

# ON BACKGROUND CHECKS FOR TRUMP APPOINTEES, THE MAGIC NUMBER IS “FOUR”

Yesterday, Hugo Lowell reported that Trump wants to bypass FBI background checks until he has gutted the FBI.

Trump officials to receive immediate clearances and easier FBI vetting  
Exclusive: president-elect's team planning for background checks to occur only after administration takes over bureau

Donald Trump's transition team is planning for all political appointees to receive sweeping security clearances on the first day and only face FBI background checks after the incoming administration takes over the bureau and its own officials are installed in key positions, according to people familiar with the matter.

The move appears to mean that Trump's team will continue to skirt FBI vetting and may not receive classified briefings until Trump is sworn in on 20 January and unilaterally grant sweeping security clearances across the administration.

Trump's team has regarded the FBI background check process with contempt for months, a product of their deep distrust of the bureau ever since officials turned over transition records to the Russia investigation during the first Trump presidency, the people said.

But delaying FBI vetting could also bring ancillary PR benefits for the Trump team if some political appointees run into problems during a background

check, which could upend their Senate confirmation process, or if they struggle to obtain security clearances once in the White House.

In the days before this story, as I laid out here, up to five Senators have spoken with various degrees of fortitude in support of requiring FBI background checks before confirming any Trump appointee. Lisa Murkowski did so in an Alaskan interview. Then the Hill quoted four Senators at least expressing support for background checks, with Susan Collins, Kevin Cramer, and Mike Rounds joining Murkowski in questioning the value of a private firm's review as opposed to the FBI's.

"The FBI should do the background checks, in my judgement," said Sen. Susan Collins (Maine), who serves as the ranking Republican on the Senate Appropriations Subcommittee on Defense and as a senior member of the Senate Intelligence Committee.

Sen. Kevin Cramer (R-N.D.), a member of the Senate Armed Services Committee, argued that the FBI has access to information gathered by law enforcement on the federal, state and local levels that private firms don't.

"If you wanted to supplement it with a private firm, I'd say OK. But the FBI does have access to information that probably a private firm wouldn't have, even a really good savvy one," he said.

Cramer said a private firm could help the FBI in its background investigations, but he "sure wouldn't leave it" entirely outside the FBI's hands.

[snip – click through to see Murkowski's comments]

Sen. Mike Rounds (R-S.D.) said not

having the FBI conduct background checks for high-level nominees by the time Trump formally appoints them next year “would come under scrutiny at the congressional level.”

He said lawmakers “would want to know the validity of those individuals doing the background checks.”

“Just because the White House doesn’t request a background check out of the FBI wouldn’t then mean perhaps some committees might not ask for it,” he said.

A different Hill story, which focuses on Scott Caucus member Bill Hagerty scoffing at the value of background checks, also quotes Joni Ernst saying FBI checks would be “helpful,” at least for Pete Hegseth.

Other Senate Republicans, however, say the FBI should retain its leading role in conducting background checks, and Sen. Joni Ernst (R-Iowa), a member of the Armed Services Committee, says an FBI background check of Hegseth would be “helpful.”

I get that Susan Collins has a history of backing down from principles she claims to care about. I get that some of these statements are squishy. It is also true that right wingers are already targeting Murkowski’s more categorical statement as some kind of Deep State plot.

But even as the pressure on Murkowski ratchets up, those seeking to prevent the wholesale takeover of the government by conspiracy theorists need to understand that it will take more than journalism about the risks of entrusting the intelligence community to a woman who finds Bashar al-Assad persuasive and the largest military in the world to a guy slathered with white supremacist tattoos (though experts have pointed out that for some of these

positions, a proper vetting would require further intelligence involving).

It requires convincing four Republicans in the Senate to insist on doing the bare minimum by requiring background checks. In a 53-47 Senate, any four Republican block of voters, joining the Democrats, would be enough to thwart Trump's crazier plans.

Want proof that can work? After four Republicans (and then six) came out against Matt Gaetz' nomination, Trump conceded he didn't have and never would get the votes.

Realizing this – understanding that the Magic Number to guard against Trump's crazier plans is four – makes things both easier, and harder. Easier, because we know that only a quarter of Senate Republicans (including Hagerty) will reflexively support everything Trump does, at least as measured by support for Rick Scott over one of the more institutionalist Senate Majority Leader candidates. And harder, because most of these people have a history of caving and Trump will bring a great deal of pressure on them to do so again.

But that's no reason to cede the fight ahead of time. On the contrary, it's all the more reason to spend the time, now, to call Republican Senators who might demand background checks – to call *your* Republican Senator – and insist that exercise at least that minimum level of due diligence for the most powerful positions in government.

Get used to that magic number, four. Because trying to persuade four-Senator blocks of Republicans to oppose something is one of the most obvious ways to protect the country.