

THREE THINGS: A THREE-RING CIRCUS

[NB: Check the byline, thanks. /~Rayne]

Under the enormous canvas tent of the United States, come see the mightiest extant amusement organization, superior in character, regal in appointment, magnificent in conception, omnipotent in strength, with hundreds of witnesses, a plethora of attorneys and paralegals, the promise of the wild beast-like Chansley, multiple frustrated judges...

And one orange-tinted slack-bottomed kack-handed clown unseen off the stage entantrumed in the wings.

Ladies, Gentlemen, and those of pronouns without and within, welcome to the American circus.

I can't even begin to imagine what all of this looks like from abroad.

~ 3 ~

Arguments just wrapped up in the U.S. Court of Appeals for the DC Circuit regarding former president Trump's claim of executive privilege over testimony and materials subpoenaed by the House January 6 Committee. Twitter threads covering the hearing's progress:

For BuzzFeed:

Hello from the DC Circuit's virtual courtroom, where arguments are about to begin in Trump's fight to stop the Jan. 6 committee from getting his White House records. He lost the first round, then the DC Circuit agreed to pause things while he appealed:
<https://t.co/jjpY9IL2qL?amp=19:27> AM · Nov 30, 2021 · TweetDeck

For DailyKos:

Good morning. Trump is in court today to argue his executive privilege claims over records sought by the @January6thCmte.

Live stream starts here at 930AM ET:
<https://c-span.org/video/?516121-1%2Fdc-circuit-hears-case-jan-6-cmte-requests-trumps-records=null&s=09>

I will have coverage for @dailykos.7:03 AM · Nov 30, 2021·Twitter for Android

Stream the audio of the arguments on YouTube at:
<https://youtu.be/DcMnkpZ0pxo>

I have to admit this hearing is making me grit my teeth. No one is above the law; the executive's job is to execute what Congress legislates, and Congress cannot do its job effectively without oversight of the executive's work when its work product is not related to classified national security issues. There's zero executive privilege for testimony and materials related to campaigning if performed in and by the White House.

~ 2 ~

Convicted shaman insurrectionist perp Jacob Chansley filed an appeal today.

And... there it is. As expected, the so-called QAnon Shaman, Jacob Chansley, is appealing. Two weeks after being sentenced to 41 months in prison.

(3rd mid-level Jan 6 defendant to consider or to file appeal post-sentencing)

<https://pbs.twimg.com/media/FFd0jgGXIAIFowA?format=jpg&name=small>

11:57 AM · Nov 30, 2021·Twitter for iPhone

Good luck with that, buddy. What a waste of a lengthy mea culpa in court.

Chansley wasn't the only lower level perp on the agenda today – check Scott MacFarlane's Twitter feed for more including another perp charged and another arraigned today.

~ 1 ~

Washington Post published an article today about Trump's former chief of staff Mark Meadows, who until now has completely resisted compliance with a House January 6 Committee subpoena. Here's the timeline of related events:

September 23, 2021 – House January 6 Committee issued a subpoena to Meadows;
October 7, 2021 – Due date for records subpoenaed;
October 15, 2021 – Deposition deadline;
November 11, 2021 – White House Deputy Counsel sent a letter to Meadow's attorney advising that President Biden would not exert executive privilege over any testimony or records the House January 6 Committee subpoenaed;
November 11, 2021 – U.S. Court of Appeals for the D.C. Circuit blocked handover of National Archives' presidential records responsive to a January 6 committee's subpoena;
November 12, 2021 – Meadow's attorney issued a statement which said Meadows would not cooperate with the committee until after the legality of the subpoenas was settled in court;
November 30, 2021 – See Thing 3 above, Court of Appeals for the DC Circuit hearing today regarding subpoena of testimony and records over which Trump claims executive privilege.

Hed and subhed of WaPo's article today:

Former White House chief of staff Mark Meadows cooperating with Jan. 6 committee
Meadows has provided records to the committee investigating the attack on the Capitol by a pro-Trump mob and will give a deposition.

“Cooperating” is rather broadly used. Committee chair Bennie Thompson issued a statement today about Meadows:

“Mr. Meadows has been engaging with the Select Committee through his attorney. He has produced records to the committee and will soon appear for an initial deposition. The Select Committee expects all witnesses, including Mr. Meadows, to provide all information requested and that the Select Committee is lawfully entitled to receive. The committee will continue to assess his degree of compliance with our subpoena after the deposition.”

“has been engaging” isn’t the same as cooperating; an “initial” deposition doesn’t mean anything until Meadows has actually answered questions put to him without prevarication.

As Marcy tweeted, “Meadows could invoke a bunch of things and avoid testifying and avoid contempt that way.”

Betting this “cooperating” is a stall tactic which won’t end until the Department of Justice indicts Meadows for contempt of Congress as they did Steve Bannon.

But perhaps there will be more than two charges if Meadows “has been engaging” in a little light obstruction.

Sure hope for his own sake Meadows turned information related to his phone records.

~ 0 ~

What other hearing(s) did I miss? Share in comments.

CTDT: CRITICAL TURKEY DAY THEORY

[NB: check the byline, thanks. /~Rayne]

I'm once again up to my elbows in another Thanksgiving turkey, preparing the annual feast. My two adult children are home to observe this holiday, bringing with them a new challenge: four dogs.

I swear this is payback for not letting them have pets when they were younger.

My canine guests range in size from a dainty 30 to a hefty 90 pounds and exhibit varying degrees of nervousness. Two of them are here because my eldest is dogsitting.

And one of these dogs suffers from ADD as does their owner.

I really need more than a continuous stream of alcohol to get through this day.

But I wouldn't have it any other way. We are all of us healthy, we've all been vaccinated and don't need to wear masks or to ventilate the house. Three of us have had our boosters with the remainder to get theirs very soon.

Last Thanksgiving we looked for places to have an outdoor picnic in the cold halfway between my place and my kids' places, because we didn't want to risk being cooped up inside not knowing if any one of us had been exposed to COVID.

This holiday is better; we are living far more freely than last year.

For this we give our thanks.

~ ~ ~

Putting aside the pandemic, the complexion of this holiday has changed since I was in grade school back in the 1960s. The happy little turkeys we made from construction paper and hand prints are the only thing which might yet make

sense now that the truth has stripped away the hoo-ha make-believe surrounding the mythic first Thanksgiving and the Mayflower's Pilgrims of Plymouth.

We know now that the decimation of the indigenous people who were here long before the Mayflower arrived had already begun because of exposure to diseases brought by British fishermen; they'd also attempted to enslave members of tribes as they fished the east coast.

The epidemics which came with the whites killed nearly 90%% of native people who had no resistance to the Europeans' diseases, leaving behind smaller numbers of tribal members who could not fend off violence by settlers after what we've been taught was the first Thanksgiving.

This holiday has been a fallacious celebration of peace and harmony between immigrant whites and the native peoples; in truth it marks the beginning of massive genocide. What we were taught as children was that this land was nearly virgin, ready for the taking, when in fact it had been populated by millions belonging to many nations but cleared by disease and the savagery of Christianity's "soldiers" who claimed dominion here as part of their god's promise to them.

The eventual American colonies were born of disease and deaths of the previous occupants of land that wasn't truly up for grabs.

Decolonizing this holiday requires seeing this truth beneath the happy little cut-out turkeys and remembering what has been sacrificed and lost before this day.

~ ~ ~

Walking a foot in both worlds – a descendent of European settlers on one side of the family and a member of a vanquished indigenous people nearly wiped out by disease and whites' oppression – can be a bit challenging.

