



The Phyllis Schlafly Report

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Trump Battles the ‘Deep State’

A whopping 74% of Americans recognize the problem of the “Deep State” – the entrenched bureaucrats in D.C. who control our government. This was confirmed by a remarkable poll released on March 19 by Monmouth University in New Jersey.

The survey was mostly of Democrats and Independents, with Republicans comprising only 27% of the respondents, so its results are even more extraordinary. When asked about the possible existence of “a group of unelected government and military officials who secretly manipulate or direct national policy,” known as the Deep State, 47% said it “probably exists” and 27% said it “definitely exists.”

With unusual consistency across Democrats, Independents, and Republicans, about 60% said that unelected or unappointed officials hold too much power in government. If Trump can end that, then Americans will be forever grateful.

The FBI’s own disciplinary office recommended the firing of its disgraced former deputy director, Andrew McCabe, and Attorney General Jeff Sessions pulled the trigger. But former Deep Staters sprang to the defense of McCabe, as if on cue, and tweeted invective at the people’s leader they hate, President Trump.

Chief among the chorus of former bureaucrats was John Brennan, who ran the CIA during Obama’s second term. Brennan admitted he voted for the Communist Party in 1976, so it is unsurprising that he would rant against Trump’s efforts to clean house.

Quickly McCabe received multiple job offers from Democrat politicians, which would be at additional taxpayer expense. He could also garner big bucks from a lecture tour at liberal universities, or like his mentor James Comey write a self-serving book with a hefty advance royalty.

Better yet, McCabe could form a band with Brennan, Comey, and James Clapper, all of whom are gone from their official positions but still dominate the news. They could call their band the “Deep State Blues,” and perform

to empty houses across middle America.

Trump played to a packed house in western Pennsylvania on March 10, delivering a magnificent speech that was decried by the media but loved by the grassroots. Trump laid out how he is trying to exorcise the evil that permeates D.C., which is fighting back like a trapped rabid dog.

The refreshing firing of McCabe was another shot across the bow in this comic-book-like struggle between the American people, led by Trump, and the dug-in Establishment. This illustrates what Phyllis Schlafly wrote about in her bestselling classic *A Choice Not An Echo*, which describes the long-running battle between the grassroots and the insiders who control government no matter who is elected.

Robert Mueller, or his superior Rod Rosenstein who fails to rein him in, should be next on the chopping block, and Trump needs to strike while the iron is hot. And Trump should fire any advisers who stand in his way.

Republican impediments such as Sen. Lindsey Graham are probably still bitter about how Trump humiliated them in the 2016 presidential contest. To this day Trump has a higher approval rating than Graham in South Carolina, which is Graham’s home state.

Mueller has already wasted more than ten million dollars in taxpayer money while proving nothing of significance. Instead, Mueller has intimidated those loyal to Trump, which may be the real goal.

If the only thing President Trump achieves is to loosen the grip by the power brokers on D.C., then he will have accomplished more than his four predecessors combined. But the fierce resistance by both political parties makes the outcome far from clear.

Fortunately, Trump does have some allies on Capitol Hill on this issue. Senator Rand Paul rebuked Brennan for his attack on Trump, pointing out that what is really disgraceful is how Brennan “had the power to search every American’s records without a warrant” and how that is an attack on “the freedom of every American.”

The Deep State has control of most federal agencies, so it is a steep climb to triumph over it. Some might wonder if it is even impossible to return the power to the American people that is rightfully ours.

For example, in behavior typical of the Swamp, the IRS refuses to stop the use of 1.3 million stolen or bogus Social Security numbers of employed illegal aliens. It would be a simple matter to pull the plug on the employers of those illegals, yet the IRS as a matter of policy refuses to take action.

This conduct by the IRS has compelled the valiant Tom Homan of ICE to risk the lives of his agents by conducting three raids in the sanctuary state of California. The public overwhelmingly opposes employers hiring illegal aliens for jobs that could be going to Americans, and the IRS could easily stop the illegal employment without putting the lives of any enforcement agents at risk.

