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post-nation

**An illegal immigrant killed a woman and was used to justify Trump's wall. Now he's on trial. ; The trial of Jose Ines Garcia Zarate, accused in the 2015 shooting death of Kathryn Steinle, began this week in San Francisco.**

By Kristine Phillips

1,180 words

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English

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The slaying of Kathryn Steinle, who authorities say was killed by an illegal immigrant with a criminal past, became a rallying cry for President Trump as he pushed for hard-line immigration policies.

As a candidate, he said Steinle's killing is "yet another example of why we must secure our border immediately." As president, he stood in front of an energized crowd in Ohio last summer, vowed to crack down on "sanctuary cities," and called for the Senate to pass legislation that bears Steinle's name.

Now, more than two years after the 32-year-old woman was shot while walking along San Francisco's Embarcadero, the political debate spurred by her killing has subsided, as Trump and Republican lawmakers struggle to achieve a major legislative victory.

But inside a San Francisco County courtroom, the debate is far from political.

At the end of the murder trial of Jose Ines Garcia Zarate, who has acknowledged shooting Steinle, jurors must decide whether he intentionally opened fire at a crowd at Pier 14 on the evening of July 1, 2015, striking the young woman, or if the .40-caliber pistol he was holding accidentally discharged.

"He knew he had a gun," Deputy District Attorney Diana Garcia said in her opening statements Monday, the San Francisco Chronicle reported. "He meant to conceal it from people. He meant to shoot it at people. He meant to shoot it at people, and he shot Kate Steinle."

The prosecutor said Garcia Zarate, also known as Juan Francisco Lopez Sanchez, ran after the shooting and threw the weapon into the water. He was arrested shortly after. The gun had been stolen earlier from the unlocked car of a U.S. Bureau of Land Management ranger, authorities said. Garcia Zarate was not charged in the theft.

Public defender Matt Gonzalez said Steinle's shooting was not deliberate, but rather the result of a "freakish ricochet" of a bullet.

Gonzalez said someone else wrapped the weapon in a T-shirt and left it under a bench at the pier. Garcia Zarate, a homeless man with a second-grade education, then stumbled upon it, and as he was unwrapping the gun, it accidentally discharged, Gonzalez said in his opening statement.

"He did not know he was handling a firearm," Gonzalez said, according to NBC affiliate KNTV.

Steinle fell to the ground as the bullet pierced her aorta. Her last words were to her father, James Steinle, who was walking with her that evening.

"Help me, Dad," she said.

If found guilty of second-degree murder, Garcia Zarate could face 15 years to life in prison.

That a young woman was killed by an illegal immigrant with seven previous felony convictions and who had been deported five times did not get lost in the political debate after Steinle's death. Nor was the fact that the shooting happened in a "sanctuary city", where local officials released Garcia Zarate from custody just days before Steinle was shot.

Around the time of Steinle's killing, Garcia Zarate had just finished a nearly four-year federal prison sentence for illegally reentering the country. He was turned over to San Francisco law enforcement officials because of an outstanding warrant for a marijuana-related charge that was immediately dismissed. Local authorities later released him, despite a request from federal immigration officials to keep him in custody because of his status, according to a wrongful-death lawsuit filed by Steinle's family.

Former San Francisco County sheriff Ross Mirkarimi said the city's sanctuary status prevented local law enforcement from cooperating fully with immigration officials. But the backlash over the decision to release Garcia Zarate resulted in Mirkarimi's reelection defeat last year, according to the Chronicle.

Speaking at a rally in Youngstown, Ohio, in July, Trump invoked Steinle's shooting and called for the Senate to pass the legislation known as Kate's Law, which would enhance penalties for convicted and deported criminals who reenter the United States illegally. The House had just passed it, along with a bill that would bar sanctuary cities from receiving federal grants. But both bills have been stalled in the Senate since late June and appear to have little chance, if any, of passing.

Earlier versions were introduced after Steinle died, but none made it through the Senate.

Kate's Law has floundered in the Senate, where Republicans need at least eight Democratic votes to pass a bill. Muzaffar Chishti, director of the Migration Policy Institute's office at New York University School of Law, said unless that dynamic shifts, it's unlikely that a bill on an emotionally charged and divisive issue would become law, particularly at a time when Trump and Congress need to rally around a more unifying priority such as tax revision.

RJ Hauman, government relations director for the Federation for American Immigration Reform, a group that advocated for the legislation, agreed that both Kate's Law and the sanctuary cities bill are unlikely to draw support from Democrats. He also slammed Senate Majority Leader Mitch McConnell (R-Ky.) for not scheduling the two immigration bills for a debate and a vote.

"All senators need to be put on notice that there is no constituency for protecting criminal aliens at the expense of public safety and that blocking these bills will come at a high political cost," Hauman said in a statement.

David Popp, McConnell's spokesman, said he does not have a schedule yet on when the two bills will be called for a vote. He said that McConnell supports the bills and that he called a vote on earlier versions of them last session, but both were blocked by Senate Democrats through a filibuster.