The in-laws who are all of European descent do not want to hear the truth, that they live on what is occupied land hornswoggled one way or another from Native Americans. "Oh, but there were treaties, this is ceded land," they'll argue. How quaint – as if the remaining 10% of the people who once lived here had the power to confront and force off settlers who came bearing even more disease and firearms.

The truth is bitten back, just as it must have been hundreds of years ago when indigenous Wampanoag first met the Pilgrims, stressed and needy after their long voyage as they attempted to settle into their new home on others' land.

It's a tradition which is changing, but not all at once. Many other uncomfortable truths will still be held back this day; we ignore the in-law who's a pig-ignorant anti-vaxxer, and the other who's an unrelenting gullible Trumpist who eats up all bat shit garbage they are fed by Facebook. There's no reasoning with them.

In spite of them we make an effort to depart from a white-centric observation; this day will be spent celebrating the health and companionship of those who survived the last year because they cared for their fellow humans and themselves, thinking of the generosity of the Wampanoag back in 1621.

We'll remember genocide both passive and active took a vast wealth of humans who lived on this soil, entire nations and their ways gone with them.

We'll support Native American by choosing an indigenous-owned business or Native American artist when we shop for holiday gifts, or make a donation to support Native American news outlets.

We'll talk about the nations on whose lands we live (do you know whose land you're on?), and discuss the foods which would have been eaten by these same nations.

There's more we can do but this is a start

toward decentering the white settlers in American history and recognizing the history of this country hasn't been as glossy and perky as packaged by those uncomfortable with the truth.

~ ~ ~

The observation of thanksgiving as an autumnal or harvest festival was hit or miss and highly local in this country's early years. It was formalized as a national holiday after Sarah J. Hale lobbied then-President Lincoln for a "day of our annual Thanksgiving made a National and fixed Union Festival."

Lincoln consented and issued this proclamation:

Washington, D.C.

October 3, 1863

By the President of the United States of America.

A Proclamation.

The year that is drawing towards its close, has been filled with the blessings of fruitful fields and healthful skies. To these bounties, which are so constantly enjoyed that we are prone to forget the source from which they come, others have been added, which are of so extraordinary a nature, that they cannot fail to penetrate and soften even the heart which is habitually insensible to the ever watchful providence of Almighty God. In the midst of a civil war of unequalled magnitude and severity, which has sometimes seemed to foreign States to invite and to provoke their aggression, peace has been preserved with all nations, order has been maintained, the laws have been respected and obeyed, and harmony has prevailed everywhere except in the theatre of military conflict; while that theatre has been greatly contracted by the advancing armies and navies of the Union. Needful diversions

of wealth and of strength from the fields of peaceful industry to the national defence, have not arrested the plough, the shuttle or the ship; the axe has enlarged the borders of our settlements, and the mines, as well of iron and coal as of the precious metals, have yielded even more abundantly than heretofore. Population has steadily increased, notwithstanding the waste that has been made in the camp, the siege and the battle-field; and the country, rejoicing in the consciousness of augmented strength and vigor, is permitted to expect continuance of years with large increase of freedom. No human counsel hath devised nor hath any mortal hand worked out these great things. They are the gracious gifts of the Most High God, who, while dealing with us in anger for our sins, hath nevertheless remembered mercy. It has seemed to me fit and proper that they should be solemnly, reverently and gratefully acknowledged as with one heart and one voice by the whole American People. I do therefore invite my fellow citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe the last Thursday of November next, as a day of Thanksgiving and Praise to our beneficent Father who dwelleth in the Heavens. And I recommend to them that while offering up the ascriptions justly due to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty Hand to heal the wounds of the

nation and to restore it as soon as may be consistent with the Divine purposes to the full enjoyment of peace, harmony, tranquillity and Union.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done at the City of Washington, this Third day of October, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the Eighty-eighth.

By the President: Abraham Lincoln

William H. Seward,
Secretary of State

It is this we'll celebrate today: leaving behind a falsely-constructed image of the past, remembering where these bounties came from, aspiring to heal this nation's wounds, the restoration of its health, and enjoyment of domestic tranquility as we continue to seek a more perfect Union.

Thanks to you all for sharing this holiday with us, and every day as community members at emptywheel.

Now let's see if this household can get through a turkey dinner without any one of these four energetic canines helping themselves to our feast.

BURNERS, BURNING: THE HEAT'S TURNED UP

ON MARK MEADOWS

[UPDATE-1]

[NB: Check the byline, thanks. Updates appear at the bottom of this post. /~Rayne]

Well, well, well. According to Hunter Walker in a fresh report at Rolling Stone, Kremer the Younger bought burner phones to use when communicating with key persons attached to the White House.

In the thread attached to my last post, a community member commented about the Kremers saying,

... Only if they knew Trump's plans, the Kremers might be guilty of conspiracy. ...

They didn't need to know Trump's plans, though. They only needed to understand part of one or more of the conspiracies and then take some action to further that conspiracy.

Like this:

... Kylie Kremer, a top official in the "March for Trump" group that helped plan the Ellipse rally, directed an aide to pick up three burner phones days before Jan. 6, according to three sources who were involved in the event. One of the sources, a member of the "March for Trump" team, says Kremer insisted the phones be purchased using cash and described this as being "of the utmost importance."

The three sources said Kylie Kremer took one of the phones and used it to communicate with top White House and Trump campaign officials, including Eric Trump, the president's second-oldest son, who leads the family's real-estate business; Lara Trump, Eric's wife and a former senior Trump campaign consultant; Mark Meadows, the former White House

chief of staff; and Katrina Pierson, a Trump surrogate and campaign consultant.

...

Sending someone who isn't a Kremer to buy a burner phone with cash to evade tracing suggests Kylie Kremer knew exactly what the role of her organization, Women to Save America First, was within the framework of the insurrection.

If this was a legitimate effort to work with the Trump campaign using dedicated communications for easier access, why the skulkery of a third person using cash buying a burner? Why not use a dedicated VoIP number to contact a communications person in the Trump campaign?

Or a no-contract phone purchased with a credit card? Or an additional number added to an existing cell phone contract?

Why was Meadows involved in any way given his role as the Chief of Staff, which should have been wholly separate from any campaign-related effort?

Whether Meadows interacted with Kremers or other members of the conspiracy as COS (a Hatch Act violation) or as a campaign member (not shielded as executive acts), he's thoroughly shot through any claim to immunity or privilege.

The existence of burner phones used to contact persons in the White House certainly expands the import of this graf from the House January 6 Committee's letter to Meadow's attorney after Meadows' refused to comply with the committee's subpoena:

... In addition, Mr. Meadows has not produced even a single document in response to the Select Committee's subpoena. Although you previously indicated that your firm was searching records that Mr. Meadows provided to you, more than enough time has passed for you to complete your review. Please immediately inform the Select Committee

whether Mr. Meadows has any records responsive to the subpoena. Your search for responsive records should include (but not be limited to) any text messages, emails, or application-based messages associated with the cellular phone numbers and private email address the Select Committee has identified. If Mr. Meadows has records that you believe are protected by some form of privilege, you must provide the Select Committee a log describing each such record and the basis for the privilege asserted. ...

Emphasis mine. Were any burner phones among those cellular phone numbers requested? Has geo-fencing been used to narrow down where those phones were during the lead up to and on January 6?

We don't know yet. I suspect we'll find out more in the not too distant future.

The purchase of the burner phones, though, look like an *overt act* to advance a conspiracy (18 USC 371).

Sure hope both of the Kremers as well as the aide who was asked to buy the burners, the third team member who received a burner phone, and Meadows all realize this is only getting worse for them.

Same for the Trump family members Eric and Lara who must be getting a little itchy after Trump's former attorney Michael Cohen resurfaced.

