



## DEMOCRACY REFORM TASK FORCE WEEKLY NEWS ROUND UP

September 7, 2018

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### NATIONAL NEWS

#### [Conflicts and Investigations in Trump's Troubled Administration](#)

##### **Bloomberg**

Donald Trump promised to drain the Washington swamp. Instead, he has surrounded himself with family members, appointees and advisers who've been accused of conflicts of interest, misuse of public funds, influence peddling, self-enrichment, working for foreign governments, failure to disclose information and violating ethics rules. Some are under investigation or facing lawsuits, others have resigned and five have either been convicted or pleaded guilty, including three for lying to government officials. Scandals plague all administrations, but Trump's isn't two years old and the allegations keep on coming.

#### [In Chastising Sessions Over GOP Indictments, Trump Crosses a Line](#)

##### **The New York Times**

If President Trump is worried that he could be impeached should Democrats take control of the House in the midterm elections, he is not acting like it. If anything lately, he seems to be offering more examples for his opponents to use against him. His tweet over the holiday weekend chastising Jeff Sessions, the attorney general, for the Justice Department's recent indictments of two Republican congressmen because it could cost the party seats in November crossed lines that even he had not yet breached, asserting that specific continuing criminal prosecutions should be decided on the basis of partisan advantage. Shocking as many legal and political figures found it — one Republican senator compared it to “banana republic” thinking — the message by itself might not rise to the level of high crimes and misdemeanors required for impeachment because it could be construed as commentary rather than an order. But legal scholars and lawmakers said it could be one more exhibit in trying to prove a pattern of obstruction or reckless disregard for the rule of law in a future impeachment proceeding.

## [Criminal Convictions, Ethical Lapses: Range of Misconduct in Trump Orbit](#)

### **The New York Times**

Since President Trump's inauguration, numerous campaign and administration officials have been convicted of or pleaded guilty to crimes. Others were found to have violated federal ethics rules, or were forced to resign over security clearance issues. The criminal charges were all connected to the investigation into Russian interference in the 2016 election by the special counsel, Robert S. Mueller III.

*\*Related Story:* [Trump Blasts Sessions for Charging GOP Members Before Midterms.](#)

*\*Related Poll:* [Most Americans Oppose Trump Firing Sessions.](#)

## [Political Consultant Admits Foreign Money Funneled to Trump Inaugural](#)

### **The Washington Post**

An American political consultant who is cooperating with federal prosecutors admitted in court Friday that he steered \$50,000 from a Ukrainian politician to Donald Trump's inaugural committee — the first public confirmation that illegal foreign money was used to help fund the January 2017 event. W. Samuel Patten, 47, pleaded guilty Friday to failing to register as a foreign lobbyist while working on behalf of a Ukrainian political party. He says he was helped by a Russian national who has been linked to Russian intelligence by U.S. prosecutors and who was also an associate of former Trump campaign chairman Paul Manafort. As part of his plea deal, Patten agreed to assist prosecutors, including special counsel Robert S. Mueller III, who is investigating whether Trump's campaign coordinated with Russia during the 2016 campaign.... Patten said in court documents that he arranged for an American citizen to act as a "straw donor" to give \$50,000 in exchange for four tickets to Trump's inauguration in place of a Ukrainian businessman, who as a foreigner was barred from contributing to the event.

## [Kavanaugh Ducks Questions on Presidential Powers and Subpoenas](#)

### **The New York Times**

Judge Brett M. Kavanaugh, President Trump's nominee to the Supreme Court, on Wednesday dodged direct questions about whether the Constitution would allow Mr. Trump to use the powers of the presidency to thwart the Russia collusion and obstruction investigations that are swirling around his administration. Testifying before the Senate Judiciary Committee on a grueling second day of hearings, Judge Kavanaugh refused to say whether he believes Mr. Trump, as a sitting president, could be subpoenaed by Robert S. Mueller III, the special counsel, to testify in the sprawling inquiry. Answering questions in public for the first time since his nomination, the judge also declined to say whether Mr. Trump could escape legal jeopardy by pardoning himself or his associates.... Judge Kavanaugh also declined to say he would disqualify himself from cases concerning Mr. Trump.

## [Kavanaugh May Soon Unshackle All Rich Political Donors](#)

### **SLATE**

By the time President Donald Trump runs for reelection in 2020, he might be able to accept unlimited campaign contributions to support his bid, thanks to his nomination of Judge Brett Kavanaugh to the United States Supreme Court. Documents released ahead of Kavanaugh's confirmation hearings this week that date from his time in George W. Bush's White House reveal that the judge just might be ready to strike down what's left of federal law limiting contributions to candidates, as a First Amendment violation. There are two cases heading to the Supreme Court that would allow him to do just that.... If, as expected, Judge Brett Kavanaugh joins the court, he could well push it to move more quickly, in a way that could eventually cause the downfall of the federal law that limits an individual to contributing no more than \$2,700 per election to a candidate for federal office. Kavanaugh worked in the Bush White House when it was looking at the McCain-Feingold law, which Bush eventually signed even while expressing constitutional reservations about parts of it in a signing statement.