Trump Should Turn to His Solicitor General

The most powerful position in the world has apparently become one of the weakest, with the spectacle of the office, home and even hotel room of President Trump's own attorney being ransacked without warning. The shocking seizure by government of attorney Michael Cohen's files, including attorney-client communications, happened because Robert Mueller's runaway investigation wanted some dirt on Trump.

Republicans in Congress stand silently by while this unfolds, with some even wanting to support this with special new legislation to protect Mueller's wrecking crew. Fortunately, there is one person to whom Trump can turn to put the GOP back on the right path.

President Trump should look to his top advocate in his own Department of Justice, Solicitor General Noel Francisco. He may be the only man willing to assert proper presidential authority to stop the circus caused by the blank check given to Mueller's out-of-control inquisition.

The Solicitor General argues cases on behalf of the executive branch before the U.S. Supreme Court, and is well-versed in constitutional law. "General Francisco," as he is addressed by the courts, is not the famous "General Francisco Franco" who ruled Spain for nearly four decades, but "General Francisco" is the man who can restore presidential power.

In contrast with the liberal Republicans on Capitol Hill, General Francisco has strongly asserted the authority of President Trump to fire underlings in the executive branch. General Francisco argued in support of executive power to deport illegal alien law-breakers, while Justice Neil Gorsuch sided with the Left when the Supreme Court blocked deportation.

Francisco is pro-life too, asserting the right of the executive branch to reject demands by illegal aliens

to have abortions. The Supreme Court has repeatedly dodged and ducked petitions for "cert" brought by the pro-life side, including the case of a middle-of-the-night abortion performed on an illegal alien which Francisco has appealed.

The Left is most agitated about Francisco's support of presidential power. In the case of *Lucia v. SEC*, Francisco quotes Supreme Court precedent to argue that "the Constitution gives the President what the Framers saw as the 'traditional' means of ensuring accountability: the 'power to oversee executive officers through removal.'"

"The removal power thus is a key safeguard of democratic self-governance, preserving an unbroken chain of responsibility from the American people to the public officials who serve them," Francisco told the High Court. The Court seems likely to agree, and granted Francisco's request to participate in the oral argument on April 23rd.

Although relatively unknown to the public, Francisco is in line to replace Mueller's supervisor Rod Rosenstein if the latter were terminated by Trump. All agree that Trump has the authority to fire Rosenstein, and reports have even circulated that Rosenstein would not be surprised by it.

Francisco could step into Rosenstein's shoes, and then Francisco could fire Mueller. The tyranny of the witch-hunt against Trump and his supporters would be over.

In contrast with that scenario is an unconstitutional approach being taken by liberal Republicans in Congress, who are pandering to the media by pushing legislation to make Mueller above the president. The irony is that while Never Trumpers insist that the president is not above the law, they try to make Mueller above the law instead.

Retiring Pennsylvania Representative Charlie Dent, a strident Never Trumper who just announced that he will quit his seat even before his term expires, is a sponsor of this silly legislation in the House. With a straight face, Dent declared that "independent investigations must be given the resources needed to carry out their investigations."

Mueller has already burned through tens of millions of dollars, achieving the destruction of the lives of Trump supporters and forcing them to waste many millions of dollars of their own. All told, Mueller may have already caused the waste of \$100 million, with no end in sight.

Dent continued by pompously declaring that Mueller must have "the authority and public confidence to see [his investigation] through to conclusion." But Dent provides no guide on when that conclusion will be, and it is obvious that Mueller will continue until he is fired or shut down.

Congress extended Mueller's blank check for his expenses into 2019. All indications are that Mueller is widening the scope of his Grand Inquisition, rather than trying to wrap it up promptly.

If Trump does not take steps now to end the anti-Trump

project, then it will become an issue in the presidential campaign that will begin soon after the midterm elections. Already a significant chunk of Trump's campaign dollars are being diverted to legal fees.