Especially for Meadows if he continues to blow off Congress with his refusal to comply with the January 6 Committee's subpoena; it won't be just contempt of Congress (two counts under 2 USC 192) with which he may be charged and prosecuted.

Hello, 18 USC 1505 otherwise known as Obstruction of proceedings before departments, agencies, and committees.

Perhaps with a domestic terror enhancement?

~ ~ ~

UPDATE-1 – 11:45 A.M. 25-NOV-2021 –

LOL Really? Eric's going to try to SLAPP suit people in small outlets who don't report the burner phones Kylie Kremer asked an aide to purchase may have been used to call him and Lara?

Well here is one outlet I can sue for defamation. This will be fun. I'm an incredibly honest, clean guy – unlike Hunter, no drugs, healthy lifestyle, not the "burner phone" type... Tweet saved...
@palmerreport9:26 PM · Nov 24, 2021·Twitter for iPhone

I love the smell of discovery in the morning!!

MARK, MARK, MARK!: NO WONDER MEADOWS BALKED AT HOUSE SUBPOENA

[NB: Check the byline, thanks. /~Rayne]

This isn't going to be everybody's cup of tea, but I couldn't help think of this dubstep mix by Massachusetts artist ZMcD titled Mark Mark Mark.

It popped into my head while reading Hunter Walker's latest piece in Rolling Stone, Leaked Texts: Jan. 6 Organizers Say They Were 'Following POTUS' Lead'.

Apparently there are text messages from the rally organizers Amy Kremer, Women For America First's chair, and Kylie Jane Kremer, WAF's executive director, which are incriminating:

... Two sources who were involved in planning the Ellipse rally previously told Rolling Stone they had extensive interactions with members of Trump's team, including former White House Chief of Staff Mark Meadows. The text messages provide a deeper understanding of what that cooperation entailed, including an in-person meeting at the White House. Rally organizers also described working with Trump's team to announce the event, promote it, and grant access to VIP guests. A spokesperson for the former president did not respond to a request for comment on the record. ...

Oh Mark, Mark, Mark!

No wonder he's dragging his butt submitting to the House January 6 Committee's subpoena.

... Two days later, Kremer texted some of the organizers to let them know she was temporarily getting off the bus to travel to Washington for a White House meeting.

"For those of you that weren't aware, I have jumped off the tour for the night and am headed to DC. I have a mtg at the WH tomorrow afternoon and then will be back tomorrow night," wrote Kremer. "Rest well. I'll make sure the President knows about the tour tomorrow!"

The message describing Kremer's White House meeting is one of several where she and Kylie, indicated they were in communication with Trump's team. ...

Kremer sent that text on November 30, 2020 about a December 1 meeting at the White House.

Six weeks later Kremer would be ordering appetizers and dinner at the Willard Intercontinental Hotel while insurrectionists continued to riot inside the Capitol Building.

Mark Meadows will likely know this if he was copied in a group message sent by March to Save America/Women for America First rally organizers.

No wonder the committee and the House hasn't yet voted to hold Meadows in contempt, sending him a tautly worded letter when he refused to comply.

This is Meadow's chance to save his behind by looking into immunity because these text messages can't shed a good light on him.

Perhaps he should call former Nixon White House counsel John Dean about this (what a pity he can't call Jeb Stuart Magruder who like Dean was granted limited immunity for his cooperation during the Watergate investigation).

No matter whether he calls Dean or not, I sure hope Meadows has lawyered up.

And I sure hope he's thought good and hard whether that slack-bottomed chronic golf cheat is worth his time and effort.

I certainly wouldn't put faith in the support of the Kremers, as text messages indicate one of them got sloshed the evening of January 6, locked herself in a bathroom and then begged to be rescued in the early morning January 7.

THREE THINGS: FIRE, FIRE, FIRED [UPDATE-1]

[NB: Check the byline, thanks. Updates will appear at the bottom of this post. /~Rayne]

Bet you'll guess only one of the three people our country needs to have removed from their position and replaced immediately.

Oops, there's four, but let's call it a two-fer.

But these people can't be fired by the

president, one might say.

If the Supreme Court said the president can fire the head of the Consumer Financial Protection Board according to its decision in *Seila Law v. CFPB* – Article II, Section 1's vesting clause assures the president can remove those who assist him in execution of his duties – the president can likewise fire the heads of other executive branch functions.

Do it, Joe Biden. Get this done. Deliver for the people.

~ 3 ~

Fire U.S. Postmaster General Louis DeJoy – right the fuck now.

And fire along with him whomever it is on the USPS Board of Governors who has been bottlenecking his removal, which is likely governor chairman Ron Bloom.

DeJoy is hurting retired and disabled Americans who can no longer rely on getting their essential medicines on a timely basis. With some diabetics in particular already rationing their overpriced medicines, the mounting unnecessary delays caused by changes DeJoy implemented with the Board of Governors' consent are causing injury. Lawmakers have tried to intervene on behalf of veterans whose medicines are mailed by the Veterans Administration, but without improvements to vets and non-vets alike.

It's only a matter of time before we hear of some American who died as a result of USPS delays.

DeJoy is hurting businesses, particularly small business owners; they can't rely on getting a First Class letter containing a payment from across town within a week, nor can their workers or contractors who are paid by check get their payments on a timely basis because of DeJoy's unnecessary changes to USPS service. There have been losses which can't simply be fixed by a replacement shipment – like dead chicks.

DeJoy's changes to USPS aren't saving Americans money; they're costing them more and they can't see this expense in their taxes where it's concrete. It's leaking away in disruptions to business and in injury to their vital personal needs.

We can't tell how much of the manifold supply chain crises we're experiencing is really DeJoy's gross mismanagement of postal deliveries, even though DeJoy made the USPS prioritize package deliveries over First Class mail. Wrong move when business's liquidity may be in that First Class mail.

The USPS has gotten so bad it now has its own Wikipedia entry for U.S. Postal Service Crisis.

Meanwhile, DeJoy continues to hold his current job in spite of documented and mismanaged conflicts of interest, including the purchase of \$305,000 of bonds from Ron Bloom's investment company.

The American public can't afford to wait for any current investigations into his corruption to be completed.

DeJoy needs to go and take his corruption and lousy management with him. It's not like he's counting on the postmaster gig for a living while millions of Americans count on the USPS for their daily needs.

Don't forget to take Trump-appointee Bloom, too. He's likely been the reason the Board of Governors hasn't removed DeJoy already since Biden appointees were named to the board.

How much longer are we going to have to yell about this particular Trumpian mess?

~ 2 ~

Fire the head of the Federal Election Commission Shana Broussard.

Broussard, a Trump-appointed Democrat (which should make one immediately skeptical), voted with the three GOP members of the FEC to dismiss

a complaint that a foreign company Sandfire Resources donated \$270,000 to a ballot initiative, Stop I-186 to Protect Mining and Jobs, in Montana to further its mining interests.

You'd think Broussard would have relied on the opinion of another Democratic FEC commissioner, Ellen Weintraub, to make her decision but no. Weintraub published a dissent which essentially begs Congress and state legislatures to ensure U.S. democracy is protected by regulations "preventing foreign influence over the U.S. political process."

You'd also think Broussard as a Democrat would have some grasp of what's at stake after the influence of foreign money on the 2012-2016 elections though laundered legally thanks to *Citizens United* – but no.

Further, you'd think Broussard would understand the GOP doesn't lockstep with the three GOP FEC commissioners as to foreign influence. Evidence of this bipartisan concern appears in H.R. 5841 – the Stop Foreign Funds in Elections Act submitted on November 3 and forwarded to the House Committee on House Administration.

But no, Broussard is out of touch with what is needed to protect U.S. elections and simply not up to the job. At least she spurred a genuine bipartisan effort born of panic over her indifferent work.