*\*Related Story: [Kavanaugh Saw 'Some Constitutional Problems' in Campaign Contribution Limits.](#)*

## [Latest Zinke Calendars Stripped of Most Details About His Meetings](#)

### **CNN**

Interior Secretary Ryan Zinke held nearly 50 official meetings in May and June that, in sharp contrast to previous months, were so vaguely described on his official calendar that the public is unable to tell what he was doing or with whom he was meeting. For example, on June 11, according to his calendar, Zinke's morning consisted of a "video taping" and "external meeting," then two back-to-back "internal briefings," followed by an "external meeting." After a midday break, Zinke held an "external call" sandwiched between two "external meetings," followed by another "external call." The only names listed are those of staffers. Previously, while hardly giving full details of his activities, Zinke's calendar entries had typically identified meetings by their topics, like an April 2017 calendar entry marked "Domestic Energy Producers Alliance Meeting," or at least one attendee, such as a meeting with a particular senator. But the May and June entries this year include only sparse details about Zinke's activities besides the scheduled start and end times. The missing titles in the most recently available calendars ... are outside the norm for Cabinet officials whose schedules are made public.

## [Pruitt's Spending on Security More Than Doubled in 11 Months](#)

### **The New York Times**

The cost of the security services to protect Scott Pruitt, the former head of the Environmental Protection Agency, more than doubled in Mr. Pruitt's first 11 months on the job and the agency failed to justify his requests for protection, according to a report released Tuesday by the E.P.A.'s inspector general. The audit found no documented evidence to support Mr. Pruitt's need for round-the-clock security. Previous E.P.A. administrators typically had received door-to-door escorts. The cost to taxpayers of protecting the E.P.A. chief grew from \$1.6 million spent on security for one of his Obama-era predecessors, Gina McCarthy, to \$3.5 million for Mr. Pruitt. The report concluded that the E.P.A. administrator's protective service detail, which provides physical protection and escorts to the E.P.A. chief, has no final, approved operating procedures addressing the level of protection required for the administrator.

## [Former Energy Counselor at Interior Takes Job with Offshore Oil Company](#)

### **The Hill**

Interior Secretary Ryan Zinke's former energy counselor is taking a job at an independent oil and gas company that focuses on offshore drilling. Cox Oil Offshore LLC announced Tuesday that Vincent DeVito has joined the firm as executive vice president and general counsel. DeVito stepped down from his role as the Interior Department's energy counselor in mid-August, citing plans to rejoin the private sector. DeVito's time at the Interior Department focused on changing federal royalty rates for energy exploration and federal permitting rules. The federal agency has been criticized for considering lowering the royalty rates on federal oil and gas leasing, a move critics say would only benefit the oil and gas industry. Zinke has made it a goal of the Interior Department to expand oil and gas drilling on federal land and waters.

## [Trump's Pick for Mining Enforcement Chief Withdraws](#)

### **E&E News**

President Trump's choice to lead the Interior Department's mining agency has withdrawn his nomination, blaming a process with no end in sight and confusion at the Office of Government Ethics. J. Steven Gardner, a Kentucky mining consultant, was nominated to become the next director of the Office of Surface Mining Reclamation and Enforcement (OSMRE) in late 2017 but never got a hearing on Capitol Hill. He was among several Interior picks whose nominations were caught up in a hold placed by Sen. Bill Nelson (D-Fla.) in protest of the department's offshore drilling plan. But the Senate Energy and Natural Resources Committee never received Gardner's required paperwork, majority spokeswoman Nicole Daigle said, so a confirmation hearing was never scheduled. Gardner cited problems with the Office of Government Ethics.

## [McCain's Replacement Jon Kyl Goes from Lobbying the Senate to Senator](#)

### **The Daily Beast**

Former Sen. Jon Kyl (R-AZ) will replace the late Sen. John McCain (R-AZ), it was announced on Tuesday, in a move that could have profound implications on everything from government funding fights to the current Supreme Court confirmation battle over Brett Kavanaugh. In returning to Senate, Kyl brings with him years of previous legislative experience, strong relations throughout the GOP, and time working with the administration on the Kavanaugh nomination, for which he is serving as a proverbial sherpa. His likely vote in favor of confirmation strengthens the already-strong likelihood of it happening. But Kyl also brings with him some ethical baggage, in the form of numerous high profile corporate clients with extensive business before the Senate body that he now re-joins. Kyl, who has only committed to serve through this Congress—though he can stay on till the 2020 elections—retired in 2013. Almost immediately after, he joined the powerhouse Washington law and lobbying firm Covington & Burling where he has represented companies and trade associations in the defense, financial services, technology, and pharmaceutical industries.