Republican Senators like Lindsey Graham are hurting the GOP by siding with far Left Senate Democrats Chris Coons (Delaware) and Cory Booker (New Jersey) in promoting the pro-Mueller legislation. No Democrat would support such a bill if the shoe were on the other foot.

Where's the Oversight of Mueller?

After spending millions of dollars on his 15-lawyer dream team, special counsel Robert Mueller indicted Paul Manafort primarily for failing to file paperwork that many Democrats also failed to file. Indeed, a group co-founded by Hillary Clinton's top adviser John Podesta failed to timely file the same paperwork that Manafort allegedly overlooked.

Yet Mueller did not indict anyone in Podesta's group, or anyone opposed to Trump. The American people elected Donald Trump as president after he promised to prosecute Hillary for her apparent corruption, and now the exact opposite is transpiring as it is Hillary's side that is bilking the American taxpayers to lock up Trump supporters.

Many innocent people are being forced to spend enormous legal fees to defend against the out-of-control Mueller, who is acting like an independent federal prosecutor even though that law was terminated in 1999. There was nearly unanimous consensus after abuses by independent federal prosecutors in the 1980s and 90s that such spectacles should not recur, yet Mueller apparently has *carte blanche* to pursue President Trump and his supporters.

Mueller was installed under the pretext of being merely a "special counsel" for the purpose of looking into possible interference by Russia in the 2016 presidential election. Instead, Mueller has acted without accountability or real oversight in going far beyond the outer limits of his charter.

Nothing in Mueller's indictment of Manafort has a shred of evidence connecting President Donald Trump or his Administration to the unusual charges against Manafort, which relate to activities predating his involvement with Trump's campaign. Where's the beef that justifies giving Mueller a blank check on the U.S. Treasury to engage in such a partisan, one-sided witch-hunt against persons, rather than any real crimes that would be within Mueller's authorization?

The real purpose of Mueller's bizarre indictment of Manafort is not to end lobbying on behalf of foreign interests, which is rampant in D.C., but to intimidate former and current Trump officials into playing ball with Mueller's war against Trump. Already many potential targets of

Mueller's one-sided investigation are being pushed to the brink of bankruptcy by having to hire \$1,000-per-hour attorneys simply to defend themselves against alleged crimes that never happened.

Mueller's top prosecutor, Andrew Weissmann, has a track record of over-the-top prosecutions ultimately reversed on appeal. As pointed out in a stinging exposé at TheHill.com, Weissmann had a lead role in the destruction of the accounting firm of Arthur Andersen and the loss of its 85,000 jobs, by seeking a conviction that the U.S. Supreme Court unanimously reversed, after it was too late to save the company.

Supposedly Mueller's conduct is made constitutional by a modicum of supervision and accountability that he should be receiving from the Department of Justice. But judging by Mueller's off-the-rails indictment of Manafort, Mueller is not being reined in by Deputy Attorney General Rod Rosenstein or anyone else.

It is time to do so. President Trump, for whom the Department of Justice works, should begin by demanding an accounting of how much money Mueller's team is wasting, and Trump should tweet that information directly to the American people.

With Attorney General Jeff Sessions having recused himself from this issue, Deputy Attorney General Rosenstein is supposedly in charge of Mueller. But Trump can fire Rosenstein, and should do so if there is not immediate transparency on Mueller's expenses and significant changes that rein in the runaway prosecutions.

Mueller's team is obviously picking the targets and then searching for crimes, even obscure ones, to charge that target with. "Therein is the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted," as renowned U.S. Attorney General (and future Supreme Court Justice) Robert H. Jackson observed in 1940.

The indictment against Manafort even seems to be written more for the newspapers than for a court of law. "Conspiracy against the United States" shouts the first charge, a rarely used, politically misleading phrase.

The indictment also tosses in a laundry list of demands for forfeiture of assets, a widely criticized technique of prosecutors ordinarily reserved for drug kingpins and notorious criminals. But its message is for other Trump supporters: tell us what we want to hear, or you'll lose your home, too.