Hand her a pink *thank u, next* card, and then ask Weintraub who she'd hire instead.

~ 1 ~

Fire Bureau of Labor Statistics section chief Angie Clinton.

The employment statistics errors resulting in the biggest correction ever of BLS reporting merits a shakeup.

How do you fuck up reporting the number of payroll checks issued this badly for months? Granted, that's an oversimplification but this

is in essence what's needed: counting the payroll paid out and correctly classifying which types of jobs were paid.

If businesses are late reporting the data because we're in a goddamned pandemic, REPORT THAT CAVEAT with emphasis appropriate to the occasion.

This is unacceptable:

In August, when economists expected a strong follow-up to the 943,000 jobs the economy added in July, the BLS announced the U.S. added only 235,000 jobs. Headlines dubbed it a "colossal miss" as job growth took a "giant step back." Two months later, revisions based on additional data showed August jobs grew by 483,000, more than double the anemic original reading. It was the biggest positive revision in almost four decades.

When the incoming data appeared this far off, there should have been some hustle to explain it with a strong caveat.

Businesses of all sizes can't make accurate decisions about their hiring and retention if they are going to receive such deeply erroneous information. How many businesses have been thinking there are unemployed on the sidelines waiting when they've already been hired?

Businesses are now late to rethinking their processes due to a much tighter workforce. How much of this delay looks like supply chain crises?

How much have these errors delayed improvements to supply chain problems when it can take a year more to plan, design, build, install, and implement automation to augment labor? Demand for automation had already been strong before the pandemic; the chip manufacturing problems compound lead times for equipment. Delays because of bad BLS data only exacerbate

challenges.

We can't afford these mistakes. Ditch Clinton.

~ 0 ~

Americans who watched that orange-tinted slack-bottomed mobster masquerading as a legitimate business person for over a dozen years have been trained to expect a chief executive who terminates failures.

Biden as our chief executive needs to not only hire but fire when the people have been failed.

And these three have failed. There are equally or better talented people waiting in the wings who don't have the corrupt conflict of interests DeJoy has or the flop sweaty stink of Trump mole on them like Clinton and Broussard.

Two of these four are Democrats – that's Shana Broussard and Ron Bloom – which should make GOPrs happy that it's not a partisan purge.

Do it, clean house. We demand better. Tell them "You're fired" because their screw-ups are big fucking deals.

~ ~ ~

UPDATE-1 – 10:10 AM ET 19-NOV-2021 –

Well, well, well, would you look at what hit my timeline shortly after 8:00 a.m. today...

Biden expected to replace Ron Bloom, USPS board chair and key DeJoy ally, on postal board

President Biden is expected to announce Friday that he will not renominate Ron Bloom, the chair the U.S. Postal Service board and a key ally of Postmaster General Louis DeJoy, when his term expires next month, according to three people with knowledge of the situation.

The move casts doubt on DeJoy's future at the agency, the people said, who spoke on the condition of anonymity to discuss private conversations.

Excellent. Bloom's term ends on December 8. Let's get a better governor in that seat who respects union labor but also understands the importance of reliable postal service to this nation's competitive standing and to its individual constituents.

This:

Congressional Democrats are still fuming about DeJoy's planned mail slowdowns in the run up to the 2020 presidential election, his past activity as a Republican megadonor and his financial relationship with Bloom. DeJoy between October 2020 and April purchased up to \$305,000 in bonds from the asset management firm where Bloom is a senior executive.

Postal ethics officials have cleared the transaction, and Bloom has told The Washington Post that he receives "no benefit whatsoever" when bonds issued by his company, Brookfield Asset Management, are bought or sold.

Support of First Class mail slowdowns during an election year, with the removal of sorting machines from key locations in blue cities, was absolutely unacceptable and Bloom shouldn't be re-nominated for this reason alone if he supported DeJoy on this change. It's never been clear how Bloom's relationship with the letter carriers' union survived after this change; how did removing those sorting devices improve the lives of unionized postal workers?

The appearance to the public of a conflict of interest should have mattered to both Bloom and DeJoy even if they had clearance from USPS postal ethics officials. At the top of the USPS' food chain they are expected to exert a greater effort to avoid any transactions which could raise questions, and they simply didn't.

[Note to self: look into the postal ethics officials because there's far too little

transparency about this asset management matter.]

A Republican seat on the board of governors will also open along with Bloom's – let's hope there's a rational GOP or another independent out there Biden can appoint to that slot when he names Bloom's replacement.

And then on to excising the wart named DeJoy.

THREE THINGS: UGLY GOES CLEAN TO THE BONE [UPDATE-1]

[NB: As always, check the byline. Updates will appear at the bottom. Thanks. /~Rayne]

Friday we got badly wanted news; we wanted it badly enough we didn't blink at its arrival in the late Friday afternoon news dump zone.

But it wasn't enough. It was only the start, a mere teaser.

~ 3 ~

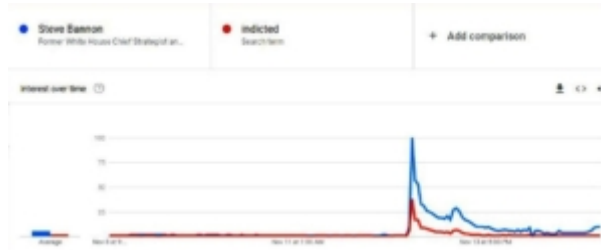
At 3:53 p.m. last Friday, the Department of Justice tweeted the indictment news:

Stephen K. Bannon Indicted for Contempt of Congress

Two Charges Filed for Failing to Honor House Subpoena From Select Committee Investigating Jan. 6 Capitol Breach
<https://t.co/4SxgGiuLNx?amp=1>

3:53 PM · Nov 12, 2021 · Hootsuite Inc.

The internet was paying attention:



...even if Steve Bannon hadn't been.

The news feed at the bottom of Bannon's podcast reads "Federal Grand Jury Indicts Steve Bannon" as Bannon promotes his guest's podcast
<https://pbs.twimg.com/media/FEB1QPpUYAKLVs2?format=jpg&name=small>
 6:01 PM · Nov 12, 2021 · Twitter for iPhone

Rather hubristic to carry on as if he didn't expect to be indicted, but then many of us were beginning to think it would never happen.

Bannon is supposed to surrender himself today, which may be a bit of a circus since Bannon now has a new attorney, David Schoen. Schoen was one of Trump's impeachment attorneys in 2020.

~ 2 ~

The well-meaning sages who insisted things were under control – it was a good sign it was taking nearly a month to indict Bannon, don't be like deplorables, blah-blah-blah – all had their say.

But which is it?

Dear @tribelaw – with respect, you should ease up on your former student, Merrick Garland. Three weeks is actually very fast when it comes to something as consequential as indicting a former senior White House official. We want prosecutors to be careful and thoughtful, not hasty.
<https://twitter.com/tribelaw/status/1459309628236386307>
 9:02 PM · Nov 13, 2021 · Twitter Web App

These things just need more time because DOJ must be cautious?

See who signed this indictment? DC USAO Matthew Graves, who was sworn in on Friday, Nov. 5. Before then, he couldn't be briefed on the Bannon case or review evidence. Tuesday, Nov. 8 was an election day. Yesterday, of course, was a federal holiday. Pretty fast work, I would say.

<https://twitter.com/rgoodlaw/status/1459265746337472513>

5:48 PM · Nov 12, 2021 · Twitter Web App

Or these things just needed this one person who wasn't approved as DC-US Attorney until October 28 and sworn in more than a week later on November 5 to do the thing – which, by the way, took one week from oath to indictment?