## [House Ethics Committee Investigate Reps. Duncan Hunter, Chris Collins](#)

### **The Washington Post**

The House Ethics Committee voted Thursday to investigate Reps. Duncan D. Hunter (R-Calif.) and Chris Collins (R-N.Y.), a move that comes after the lawmakers were indicted in separate cases within the past month. Hunter and his wife face charges of using campaign funds to pay for family vacations and other personal expenses, while Collins has been charged with insider trading. The Ethics Committee announced that it had voted unanimously to form investigative subcommittees tasked with probing the two lawmakers' behavior. But in a move that is in keeping with the committee's handling of other recent investigations, action on both probes will be deferred at the request of the Department of Justice. The panel has typically stood down until federal prosecutors conclude their own investigation into the lawmaker in question.

## [Democrats, Eyeing a Majority, Prepare an Investigative Onslaught](#)

### **The New York Times**

House Democrats, increasingly optimistic they will win back control in November, are mining a mountain of stymied oversight requests in preparation for an onslaught of hearings, subpoenas and investigations into nearly every corner of the Trump administration. While they continue to distance themselves from the most extreme recourse — impeaching President Trump — senior Democrats who stand to control key House panels could soon oversee inquiries into some of the most precarious threats to Mr. Trump's presidency. Those include whether his campaign coordinated with Russia to influence the 2016 election, if the president obstructed a federal investigation into the matter and what role Mr. Trump played in paying to silence two women in

the closing weeks of the campaign who say they had affairs with him. Their scrutiny could also extend beyond Mr. Trump's legal troubles to include his administration's remaking of federal regulations and other policies that the party has disagreed with.

## [This Group Posed as Russian Trolls and Bought Google Political Ads](#)

### **Buzzfeed News**

Despite assurances from Google last month that it has installed “robust systems” to “identify influence operations launched by foreign governments,” the company approved the CfA ads in less than 48 hours. The ads used language and images identical to that of Russia's Internet Research Agency troll farm. The images had previously been identified by congressional investigators and major media outlets as part of the glut of Russian content used to sow political and racial discord during the 2016 presidential election in the United States. The organization also ran ads designed to direct users to sites identified by Congress as being run by Russian trolls. All told, CfA spent just \$35 on its test ads, which generated more than 20,000 impressions and some 200 click-throughs. Google never flagged them.

## [Small Donors May Soon Be the Only Way to Fight Big Money](#)

### **The American Prospect**

A Supreme Court already hostile to campaign-finance restrictions looks poised to careen even further to the right if Judge Brett Kavanaugh is confirmed, say election law experts who warn that contribution limits may soon be a thing of the past. Kavanaugh not only absolutely embraces the money-is-speech doctrine that defined the Roberts Court's *Citizens United v. FEC* ruling, which has unleashed secret, unregulated campaign cash. Kavanaugh is also skeptical of disclosure rules and the ban on foreign money, which even this conservative high court has consistently upheld. And he has branded contribution limits, one of the few remaining pillars of the campaign-finance system, as constitutionally suspect, recently disclosed emails show.... Instead of attempting to block big money from flowing—an arguably losing battle given unwavering GOP opposition and the Supreme Court's far-right tilt—a growing number of clean-election advocates are promoting small-dollar contributions and public financing instead. This “floors not ceilings” approach sidesteps the First Amendment concerns that campaign-finance limits invariably trigger on the right, and blunts the influence of mega-donors by rounding up large sums in smaller increments from average citizens.

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## IN THE STATES

### [Mass. High Court Upholds Ban on Corporate Campaign Donations](#)

#### **WBUR (Online)**

The state's high court on Thursday upheld a ban on corporate donations to political candidates, a decision one plaintiff said he hopes to appeal to the United States Supreme Court. The Massachusetts Supreme Judicial Court, in an opinion written by Chief Justice Ralph Gants, sided against plaintiffs 126 Self Storage Inc. and 1A Auto Inc. The court said the ban does not violate free speech rights and can help prevent actual and perceived corruption. Allowing corporate contributions would create "a serious threat of quid pro quo corruption," Gants wrote.... Massachusetts law prohibits corporations from contributing directly to candidates or establishing political action committees but allows them to make unlimited independent expenditures, with certain disclosure requirements, that are used to advocate for or against candidates but do not go directly to their campaigns.

