declared "I will not be complicit" with President Donald Trump. Ironically, apparently recognizing that the Presidency is a vehicle for getting things done, when it came time to vote for the Trump tax cuts or put Neil Gorsuch on the Supreme Court by eliminating the Supreme Court filibuster, Flake voted "Yes." So, when Sen. Flake appears on CNN to suggest Republicans "might not deserve to lead" because they are following President Donald Trump, take it with a giant grain of salt.

Andrew McCarthy: Mueller's Investigation Flouts Justice Department Standards

"With Rosenstein's passive approval, Mueller is shredding Justice Department charging policy by alleging earth-shattering crimes, then cutting a sweetheart deal that shields the defendant from liability for those crimes and from the penalties prescribed by Congress. The special counsel, moreover, has become a legislature unto himself, promulgating the new, grandiose crime of 'conspiracy against the United States' by distorting the concept of 'fraud.'"

The left is going crazy over the Andrew McCabe firing, but Attorney General Jeff Sessions got it exactly right



By Rick Manning

Former Acting Director of the Federal Bureau of Investigation Andrew McCabe has been fired by Attorney General Jeff Sessions and the left is going crazy.

McCabe's firing was recommended by the FBI's internal career civil service run Office of Professional Responsibility, and the Attorney General acted accordingly.

The Office of Professional Responsibility has been run by Robin Ashton who was appointed to the post in 2010 by former Attorney General Eric Holder, who extolled her, "As a veteran career prosecutor, Robin is uniquely qualified to serve as Counsel for Professional Responsibility, and I am confident she will lead the office with the highest standards of professionalism, integrity and dedication."

During Holder's tenure as Attorney General, Ashton was awarded the Attorney General's Claudia J. Flynn Award for Professional Responsibility in 2013, the Attorney General's Award for Outstanding Leadership in Management in 2010, as well as receiving the United States Attorney's Award for Meritorious Service in 2010.

The Washington Post reported about the March 14, 2018 recommendation saying, "The FBI office that handles employee discipline has recommended firing the bureau's former deputy director over allegations that he authorized the disclosure of sensitive information to a reporter and misled investigators when asked about it, leaving Attorney General Jeff Sessions to decide whether he should fire the veteran official just four days before his expected retirement date, people familiar with the matter said."

So let's be clear. Andrew McCabe's political activities while serving as the Deputy Director of the Federal Bureau of Investigation were so outrageous that the career civil servants charged with the responsibility of reviewing misconduct cases recommended that he be fired four days prior to his retirement date, denying him his pension.

It was not a "political" firing, but instead McCabe was let go because career civil servants recommended it, and given the high esteem that Holder obviously held the person he hired to run that office, no one should be able to claim anything else.

Yet, the same Eric Holder who oversaw much of the politicization of the FBI had the audacity to tweet, "Analyze McCabe firing on two levels: the substance and the timing. We don't know enough about the substance yet. The timing appears cruel and a cave that compromised DOJ independence to please an increasingly erratic President who should've played no role here. This is dangerous."

Holder knows better and he and others on the left are the only ones playing politics over the McCabe firing. His appointee to the Office of Professional Responsibility made the recommendation to fire four days prior to McCabe's retirement date. Attorney General Sessions waited for and acted on that recommendation. If he had acted earlier, as many believe he should have, Holder would have been angry that he didn't let the process play out, but now by allowing the internal public employee review of the case run its course, Sessions is attacked as "cruel" and "caving" to the President.

If anyone needs proof that McCabe was nothing more than a political operative in a standard issue FBI white short sleeved shirt, you only have to read McCabe's defiant reaction to the firing: "This attack on my credibility is one part of a larger effort not just to slander me personally, but to taint the FBI, law enforcement, and intelligence professionals more generally. It is part of this Administration's ongoing war on the FBI and the efforts of the Special Counsel investigation, which continue to this day. Their persistence in this campaign only highlights the importance of the Special Counsel's work."

Hardly the contrite words of someone who spent a full four hours meeting with Deputy Attorney General Rod Rosenstein the previous day trying to save his pension, but instead, we see the partisan McCabe, still intent on taking out the duly elected President of the United States.

What any clear minded individual would have to note, is that Attorney General Sessions got it exactly right. He followed the recommendations of the career, non-political, Justice Department staff, to fire McCabe, and by doing so, ensured that the process was not politicized.

And McCabe's own reaction demonstrates just how politically weaponized it had become.

The only truly stunning thing that has come from this event is that the left has revealed itself as defenders of those who abused their positions to utilize the nation's intelligence services against their political opponents. All the while, claiming that those who were elected and appointed to clean up the mess are taking the nation in a dangerous direction.