Because it sure looks like the entirety of the House January 6 committee's ability to wield its inherent powers on intransigent witnesses was completely dependent on the absence/presence of a single Biden appointee which some jerk like Sen. Ted Cruz could have held up the way he is currently holding our foreign policy hostage with holds on State Department nominees.

Are we supposed to accept with a pat on our heads that our democracy yet again depended on one person's role?

If the DC-US Attorney were to become incapacitated at any time when the January 6 committee refers a contempt charge to DOJ, are we supposed to accept the platitudes "this takes time" or "don't be a deplorable" when nothing happens?

What kind of government continuity is this?

~ 1 ~

Which brings us to the problem of former White House Chief of Staff Mark Meadows who received

communications both Thursday and Friday from the chair of the January 6 committee about his lack of response to a subpoena issued by the committee on September 23.

Using false or misleading claims, Meadows had attempted to spur the DOJ to investigate election fraud claims including a bizarre theory that unknown persons located in Italy used military technology and satellites to remotely switch votes from Trump to Biden. These claims were sent to then-Acting Attorney General Jeffrey Rosen between December and January – after the 2020 election but before the January 6 insurrection.

Meadows was supposed to appear before the committee on October 15 to answer questions about these claims and his role in pushing them toward the DOJ, a week after he was supposed to have furnished documents requested by the committee in relation to these false election fraud claims.

The committee's chair sent a letter last Thursday to Meadow's attorney:

NEW: Chairman @BennieGThompson responds to Mark Meadows's attorney regarding Mr. Meadows's refusal to comply with a Select Committee subpoena:

<https://january6th.house.gov/sites/democrats.january6th.house.gov/files/20211111%20Terwilliger%20Letter.pdf>

6:41 PM · Nov 11, 2021 · Twitter for iPhone

And on Friday the committee emphasized it's going to use the tools available to it to obtain compliance with the subpoena – or else.

Mr. Meadows's actions today—choosing to defy the law—will force the Select Committee to consider pursuing contempt or other proceedings to enforce the subpoena.

<https://january6th.house.gov/news/press->

releases/thompson-cheney-statement-mark-meadows-0

4:41 PM · Nov 12, 2021 · Twitter Web App

Meadow's attorney sent a massively ballsy op-ed to the Washington Post as a rebuttal to the committee's subpoena:

Opinion: In abandoning executive privilege, Biden rejects 200 years of history

George J. Terwilliger III is a partner at McGuireWoods LLP in Washington and previously served as deputy attorney general.

As counsel for former White House chief of staff Mark Meadows, I was surprised and disappointed to receive a letter Thursday informing me that the Biden administration will be the first in history not to resist a congressional subpoena for testimony from a senior White House aide. ...

WaPo treated this like any other conservative's op-ed; no caveat this op-ed may be tampering with an investigation.

Rather interesting how Terwilliger was able to get a 789-word op-ed published at 3:30 p.m. on the same day the January 6 committee issued its letter. This isn't the first time Terwilliger has opined in WaPo about someone involved in the January 6 insurrection though Terwilliger's last op-ed was a defense of former AG Bill Barr's interference in Roger Stone's sentencing. Can't have the GOP's senior ratfucker excessively punished during an election season after all.

Former Nixon White House counsel John Dean didn't think much of Terwilliger's op-ed:

Meadows' lawyer is wrong. This is bad history. Nixon did nothing to block or control subpoenas of his top aides. More

impt: No POTUS can stop anyone from
testifying and to attack them for doing
so is a crime. Meadows is protecting
HIMSELF! Then, Donald!
[https://www.washingtonpost.com/opinions/
2021/11/13/abandoning-executive-
privilege-biden-rejects-200-years-
history/](https://www.washingtonpost.com/opinions/2021/11/13/abandoning-executive-privilege-biden-rejects-200-years-history/)

8:43 PM · Nov 14, 2021 · Twitter for
iPhone

I think I'd put my money behind Dean as to which
of these two attorneys has a better grasp on the
limits of executive privilege.

But it gets worse for Meadows since the soon-to-
be-released book about the January 6
insurrection by reporter Jonathan Karl revealed
yet another memo outlining steps to effect the
autogolpe overthrowing the election.

Meadows had forwarded by email to then-VP Mike
Pence's chief of staff Marc Short a memo
prepared by attorney Jennifer Ellis outlining
the steps Pence needed to take to avoid
certifying the election for Biden until a new
alternate slate of electors for Trump could be
introduced from just enough states to flip the
election to Trump.

A rather pathetic carrot offered to Pence with
the stick to follow on the day of the
insurrection – a threat of violence and possible
assassination by mob because Pence didn't take
the memo as a White House-approved order.

Looks like the number of questions Meadows must
now answer has grown even longer.

~ 0 ~

The title of this post comes from an aphorism
attributed to a favorite writer, Dorothy Parker:
"Beauty is only skin deep, but ugly goes clean
to the bone." Meadows may be more physically
attractive and better dressed than Bannon but
they're both deeply ugly people who represent an

existential threat to American democracy.

~ ~ ~

UPDATE-1 – 10:00 P.M. ET –

Yeesh.

he looks like the drunk, disowned uncle
that got told to leave the family
reunion #ByeSteve
[https://pbs.twimg.com/ext_tw_video_thumb
/1460333203776884736/pu/img/W8A8BIW6s7uR
pwM1?format=jpg&name=small](https://pbs.twimg.com/ext_tw_video_thumb/1460333203776884736/pu/img/W8A8BIW6s7uRpwM1?format=jpg&name=small)

3:30 PM · Nov 15, 2021 · Twitter for
iPhone

For a guy who was simply asked to appear before a House committee to answer some questions about what happened leading up to and on the day of January 6, this guy sure wants his audience to believe he's being uniquely singled out for harassment by a president who both believes in the equal but separate powers inherent to each branch of government, and who believes the DOJ should be independent of the White House. Perhaps Bannon's projecting since he was just fine with Trump's DOJ acting like his personal police force.

Bannon could have just shown up, told the committee on a question by question basis, "I can't answer that because my lawyer said it's under executive privilege as Trump has claimed," and simply gone about his day, coming off cool and collected like someone with nothing to hide.

But no, Bannon has to make a big scene because it's a gift for more money; you know when he said "Stand by," he will likely elaborate soon saying, "Stand by, because I'm going to ask you for help soon," and then he'll point to a link for donations for his legal fund.

Wow, he doesn't even need to claim he's building a border wall this time.

THREE THINGS: NO, NO, AND HELL TO THE NO, NYT

[NB: Check the byline, thanks. /~Rayne]

They can't stop the bullshit. It's in The New York Times' DNA. Why should we trust their newsroom when the editorial page is full of crap created from distorted news?

I hope the better op-ed writers have backup plans because at some point they have to ask themselves why they want to be associated with idiots for neighbors...

~ ~ ~

Two words probably tell you most of the problem without elaboration: Maureen Dowd.

"Many who were sick of Trump chaos and ineptitude are now sick of Biden chaos and ineptitude. Scranton Joe was supposed to be the sensible, steady one,"

@MaureenDowd writes.

<https://www.nytimes.com/2021/11/06/opinion/sunday/democrats-elections.html> 5:20

PM · Nov 6, 2021 · SocialFlow

Look, when a white person uses the word "woke" as a pejorative adjective you should walk away because they are fucking racist.

It's that simple.

Which means you should walk away from BOTH MoDo and the person she allowed to vent their racist spleen, James Carville. The latter who once was a respected Democratic political consultant when Clintonian third-way ideology and its emergent

neoliberalism walked the earth, needs to retire his big fat trap because the 1990s have been over for more than two decades. He clearly has no grasp of racism's toll on Black Americans including the constant erasure of their oppression, even though Black women in particular are the most reliable Democratic voters. (Not to mention the average Millennial and Gen Z Democrat would have a difficult time recognizing the old coot.)