### [North Carolina's Gerrymandered Map Won't Be Redrawn for Midterms](#)

#### **The New York Times**

A panel of federal judges that deemed North Carolina's congressional maps to be unconstitutionally gerrymandered ruled on Tuesday that those same maps should be used for the November election, citing "insufficient time" to create new ones. Liberals cheered the judges' ruling last week that the maps were unconstitutional; the panel determined that Republicans, who control the State Legislature, had drawn districts to give themselves an unfair partisan advantage. But the decision also sent stabs of anxiety through the state's political class because it left open the possibility that candidates might have to compete in new primaries or run in freshly drawn districts with just two months before the midterms. There was also some worry that government officials, had they been ordered to redraw the maps for this election cycle, would not be able to print ballots in time to meet a Sept. 22 deadline for mailing absentee ballots to service members and voters overseas... The judges on Tuesday wrote that there was not enough time "to approve a new districting plan and for the State to conduct an election using that plan prior to the seating of the new Congress in January 2019."

## [DOJ Official Overseeing Voter Fraud Hunt Subpoenas Voting Records](#)

### **The Huffington Post**

The office of a federal prosecutor appointed by President Donald Trump issued a broad subpoena for North Carolina voter information last week, including voter registration applications and absentee ballots. The office of the U.S. Attorney for the Eastern District of North Carolina issued several subpoenas on Aug. 31 on behalf of Immigration and Customs Enforcement (ICE). One subpoena, sent to the 44 counties that constitute the state's eastern district, asks for e-poll books, voting records, voting authorization documents and executed ballots for the last five years. The second subpoena, submitted to the state board of elections asks for information from all of the state's 100 counties dating back to Jan. 1, 2010. It asks for registration application forms, postcard applications, federal write-in-absentee ballots, early voting application forms, provisional voting forms, absentee ballot request forms, any record of voter cancellations and any form in which someone admits or denies being a non-citizen.

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### **KEY OPINION**

## [The Biggest Threat to Democracy That Nobody Is Talking About](#)

### **The Washington Post (Op-Ed by Jonathan Capehart)**

That threat is a constitutional convention called by the states. The last time such a thing happened was in 1787. So messy was that affair that it hasn't been done since. But a renewed effort is underway, an effort that Karen Hobert Flynn, president of Common Cause, told me was the one issue that kept her up at night. Conservatives are pushing to call an Article V convention to add a balanced-budget amendment and other ideas to the Constitution. All they need is the approval of 34 state legislatures (no governor's signature needed) to compel Congress to call such a gathering. Right now, 28 states have passed resolutions calling for an Article V convention. That number would be 32 had Common Cause and other groups, such as the Center on Budget and Policy Priorities, not successfully gotten Delaware, Maryland, New Mexico and Nevada to rescind their resolutions. Still, once the 34-state hurdle is cleared, despite pledges of a discrete, narrow focus, no one knows what could happen.



**NEW POLLING**

[Americans' Perspective on Trump and Corruption](#)

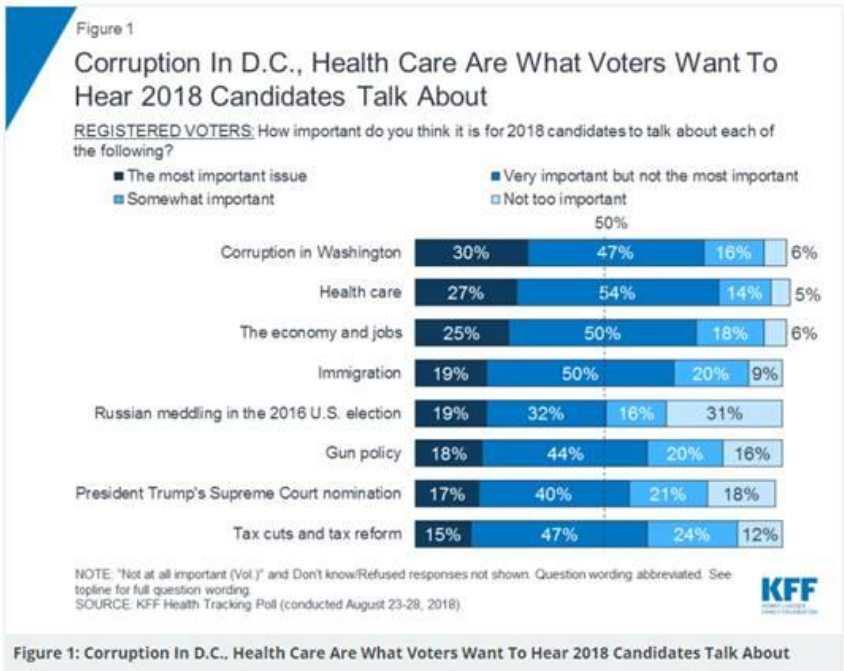
**The Washington Post-ABC News Poll (August 26-29, 2018)**

**Q: Since Trump took office, do you think the amount of corruption in Washington has (increased), (decreased) or stayed about the same?**



[The Election, Pre-Existing Conditions, and Surprises on Medical Bills](#)

**Kaiser Health News (August 23-28, 2018)**



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