Chishti said it's likely the ship has sailed for Congress to pass stand-alone legislation like Kate's Law or the sanctuary cities bill, unless they're incorporated into a broader immigration bill. Because the Trump administration, through Attorney General Jeff Sessions's Justice Department, has made cracking down on illegal immigration and sanctuary cities among its hallmarks, Chishti said Congress, already facing a crowded legislative calendar and pressure to secure a major victory, is more likely to leave those issues for the executive branch.

At Garcia Zarate's trial, which is expected to last until December, the political rhetoric that followed Steinle's killing has been kept at bay. According to the Associated Press, the presiding judge has barred any mention of politics, immigration and gun control during the proceedings.

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fact-checker

**In the Virginia's governor's race, four-Pinocchio attack ads on both sides ; The Virginia governor's race is getting nasty, with both campaigns slinging mud at each other.**

By Meg Kelly

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English

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"MS-13's motto is kill, rape, control. This violent gang has been tied to brutal murders across Virginia. Ralph Northam's policy? Northam cast the deciding vote in favor of sanctuary cities that let illegal immigrants who commit crimes back on the street, increasing the threat of MS-13. Ralph Northam: Weak on MS-13, putting Virginia families at risk." — Voice-over of television ad sponsored by Virginia gubernatorial candidate Ed Gillespie (R), Sept. 28, 2017

"Ralph Northam, who is running for Governor of Virginia, is fighting for the violent MS-13 killer gangs & sanctuary cities. Vote Ed Gillespie!" — President Trump, in a tweet, Oct. 5

"Lobbyist Ed Gillespie didn't care about college students when he lobbied to keep their student loan rates high. Ed sold them out. He didn't care about our workers when he lobbied for companies sending jobs overseas or when he fought to give billions to Wall Street banks. Ed sold them out. Ed Gillespie made millions selling out to the highest bidder. He'll sell you out, too." — Voice-over of television ad sponsored by Virginia Lt. Gov. Ralph Northam (D), Oct. 9

Virginia is just one of two states and the only swing state that hosts a gubernatorial election the year after a presidential campaign. President Trump has weighed in. High-profile surrogates such as Vice President Pence, former vice president Joe Biden and former president Barack Obama are on the campaign trail. And the ad war is on.

As the election nears, both Republican Ed Gillespie and Democrat Ralph Northam have escalated their attack ads. Late in September, Gillespie debuted an ad titled "Safer Communities" that stopped short of suggesting his opponent was personally helping the street gang MS-13 to grow. Northam has, perhaps unsurprisingly, knocked Gillespie for his past as a Washington, D.C., lobbyist in an ad titled "Sold" that details how Gillespie "sold out" various constituencies.

We often warn readers to be wary of attack ads. So, we dug in. Did Northam cast a deciding vote supporting a sanctuary city policy that benefits MS-13? And did Gillespie make millions by selling out the same people who would become his constituents?

The Facts

The Gillespie Ad

Let's start with Gillespie's claims about Northam's policy on sanctuary cities and MS-13.

The vote in question was on HB 2000, which aimed to stop any Virginia locality from adopting any "ordinance, procedure, or policy that restricts the enforcement of federal immigration laws." Essentially, it would prevent any kind of "sanctuary" status in the state. Republicans were in favor of the measure. Democrats said it wasn't necessary.

It is true that Northam, in his capacity as lieutenant governor of Virginia, in February did cast a vote against the bill after the state Senate split 20-20. However, the story doesn't begin or end there.

Majority Leader Thomas Norment (R) initially crossed party lines and voted with the Democrats who opposed the bill, leading to the 20-20 split. This forced Northam to cast a tie-breaking vote. The bill was then returned to the state Senate, and that same day it was brought to another vote. The second time around Norment switched his vote from a "nay" to a "yea." The House adopted the bill and moved the legislation to the governor's office. Gov. Terry McAuliffe (D) then vetoed the bill, effectively casting the "deciding vote." The Virginia House did try to override McAuliffe's veto, but the effort failed.

After Gillespie's team almost immediately sent out a statement critiquing Northam for the vote, Northam's team accused Republicans of intentionally creating a scenario that would force this vote, all the while knowing that would later be irrelevant. For his part, according to the Richmond Times-Dispatch, "Norment declined to comment, and later grinned as a reporter tried to coax out information on whether the Senate majority leader was colluding with the Gillespie campaign to set up the lieutenant governor."

Beyond the vote itself, Gillespie's ad goes on to allege that Northam was in favor of "sanctuary cities that let illegal immigrants who commit crimes back on the street." In his tweet, President Trump claimed Northam was "fighting for the violent MS-13 killer gangs & sanctuary cities."

As we've previously outlined, there is no official definition of "sanctuary," but it generally refers to rules restricting state and local governments from alerting federal authorities about people who may be in the country illegally. (For more information, readers should consult our explainer and check out this graphic.)

Immigration and Customs Enforcement can issue an "immigration detainer," or a request to be notified when a noncitizen convicted of a crime is being released at state or local levels. ICE can then take custody of the offenders and figure out whether they should be deported.