Read this article by Aja Romano at Vox on the history and use of "woke." This exhortative word of caution and awareness has belonged to the Black community, and bled into progressive activists' use because of the overlap between Black activists and progressives.

Like the word "liberal" and the framework of critical race theory (CRT), the right-wing has now seized "woke" to poison it and make it toxic, to discourage its wider exhortative use to beware racism's threats and racists.

When it's used by whites who are neither Black and/or progressive, who are not activists advocating for their intersectional human rights, it's amplification of the same poisonous effect and the same underlying racism.

I find the argument that the woke left controls all of America's major cultural institutions unpersuasive given the evidence.

These are all from NY Times in the last 24 hours.

7:41 AM · Nov 10, 2021 · Twitter Web App

Oh look, it's that tool Bret Stephens doing his duty once again for the right-wing, this time bolstering the promulgation of racism by the rest of NYT's editorial page combined with bashing intersectional anti-racist progressivism.

Just walk away from these asses.

~ ~ ~

Contrast and compare: here's the opinion editorials at the Los Angeles Times on November 10 and today.



And the Washington Post from today.



While there are the spot annoying bad actors like Marc Thiessen at WaPo helping push the toxification of CRT, there's a better mix of opinions not intent on poisoning left of center ideology compared to NYT which has persistently offered a home to crap like Maureen Dowd's closeted racism and Bret Stephen's more overt racism.

[Disclosure: I have subscriptions to WaPo and LAT – guess why.]

~ ~ ~

And then the news page...perhaps it didn't make it into an NYT article, but this tweet by Maggie Haberman which has now been deleted displays a weakness for amplification of right-wing crap without validating it first. Thank goodness this garbage didn't make it into a news piece (that we know of so far).



I wish I'd taken a screen shot of the original tweet when I first saw it, before it was deleted. It's only available now in the Internet Archive and without the link to the original crappy story she had retweeted with comment – an article at New York Daily News which made a false claim about Black Lives Matter activists without checking first to see if the sources they relied upon were in anyway associated with BLM.

Haberman made a claim in this reweet-with-quote without first verifying who Hawk Newsome is, assuming NYDN did their work.

Uh, no; it's as if Haberman never heard the old journalists' aphorism, "If your mother says she loves you, check it out."

Worse, it's as if Haberman would accept Trump's word and stick with it long after he was disproven. Newsome is NOT affiliated with BLM and cannot speak for them; BLM had to issue a statement about this a year ago June when Trump used Newsome as a mouthpiece.

If you are white and a journalist, unless you have been very close to BLM and covering it regularly as part of your beat, DO NOT MAKE ASSUMPTIONS about the movement's members; validate your sources' relationship and authority for authenticity and accuracy.

Jesus Christ, it's a well-known Russian active measure to use racism in this country as a wedge to increase political tension, with BLM in

particular a target of their efforts.

Unless, of course, you enjoy being used by foreign influence ops as a useful idiot and don't mind further trashing your credibility.

~ ~ ~

Institutionalized systemic racism doesn't always look as obvious and egregious as it does in the Rittenhouse trial. Sometimes it just looks like laziness by journalists and contributors who are privileged by their circumstances. And sometimes it looks like readers who can't be arsed to recognize and call out that racism based in easy material which satisfies a majority white audience.

MINORITY REPORT: BOTHERATION BENEFITS BANNON

[NB: Check the byline, thanks. /~Rayne]

At the risk of annoying the rest of Team Emptywheel – especially our resident attorney and in part because I'm not a lawyer myself – let me offer a minority report and note we have a serious problem.

You'll recall one-time Chief Strategist and Senior Counselor to then-President Trump Steve Bannon refused to answer a subpoena issued by the House January 6 committee.

You'll also recall that the House then debated and voted on a charge of contempt of Congress.

The House then referred the charge once passed to the Department of Justice.

Many Americans are disappointed that Bannon is still out walking around as if U.S. laws don't apply to him. It doesn't help matters that Trump

pardoned Bannon for conspiracy to commit mail fraud and money laundering, a pardon which has the appearance that it may have been intended as payback and as advance compensation for helping to organize the January 6 insurrection.

And now those Americans are even more disappointed that Bannon has now blown off Congress without any repercussions so far. It's not obvious to the public why it takes so long to bring the scruffy bucket of excess shirtage, whiskers, and pudge to answer their representatives' questions.

Bannon is thumbing his nose at the American people and they know it.

~ ~ ~

Persons who've worked in federal law enforcement insist the Department of Justice is working on this and the rule of law simply takes time, chiding us not to be like those people, implying behavior like the "deplorables" who chant "Lock him up!"

"We want a system of govt in which the rule of law works, not one that responds to crowds that loudly chant "lock him up"..while it's not easy to live thru the struggle to restore a functioning democracy, the hard work & even the waiting are worth doing"

<https://t.co/hMQXv9dw00?amp=1>

8:19 AM · Nov 9, 2021·Twitter for iPhone

Except the American people have seen justice work too rapidly and unfairly for those who aren't privileged. They expect a reasonable effort to effect justice speedily; justice delayed is justice denied. The tick-tock has been annoyingly like water torture – drip, drip, drip wearing on stone:

July 1 – Six months after the insurrection the House January 6 committee was approved and formed.

September 23 – It took two and a half months to subpoena Bannon who had been an advocate if not an organizer for the rally on January 5 and 6.

October 8 – President Biden refused to exert executive privilege over documents requested from the National Archives by the committee.

October 8 – Bannon was supposed to testify October 14 but his lawyer communicated on October 8 to the committee Bannon would not comply with the subpoena because former president Trump exerted a claim of executive privilege.

October 14 – Bannon does not report to the House committee.

October 19 – The committee began the process to hold Bannon in criminal contempt on the date Bannon was supposed to testify; the committee voted unanimously on October 19 to hold Bannon in contempt.

October 21 – Congress approved the charge on October 21 so that the charge could be referred to the Department of Justice.

October 25 – President Biden again refused to exert executive privilege over documents requested from the National Archives by the committee. No privilege has been claimed by Biden with regard to Bannon.

The public has *seen* no concrete action by DOJ in response to the contempt charge against Congress – a charge which should result in arresting Bannon, taking him into custody, and charging him with contempt until he complies.

23 days later, what the public sees is Bannon still doing whatever he does on any average day besides shave.

And the folks who've worked in law enforcement continue to say this simply takes time.

~ ~ ~

Except Congress itself is irritated, if Rep. Connolly's opinion is more widely shared among his colleagues:

"I think the Justice Dept. takes too long and I think the courts take too long... We need to be getting things done in real time. People died because of the conspiracy that these people were involved in to overturn the election" – @GerryConnolly w/ @NicolleDWallace
<https://twitter.com/i/status/1457855531725557766>

6:40 PM · Nov 8, 2021 · Wildmoka

Congress members have good reason to be irritated; if DOJ couldn't see ahead from Day One of the Biden administration that some Trump administration officials, staffers, and other supporters would resist a Congressional investigation into any allegation of Trump or Trump-adjacent wrongdoing, they had to be naïve or grossly incompetent. The impeachment investigations gave ample examples of what would happen and hinted at worse.

DOJ could at least have made an effort to *appear* ready to deal with intransigent witnesses. It's not as if DOJ is unaware the public is bombarded with messaging all day long and in the absence of official messages, poor messaging will embed in the public's consciousness.

The DOJ also has no good excuse for failing to execute the contempt charge. Congressional Research Service has at least twice in the last decade examined Congress's ability to execute subpoenas and inherent contempt – the research has been done, it's all neatly spelled out. Vet it if necessary but it's pretty straightforward.