If the left and right cannot mutually agree that the FBI, CIA and the rest of the alphabet soup of intelligence agencies can no longer be allowed to use their enormous power for political purposes, then there is real reason to fear for the future of our nation.

In fact, if we are going to be able to pull our nation back from the brink, it is exactly the measured type of actions that Attorney General Sessions has embraced to restore the rule of law after eight years of abuse that will lead the way. For this reason, the nation owes Attorney General Sessions a debt of gratitude, both for following the law and allowing the process to play itself out before making a decision.

Rick Manning is the President of Americans for Limited Government.

Jeff Flake doesn't deserve to lead, complicit with establishment do-nothings



By Robert Romano

Sen. Jeff Flake is retiring. Because he no longer has the support of his own constituents in Arizona. Which is no surprise. Flake does not represent his constituents on issues they care about. He is for open borders on trade and illegal immigrant amnesty.

Early polling in a potential primary showed he was going to get clobbered, and so he announced his retirement, giving a widely hailed speech on the Senate floor where he declared "I will not be complicit" with President Donald Trump.

Ironically, apparently recognizing that the Presidency is a vehicle for getting things done, when it came time to vote for the Trump tax cuts or put Neil Gorsuch on the Supreme Court by eliminating the Supreme Court filibuster, Flake voted "Yes."

So, when Sen. Flake appears on CNN to suggest Republicans "might not deserve to lead" because they are following President Donald Trump, take it with a giant grain of salt.

Flake is really speaking for himself. It is he who does not deserve to lead. He wouldn't even take his stance to voters and attempt to defend it at the polls. Now, why should anyone support him?

He couldn't follow a president who proposed historic individual and corporate tax cuts to get the economy moving again.

Who opened the Arctic National Wildlife Refuge for oil drilling.

Who put Neil Gorsuch and other constitutionalists on the federal bench.

Who repealed the Obamacare individual mandate forcing everyone to purchase health insurance.

Who greenlit the construction of the Keystone XL and Dakota Access pipelines.

Who pulled the U.S. out of the Paris climate accords and ended former President Barack Obama's so-called Clean Power Plan.

Who has created a pro-business climate with fewer regulations.

Who has affirmed Congress' exclusive lawmaking authority under Article I of the Constitution, by moving to end the Deferred Action on Childhood Arrivals (DACA), and putting the issue to Congress to resolve where it belongs.

Who has proposed to secure the southern border with a wall, end the family chain migration immigration system and the visa lottery, and institute national E-Verify.

Who is restoring the rule of law, cracking down on violent illegal alien offenders, gangs and ending the war on police.

Who recognized what anyone who can look at a map can figure out, that Jerusalem is the capital of Israel.

Who, if he had not run, we might very well be living under a President Hillary Clinton.

Now, Flake might have disagreed with Trump's positions on trade, calling for the renegotiation of NAFTA, withdrawing from the Trans-Pacific Partnership and slapping 25 percent and 10 percent tariffs on steel and aluminum, respectively. Those are discussions worth having.

But, Flake's objections have never really centered on policy. For him, it's total style over substance. He doesn't like the way Trump talks. The way he communicates on Twitter.

You know, the down-to-earth messaging that connected the President with tens of millions of voters in 2016, that propelled him to victory over Clinton in the election.

That's right. Trump talks tough. And he speaks directly to the American people. Not to tell them what they want to hear. But what he believes is right for the country. That's why he won.

Perhaps that's what has Flake and the establishment in total flight. Trump is leading America. He is the President we need and they've been left in the dust.

Flake sounds more like he is running to head up an ancient philosophy club than he is about to take on President Trump in the primary in 2020, but I wish him luck. While he's sitting out there in self-imposed exile, President Trump will still be busy getting more stuff done for the American people.

Maybe while he's out there, he'll run into a few of them who support the President and learn a thing or two.

For Congressional Republicans there is one of two things they can do. Stand with President Trump and fight for America and endeavor to get the agenda that got Trump and the GOP elected in 2016, show they care about those issues that put America first and rekindled trust in the Republican brand, or follow Flake's surrender and lose badly.

The fact is, Republicans haven't deserved to lead for years after so many disappointments. Corporate bailouts. Open borders. Shipping jobs and production overseas. Selling out to Democrats year after year.

It was President Trump who changed that. That's why he won, and that's why he deserves his chance to lead. Good riddance to Flake. The people of Arizona deserve his retirement. Time to turn the page.

Robert Romano is the Vice President of Public Policy at Americans for Limited Government.



