

# DANA BOENTE STILL HAS A JOB AND WHY THAT'S OF INTEREST FOR WIKILEAKS

WaPo has a weird story reporting, erroneously, that Donald Trump has *no* US Attorneys.

Attorney General Jeff Sessions is making aggressive law enforcement a top priority, directing his federal prosecutors across the country to crack down on illegal immigrants and “use every tool” they have to go after violent criminals and drug traffickers.

But the attorney general does not have a single U.S. attorney in place to lead his tough-on-crime efforts across the country. Last month, Sessions abruptly told the dozens of remaining Obama administration U.S. attorneys to submit their resignations immediately – and none of them, or the 47 who had already left, have been replaced.

“We really need to work hard at that,” Sessions said when asked Tuesday about the vacancies as he opened a meeting with federal law enforcement officials. The 93 unfilled U.S. attorney positions are among the hundreds of critical Trump administration jobs that remain open.

While it is true that Trump had Sessions ask for the remaining 93 US Attorneys' resignations, he subsequently announced he was keeping Rod Rosenstein (who contrary to WaPo's claim that he “served as U.S. attorney for Maryland” is still there, and who will become Deputy Attorney General as soon as he's confirmed in the next few weeks) and Dana Boente (who is US Attorney for EDVA but also acting AG for the Russia investigation).

Both Boente and Rosenstein made press announcements today; the guys whose custody they announced probably would prefer if they weren't on the job.

I guess the WaPo wanted to suck up to Jeff Sessions and so didn't consider the possibility that we're better off with 91 US Attorney vacancies than 91 racist hacks like Sessions, pushing through his regressive policies.

Anyway, since we've established that Boente still has a job and in fact oversees the Russia investigation, I thought I'd point out something I was considering during last week's threats from CIA Director Mike Pompeo against Wikileaks.

During Pompeo's comments at CSIS last week, he said,

Julian Assange and his kind are not the slightest bit interested in improving civil liberties or enhancing personal freedom. They have pretended that America's First Amendment freedoms shield them from justice. They may have believed that, but they are wrong.

[snip]

[W]e have to recognize that we can no longer allow Assange and his colleagues the latitude to use free speech values against us. To give them the space to crush us with misappropriated secrets is a perversion of what our great Constitution stands for. It ends now.

As some people observed, Pompeo's comments are inconsistent with the practice of Obama's DOJ, particularly under Holder. While Holder would have happily prosecuted Julian Assange for his role in release of files leaked by Chelsea Manning, he realized that if he did, he'd be criminalizing stuff that the press does.

Pompeo, at least, seems to disagree.

And the reason why Boente's continued tenure as

Eastern District US Attorney – and his role overseeing the Russian investigation – is that he has also been overseeing the ongoing investigation into Wikileaks since 2013.

Consider the fact that Assange's actions of late may be more incriminating than those involving Manning (even assuming Assange can credibly claim he has no way of knowing whether Russia is responsible for the DNC hack, Assange's comments about both the DNC and the Vault 7 leak suggest more coordination than in the past). Then add in the fact that Boente, for the next few weeks anyway, might be able to claim to be both US Attorney *and* Acting AG on any role by WikiLeaks in the publication of the DNC emails. And it raises the possibility that Boente would use this window to indict Assange.

I think that's unlikely. Moreover, while an indictment would give the US reason to pressure Ecuador even more to boot Assange, it's not clear they would. But it's possible.