The biggest single reason DOJ shouldn't dally is that it cannot question Congress's speech or debate. An attack on the Capitol Building while Congress was in session is the most obviously legitimate reason for the House to issue a

subpoena. Congress must know as part of its necessary speech and debate what happened leading up to and during the attack in order to:

(2) identify, review, and evaluate the causes of and the lessons learned from the domestic terrorist attack on the Capitol regarding—

(A) the command, control, and communications of the United States Capitol Police, the Armed Forces, the National Guard, the Metropolitan Police Department of the District of Columbia, and other Federal, State, and local law enforcement agencies in the National Capital Region on or before January 6, 2021;

(B) the structure, coordination, operational plans, policies, and procedures of the Federal Government, including as such relate to State and local governments and nongovernmental entities, and particularly with respect to detecting, preventing, preparing for, and responding to targeted violence and domestic terrorism;

(C) the structure, authorities, training, manpower utilization, equipment, operational planning, and use of force policies of the United States Capitol Police;

(D) the policies, protocols, processes, procedures, and systems for the sharing of intelligence and other information by Federal, State, and local agencies with the United States Capitol Police, the Sergeants at Arms of the House of Representatives and Senate, the Government of the District of Columbia, including the Metropolitan Police Department of the District of Columbia, the National Guard, and other Federal, State, and local law enforcement agencies in the National Capital Region

on or before January 6, 2021, and the related policies, protocols, processes, procedures, and systems for monitoring, assessing, disseminating, and acting on intelligence and other information, including elevating the security posture of the United States Capitol Complex, derived from instrumentalities of government, open sources, and online platforms; and

(E) the policies, protocols, processes, procedures, and systems for interoperability between the United States Capitol Police and the National Guard, the Metropolitan Police Department of the District of Columbia, and other Federal, State, and local law enforcement agencies in the National Capital Region on or before January 6, 2021; and

(3) issue a final report to the House containing such findings, conclusions, and recommendations for corrective measures described in subsection (c) as it may deem necessary.

All of which is part of Congress's legislative purview.

Nor should the DOJ find a way to punt to the judiciary since the court has already repeatedly agreed that under Article I, Section 8, Clause 18, Congress's implied powers of investigation are essential to its ability to legislate – and subpoenas are part of that power to investigate.

As for the excuse given by Bannon for not complying with the subpoena: executive privilege belongs to the office, not the person. The current executive has so far declined to exert privilege over anything Bannon provided to Trump during the eight months Bannon was a federal employee and adviser to Trump. There's no executive privilege over any acts Bannon exerted as a private individual on behalf of candidate

Trump's campaign; Bannon can avail himself of his Fifth Amendment rights when questioned by the January 6 committee as he and his attorney feel appropriate.

~ ~ ~

The charge is dirt simple and obvious: Bannon didn't comply with the subpoena, violating 2 USC 192 – Refusal of witness to testify or produce papers, and 2 USC 194 – Certification of failure to testify or produce; grand jury action. He's not the executive, nor is Trump the executive, and the current executive has made no claim, making Bannon's claim of executive privilege at Trump's request invalid.

The January 6 committee is investigating a domestic terrorist attack upon the United States Capitol Complex, interfering with government operations. Though fewer deaths resulted, it's a crime on par with 9/11 in that terrorists attacked the United States with intent to disrupt our government – or worse, since it was an attack directly on the people's representatives with the intent to overthrow the government (through an autogolpe).

Should we really expect the public not to get antsy about the *apparent* lack of action given the seriousness of the crime and the persistent inability of the House to consistently obtain compliance from witnesses under both the 116th and 117th Congress?

Should we really expect the public not to be itchy when the current Attorney General admits to having been insulated by “the monastery of the judiciary” for years (an approximate paraphrase of an analogy Garland made during during an October 4 interview with Jane Mayer of The New Yorker)?

Should we really expect a majority of the American people not to be concerned about the length of time it takes to arrest and detain a white male investment banker and media executive who was Trump's adviser, when they elected this administration to both undo the damage of the

Trump years AND restore faith in their government?

THREE THINGS: NORTH BY EAST BY NORTHEAST ON JANUARY 6

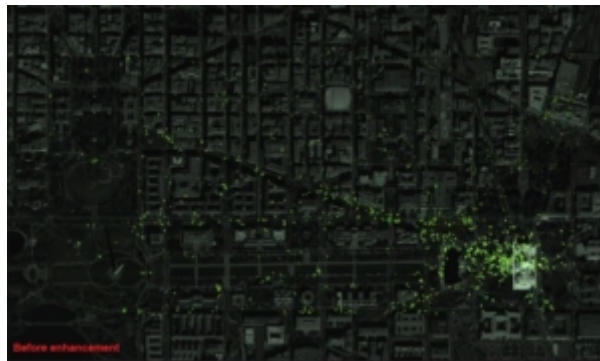
[NB: Check the byline, thanks. /~Rayne]

While Marcy has the prosecutions of January 6 perps admirably handled, there are a few things which have niggled at me as the investigations into the insurrection have progressed.

Maybe they're something; maybe they're nothing. What do you think?

~ 3 ~

In the early days after the insurrection, a few of the better pieces of reporting looked at the location and timing of the mob. I'd snapped screenshots from one report in particular but I should have done more since the original report no longer contains the key interactive feature without any note it was pulled/killed. I can't pull up the video any longer from which I pulled this screenshot – here is the original as snapped and an enhanced version tweaked for color balance, gamma, and saturation.





In this snap from a representation of cell phone users moving toward the Capitol on January 6, note in particular at the northeast of the Capitol Building a dense cluster of cell phone signatures.

The cluster isn't highlighted like the mass of rioters who moved from the Ellipse toward the Capitol, but the signatures are dense.

You'll note the location is at/near Columbus Circle where people will catch transportation, but the cell phone traffic didn't appear to move toward the circle after the speeches were done at the Ellipse; it was very focused on moving toward the Capitol.

Nor was there cell phone traffic moving toward the Capitol South Station for transportation though the area may have been closed to through traffic.

Who were these people and why were there so many in that one north-northeast location as the Capitol was assaulted? Is there a benign explanation like people waiting for rally/insurrection participants, or is there another explanation?

~ 2 ~

Dr. Jack Brown, who does body language analysis, performed an analysis of surveillance photos and video which captured the perp who left the improvised explosive devices near the Democratic National Committee building and the Capitol Hill Club on the evening of January 5. It's worth your time to visit this threaded study.

1/ THREAD: Body Language Analysis No.
4622: FBI and Washington Post Videos of
Washington DC Pipe Bombing Suspect – 5
January 2021
<https://youtu.be/DVGedQ17XqI>
#BodyLanguage #BodyLanguageExpert
#EmotionalIntelligence #PipeBomb
#DCPipeBomber

11:07 PM · Sep 22, 2021 · Twitter Web App

I can't help thinking after looking at images and video of the perp that this was a woman wearing shoes which may not have been hers, but perhaps my perception is off.

One really important detail came up in this analysis which I know I'd missed before and perhaps reporters did, too: earlier reporting by multiple media outlets said the second IED had been placed at the RNC building (located at 310 First St SE, Washington, DC), not the Capitol Hill Club (located at 300 First St SE, Washington, DC). What's the story here? Is it important that the perp targeted the *Capitol Hill Club* and not the RNC?

One other detail which I don't recall being reported before the Washington Post's huge investigative spread was the existence of a third suspicious package which hasn't been called an IED or bomb, located at the Supreme Court building which is located directly east of the Capitol Building.