ALG Editor's Note: In the following piece from National Review, Andrew McCarthy discusses the Mueller investigation and how it is not adhering to Justice Department standards:

NATIONAL REVIEW

Mueller's Investigation Flouts Justice Department Standards

By Andrew McCarthy

These columns have many times observed Deputy Attorney General Rod Rosenstein's failure to set limits on Special Counsel Robert Mueller's investigation. To trigger the appointment of a special counsel, federal regulations require the Justice Department to identify the *crimes* that warrant investigation and prosecution — crimes that the Justice Department is too conflicted to investigate in the normal course; crimes that become the parameters of the special counsel's jurisdiction.

Rosenstein, instead, put the cart before the horse: Mueller was invited to conduct a fishing expedition, a boundless quest to hunt for undiscovered crimes, rather than an investigation and prosecution of known crimes.

That deviation, it turns out, is not the half of it. With Rosenstein's passive approval, Mueller is shredding Justice Department charging policy by alleging earth-shattering crimes, then cutting a sweetheart deal that shields the defendant from liability for those crimes and from the penalties prescribed by Congress. The special counsel, moreover, has become a legislature unto himself, promulgating the new, grandiose crime of "conspiracy against the United States" by distorting the concept of "fraud."

Why does the special counsel need to invent an offense to get a guilty plea? Why doesn't he demand a plea to one of the several truly egregious statutory crimes he claims have been committed?

Good questions.

The Multi-Million-Dollar Fraud Indictments . . . and Penny-Ante Plea

On Thursday, February 22, with now-familiar fanfare, Mueller filed an indictment against Paul Manafort and Richard Gates, alleging extremely serious crimes. Let's put aside for now that the charges have absolutely nothing to do with the stated rationale for Mueller's appointment, namely, Russian interference in the 2016 election and possible Trump-campaign collusion therein.

According to the special counsel, Manafort and Gates conspired to commit more than \$25 million in bank fraud. In all, the indictment charges nine bank-fraud counts, each carrying a potential penalty of up to 30 years' imprisonment (i.e., 270 years combined). Furthermore, the two defendants are formally charged with \$14 million in tax fraud (the indictment's narrative of the offense actually alleges

well over twice that amount). There are five tax-fraud counts, yielding a potential 15 years' imprisonment (up to three years for each offense), against each defendant.

Mind you, this indictment, filed in the Eastern District of Virginia, is not a stand-alone. It piles atop an earlier indictment in the District of Columbia. That one, filed back in October, accuses Manafort and Gates of an eye-popping \$75 million money-laundering conspiracy, a charge that carries a penalty of up to 20 years' imprisonment.

The two indictments contain many other felony charges. But sticking with just these most serious ones, we can safely say that, on February 22, Manafort and Gates were portrayed as high-order federal felons who faced decades of prison time based on financial frauds in the nine-digit range. And while I have previously discussed potential proof problems for the money-laundering charge, proving bank fraud and tax fraud is comparatively straightforward. The indictment indicates that the evidence of these crimes is well documented and daunting.

Yet, the very next day, Friday, February 23, Mueller permitted Gates to plead guilty to two minor charges — a vaporous “conspiracy against the United States” and the process crime of misleading investigators, each carrying a sentence of zero to five years in jail. This flouted Justice Department policies designed to ensure that federal law is enforced evenhandedly across the nation.

'The Most Serious Readily Provable Charge'

In plea negotiations, federal prosecutors are instructed to require that a defendant plead guilty to “the most serious readily provable charge consistent with the nature and extent of his/her conduct.” (See U.S. Attorney's Manual, sec. 27.430.) In a properly functioning Justice Department, a defendant is not accused of over \$100 million in financial fraud and then, within 24 hours, permitted to plead guilty in a wrist-slap deal that drops the major allegations and caps his potential sentence well beneath the penalties applicable by statute.

As outlined above, Mueller accused Gates of significant felonies totaling over 300 years of potential incarceration. Had the special counsel simply demanded a plea to a single bank-fraud count — the most serious statutory crime charged and, according to the indictment's description, an offense that is readily provable — Gates would have faced up to 30 years' imprisonment.

If, as all appearances suggest, Mueller's goal is to get Gates to cooperate, such a plea, besides honoring Justice Department guidelines, would have provided plenty of incentive. Under federal law, the prosecutor does not need to sell out the case for a song to induce cooperation. The prosecutor can demand a guilty plea that reflects the gravity of the defendant's actual offenses. Then, if the defendant cooperates fully and truthfully, the law permits the prosecutor to ask the judge to impose a sentence beneath the severe term that would otherwise be called for — a sentence of little or no jail time.

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