

# Democrats Are Hoping This Is Watergate—But in Reality Comey's Testimony Turned Out to Be a Huge 'Nothing Burger'

Many were anticipating that #ComeyDay would be the most monumental congressional hearing in decades, but the truth is that it turned out to be quite a dud. During two and a half hours of testimony in front of the Senate Intelligence Committee, former FBI Director James Comey didn't tell us anything that we don't already know. Of course liberal news outlets such as CNN are breathlessly proclaiming that we are now "in Nixon territory," but that isn't accurate at all. There is absolutely no evidence that President Trump committed any crime, and there is absolutely nothing that warrants impeachment.

And I am far from alone in that assessment. For example, an analysis published by CNBC says that nothing in Comey's testimony was "powerful enough to end the Trump presidency literally or figuratively."

*"Former FBI Director James Comey's Senate testimony Thursday will indeed have a big political impact in Washington. It will foster more partisan bitterness and more bad feelings about our political process and news media. **But none of his testimony rises to the level of anything legally powerful enough to end the Trump presidency literally or figuratively.***

*The bottom line is that Comey spent a few hours Thursday telling the Senate committee that he felt uncomfortable and even stunned by President Trump's behavior. And he peppered that narrative with numerous damaging statements about the president's behavior and character, including basically*

*calling him a liar"*

When Comey accused Trump of being a liar, that certainly made a lot of headlines, but unless you are under oath, it is not a crime to lie.

Perhaps we should make it a crime for our politicians to lie, because if we did we would clean out the toilet that Washington D.C. has become rather quickly. But as it stands, even if Trump is a low-down dirty liar as Comey is claiming, that would simply put Trump on the same level as most of the current members of Congress.

The much more important question is whether or not Trump committed obstruction of justice. Fortunately for Trump, there is a very clear answer to that question.

First of all, we must remember that Trump was Comey's boss. As chief executive, Trump has constitutional power to direct the activities of his subordinates, and he is free to fire them whenever he chooses. So, as Alan Dershowitz just pointed out on CNN, Trump cannot be impeached for simply exercising his constitutional authority.

*Renowned Harvard professor and legal mind Alan Dershowitz sparked quite a reaction during a CNN segment on Wednesday night after he proclaimed that former FBI director James Comey's prepared testimony indicates that President Donald Trump didn't commit any crimes.*

*Dershowitz argued that Trump "could have told Comey, 'You are commanded, directed to drop the investigation against [Gen. Michael] Flynn,'" but noted that he didn't do so, according to Comey's prepared testimony that was published on Wednesday.*

*The famed attorney also said Trump could have pardoned Flynn as well, but also chose not to do so. In the end, he*

*concluded that there appears to be no criminal activity on the part of the president, particularly when it comes to obstruction of justice claims.*

Traditionally, the FBI has operated in a highly independent manner, but there is nothing in the law that gives the FBI independent status.

If Congress wants to pass a law to remove the FBI from being under the president's authority they can certainly do that, but as it stands what Trump did was fully within the law.

But even if Trump didn't have the authority, there would still be no obstruction of justice. The two most important federal statutes that cover obstruction of justice are 18 . § 1503 and 18 . § 1505. In both cases, it would be exceedingly difficult for prosecutors to prove that Trump acted "corruptly" in this case. Not only that, there was no "proceeding" that Trump was trying to influence. For a more extended analysis, please see the article that I posted yesterday entitled "Even if Everything James Comey Is Claiming Is True, There Is Still No Evidence That Trump Is Guilty of Any Crime".

If Comey is being straight with us—and at this point his credibility is pretty much shot—but if he is being straight with us, there is still nothing that is going to end Trump's presidency.

What Trump did may have been inappropriate, but you don't impeach a president for being inappropriate.

In the aftermath of Comey's testimony, Trump's attorney said that the president feels "completely and totally vindicated."

*President Donald Trump's private attorney, Marc Kasowitz, on Wednesday said his client felt "completely and totally vindicated" by James Comey's prepared opening statement to the Senate Intelligence Committee.*

*Comey's remarks, released Wednesday in advance of Thursday's Senate hearing, confirmed previous statements by Trump that Comey had told him three times that he was not personally being investigated amid the FBI's wide-ranging inquiry into Russian meddling in the election and the Trump campaign's possible ties to Russia.*

Personally, I hope that this whole "scandal" will go away now. There never was anything to it in the first place, and the American people want a government that is going to focus on solving problems instead of focusing on investigations that were doomed to go absolutely nowhere from the start.

But even if this Comey angle doesn't work out, the Democrats will just keep on trying. In fact, the Huffington Post is already starting to promote the theory that Trump's withdrawal from the Paris climate agreement is an impeachable offense.

In the end, the Democrats are never going to give up until they find something that they can use against Trump. What I am hearing is that they are going to make an all-out push to take back the House and the Senate in 2018, and if they can do that they plan to use their congressional majorities to get rid of Trump one way or another.

This is just another reason why the 2018 mid-term elections are going to be the most important mid-term elections in modern American history, because if the Democrats have their way, Trump will never even make it to 2020.