"With the law books filled with a great assortment of crimes," the future Justice Jackson said to a gathering of U.S. Attorneys in 1940, "a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone." That is tyranny-by-prosecution, and Trump should instruct the Justice Department to stop it.

Trump Should Take Control of DOJ

Robert Mueller's ongoing "investigation" of Trump supporters is the only part of government that has no budgetary constraints and no real accountability. Its lack of proper oversight resulted in a political opponent of Trump, FBI agent Peter Strzok, apparently leading the biased questioning of Lieutenant General Michael Flynn that caused his downfall.

The partisan agent has since been reportedly removed from the Mueller investigation, but not until after the injustice occurred. The right to an impartial investigator is fundamental to our legal system, and Gen. Flynn was unjustly deprived of it.

"When the FBI first learned of the allegations, the employees involved were immediately reassigned, consistent with practices involving employee matters," the FBI declared. But the flaw is that there has been no proactive oversight of Mueller's out-of-control investigation, and no meaningful steps taken to ensure that bias does not taint the process.

As Trump properly tweeted, "Tainted (no, very dishonest?) FBI 'agent's role in Clinton probe under review.' Led Clinton Email probe."

We have three branches of government, and the Department of Justice is part of the Executive Branch. Yet President Trump has been misled by his advisers to believe that he cannot supervise his own department or fire employees who fail to ensure impartiality in the investigations.

Meanwhile, in December the Justice Department released the shocking report that Mueller blew through \$6.7 million in merely the first four-and-a-half months of his investigation, a rate of about \$1.5 million per month. A subsequent report shows that his runaway witch-hunt has already wasted more than \$17 million in taxpayer money, with no end in sight.

General Flynn, who spent most of his life serving our country, could not possibly withstand an expenditure of so much money against him. Facing bankruptcy if he did not agree to a plea bargain, he had little choice to stop the hemorrhaging of legal fees in order to save his family from complete financial disaster.

Before long, the cost of Mueller's searching for crimes done by Trump supporters will exceed the entire budget for the United States Attorney's office in many states. The Department of Justice gives more money to Mueller's unsupervised investigations than it does to prosecuting dangerous illegal aliens in many parts of the country.

Hire 17 prosecutors and give them a blank check for funding, as the DOJ has done for Mueller, and numerous injustices will inevitably follow. In December there was

a report, denied by a Trump attorney, that Mueller's prosecutors have even issued a subpoena requiring Deutsche Bank to provide highly confidential banking information about President Trump and his family.

At this point, Trump's own advisers may be too terrified of the out-of-control prosecutors to give him candid advice. Congressmen are probably petrified about retaliation if they were to say anything critical of this.

But President Trump can and should take the decisive action that he is known for in other areas. For starters, he should impose a reasonable limit on expenditures by Mueller's growing army of 17 lawyers.

In Texas, for example, the average cost of investigating and prosecuting a death penalty case is \$2.3 million. That should be more than adequate for the task of looking into whether there was any illegal contact with Russians during the 2016 election, in which nobody died. But Mueller has already burned through more than three times that amount.

In addition, Trump should fire those who are failing to properly supervise the Mueller investigation. Deputy Attorney General Rod Rosenstein should be politically accountable for everything that Mueller does, and when there is a lack of oversight on his overreaching, then Mr. Rosenstein should be fired.

Use of an anti-Trump FBI agent to interrogate key witnesses is an example of something that should never have been allowed in the first place, and for which a supervisor should be fired. Issuing subpoenas on a private bank for the highly personal banking information of Trump and his family members is another basis for firing the supervisor who allows it.

Congress properly rejected the concept of an "independent prosecutor" nearly two decades ago, and Justice Antonin Scalia wrote that it is unconstitutional. Similarly, the advice that President Trump has been receiving that the Department of Justice must somehow be independent is contrary to our Constitution.

Phyllis Schlafly felt an incoming president should take control of all of the Executive Branch to ensure loyalty to his mandate. It is long overdue for Trump to invoke Harry Truman to say "the buck stops here," and stop the injustices coming out of his Department of Justice.

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