The DNC offices are south of the Capitol while the Capitol Hill Club is to the southeast. Had the IEDs at these sites detonated, law enforcement (and National Guard if they were summoned) may have swarmed to the location of the IEDs. If the suspicious material at the Supreme Court building was an IED, that would also have drawn first response personnel away from the Capitol. All three combined would have left the east side of the Capitol even more lightly defended than it was.

Not to mention the chaos such blasts would have created among mob members who weren't in on a possible conspiracy behind the bombs.

All of which makes the congregated cell phone signatures to the northeast of the Capitol Building off First Street more intriguing.

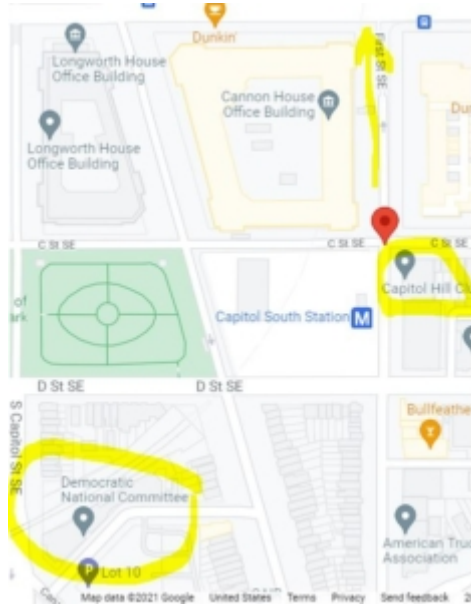
~ 1 ~

Long-time emptywheel community member harpie has done yeoman's work pulling together timeline content related to January 6 events. In a comment last night she pointed to the parking place of Alabaman Lonnie Coffman who has accepted a plea agreement related to a 17-count indictment related to weapons and explosives found in his pickup truck on January 6.

You may recall the truck had guns and Molotov cocktails in it. Reporting mentioned that the truck was found during a search around the area where the IEDs had been found:

... According to charging papers, police spotted weapons in his red pickup while searching an area of Capitol Hill that had been sealed off because unexploded pipe bombs had been reported near the headquarters of the Republican and Democratic parties minutes before the mob assault began about 1 p.m. ...

The curious thing about this truck which caught my eye was its parked location: 301 First Street SE. That's between the DNC offices and the Capitol Hill Club as you'll note on this map:



This parking address denoted by the red flag is next to the Capitol Hill Club.

It's also directly south on First Street from whatever was going on with that cluster of cell phones to the northeast of the Capitol Building.

Curiouser and curiouser.

Coffman's plea agreement was sealed, by the way:

... In a 24-page decision, Kollar-Kotelly found that sealed government filings and his cache of weapons "convincingly demonstrate[d]" his planned intentions to disrupt Congress in potential coordination with others. The judge did not say that coordination was realized.

...

Coordination? Or conspiracy?

~ 0 ~

I can't help wondering if there was a Quick Response Force waiting at Columbus Circle for some triggering event less than a mile south along First Street SE.

Were the Molotov cocktails not meant to be thrown but part of an in-place fiery signal in a sacrificed truck parked between the location of

two IEDs? Or were they meant to be used on whomever responded to calls had the IEDs detonated?

It will be a long wait before we find out. Plenty of food for thought in the mean time.

Thanks to harpie for all the bits and pieces!

NOT-SO-CASUAL WATER: INSURANCE FRAUD ALLEGED AT TRUMP- WESTCHESTER

[NB: Check the byline, thanks. /~Rayne]

Hope you were able to get out on the links this weekend if you're a golfer and your local weather was good. The season here in Michigan is wrapping up this week or next from the looks of things.

Wonder when the course will close at Trump National Golf Club Westchester this year, if it hasn't already?

Rolling Stone published another piece about the course; this time ex-employees dished about insurance claims made related to flooding at the course in 2011.

Recall that Trump reported in FEC financial filings that Westchester was worth an estimated \$50 million.

Trump org fought with the local tax authority, insisting the course should have an assessed value of \$1.4 million – much lower than the fire sale price of \$7.5 million Trump paid for the course in 1996 when it went into foreclosure.

But the former insiders said Trump org claimed a loss of \$1.3 million due to flooding in 2011.

There's no indication at all that the golf course's business was disrupted by the flooding, which one might think was likely if half or more of the course had been so badly damaged.

The local municipality sued Trump because of damage caused by changes to his course which disturbed water flows. It's pretty obvious from a Google Maps terrain view that the water flows toward the municipality of Briarcliff from the Trump course so Trump and his organization can't say they couldn't have anticipated a problem in the event of heavy rains.



That top red arrow points to the area nearest the intersection of Pleasantville Road (Nw to SE, east side of course) and State Road (ends at Pleasantville Road, runs NE to SW). Google Streetview images show the street surface on State Road near the intersection has been repaired and worked over at some point since 2009.

If you're just Joe Duffer out on the course, you can see the manufactured water features – specifically two waterfalls denoted by red arrows – which must rely on water level being artificially maintained along with drainage in case of overflow. The creek and wash area have two feature cart bridges over them under which excess water should flow east in the direction of the red arrow. The waterfalls aren't

attractive unless the water is kept up high which means any extra water from surfaces like parking lots and fairways draining toward the pond will overflow rapidly into a wash which ends...????



Somewhere under Pleasantville Road I hope there's a big drain.

On the east side of Pleasantville Road is the Walter M. Law Park and the Briarcliff Manor Public Library. The park includes tennis courts, a swimming pool, a baseball diamond, and a pond which looks like it might be fed from water coming from under Pleasantville Road.

In 2011, floodwaters damaged the park area, causing heartburn for the local municipality:

The dispute began not long after a series of storms on June 23, 2011, dumped 5 inches of rain on the region. Waters swamped the village's Law Memorial Park swimming pool and deposited silt about a third of a mile from the course, next to the Briarcliff Manor Public Library. Also flooded were the playing fields behind the swimming pool, where a geyser gushed from a manhole whose cover popped up from the drainage system blockage.

Briarcliff Manor met with Trump org several times about the damage and reparation. After hashing over the problem fruitlessly it billed Trump org \$238,000 for the damage done because Trump's course had made "unauthorized alterations" to the watercourse which elevated the waterfall ponds' levels by up to six feet.

Trump org denied doing anything to cause the problem, leaning into the argument that the rain was an unanticipated 300-year flood event.

Neighbors of the golf course were further upset by Trump's balking at the property value assessment when Trump org argued the course owed only \$47,000 and not \$470,000 based on the much lower property value of less than \$2 million.

That lower property tax amount is audacious considering Trump's financial henchman Alan Garten claimed the flooding of the public park occurred because "...a drainage pipe under the village fields was clogged. It was clogged because the village [Briarcliff Manor] was too cheap to put up a grate to prevent rocks and boulders from coming in."

(Where would the money come from, Garten? Tax revenues?)

What was it, then, the Trump org claimed against its insurance coverage compared to what they paid? Were the claims under investigation in relation to the 2011 flooding? Were they also in relation to more recent flooding due to high water levels from Hurricane Ida in August this year?

Or were there other claims we don't know about yet?

What were the real terms of the settlement Trump org made with the local taxing authority, the Ossining Board of Assessment Review, when the Rolling Stone said,

The Trump Organization ultimately paid the town \$50,000 to settle the lawsuit but, under the terms of the settlement, did not admit any wrongdoing, according to a copy of the settlement obtained in a request made under New York's Freedom of Information Law. The settlement came on July 12, 2016, a few days before Trump accepted the Republican nomination for president.

50 grand seems suspiciously light when the engineering analysis to assess the problem and determine a solution likely cost the municipality more than that amount.

The timing is even more suspicious – how convenient the problem was resolved right then, before Trump's campaign began in earnest.

The specifics of the agreement remain a mystery which seems to be par for this course and Trump's organization.