Since cities and counties have no obligation to ICE and are not violating any laws by rejecting detainer requests, they accept some requests and reject others, often based on circumstances — an illegal immigrant with multiple assault charges and someone with an unpaid speeding ticket are very different cases.

Virginia currently does not have any localities that call themselves "sanctuaries," a fact that Gillespie agreed with when asked during a gubernatorial debate in July.

According to 2016 data from the Immigrant Legal Resource Center, Virginia counties range from offering some limited assistance to ICE to spending significant local resources on immigration enforcement under formal agreements. Despite pressure from the immigrant community, in April, Fairfax County, Virginia's largest jurisdiction, signaled it was "a welcoming and accepting place" for immigrants but steered clear of the term "sanctuary."

MS-13 has developed an increased presence in Virginia, but as we've previously reported, there is limited research on the link between overall crime rates and sanctuary cities, much less the link to a specific gang. In the studies that do exist, there has been either no statistically significant change or a reduction in crime rates due to immigrant friendly policies. Moreover, many sanctuary cities do cooperate with ICE if they believe that an illegal immigrant accused of a crime is a public safety threat.

To add insult to injury, as Think Progress first reported, and The Washington Post later confirmed, images in the ad were from a prison in El Salvador and of a rival gang, Barrio 18, not MS-13. While the use of imagery from different locations might not always be troublesome, this ad refers to a very specific group in a very specific place.

Gillespie's camp stood by its ad. Abbi Sigler, a spokeswoman for the campaign, said: "Ralph Northam cast a tie-breaking vote against legislation to provide that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws." She added: "Ralph Northam made sanctuary cities an issue when he voted against banning them and bragged about that vote in his primary."

Northam did talk about his tie-breaking vote, but the ad refers to Northam's vote as "deciding," not "tie-breaking," which is a key difference. Beyond that, the campaign stressed the growth of MS-13 in Virginia and the threat the gang poses to Virginia communities.

The Northam Ad

Northam's ad takes aim at Gillespie's past as a high-powered Washington, D.C., lobbyist and insider. Citing examples from across Gillespie's career, backed up with citations to news reports, the ad purports to lay out how Gillespie "sold out" various constituencies.

The ad begins with portraits of sympathetic-looking college-age students. The voice-over claims that Gillespie lobbied to keep "student loan rates high," citing a recent article in The Washington Post. Gillespie's firm did lobby on behalf of several lenders between 2005 and 2007. The article explains that at the time private lenders financed student loans, but the government supported these loans by guaranteeing the debt and paying part of the interest behind the scenes, in an effort to make them more affordable. The private lenders acted as middlemen. Gillespie's firm represented several of them, including Nelnet, which in 2006 was found to be overcharging the government.

But the ad suggests that Gillespie directly pushed to keep student loan rates high, which is misleading. His firm was lobbying to have the system remain as it was, instead of moving to a system in which the federal government directly finances student loans. (The shift eventually was accomplished through passage of the Affordable Care Act in 2010, with no Republican support.) While this might well have influenced loan rates eventually, the firm's efforts were not focused on interest rates — they were focused on their client's interests. This is a fine but important distinction that the ad glosses over.

When The Washington Post originally asked about Gillespie's lobbying efforts, his campaign said that Gillespie, personally, had no involvement, despite the fact that his name is listed on the federal disclosure forms.

"QGA, the firm Ed left more than a decade ago, had a practice of registering Ed for a majority of its clients because lobbying without registering is an offense, but registering without lobbying is not," his campaign spokesman, David Abrams, said in an email.

Northam's camp pointed to articles that outline the David and Goliath battle that took place over this issue and to the fact that Gillespie has made lowering the cost of college a campaign priority. The articles do not confirm a personal effort to keep "student loan rates high."

The ad goes on to say that Gillespie "lobbied for companies sending jobs overseas." When we asked the Northam campaign about this claim, it pointed us toward two examples: Microsoft and Hewlett-Packard. Oddly, the images in the ad are not tech workers but factory workers with protective glasses.

Gillespie's company did do business with Microsoft and HP, and both companies were hiring for jobs overseas at the time that he worked with them, but that isn't the same as lobbying for those policies.

In an article cited by the Northam campaign, Microsoft's chief executive, Steve Ballmer, was quoted as saying an effort to hire in India "would not reduce job opportunities at its operations in the United States." Indeed, Microsoft in 2001 had a total of 48,000 employees. It now has 125,000 employees — 73,000 in the United States. So clearly the company has greatly expanded in the United States while also hiring overseas, undercutting the ad's claim that U.S. workers were harmed.

The ad then claims that Gillespie hurt workers by fighting to give "billions to Wall Street banks," citing a 2009 Politico article about the rescue of the financial industry during the Great Recession. This is a particularly tortured claim because Gillespie at the time was employed at the White House, as counselor to President George W. Bush, and he was not a lobbyist.

The funds Gillespie was "giving" away were part of the Troubled Asset Relief Program (TARP) created in 2008 by the Bush administration in consultation with both the Obama and McCain campaigns. According to the Politico article the ad references, Treasury officials were "convinced that the fate of the American financial system" was on the line. Consequently, the White House made a coordinated effort across the political and ideological spectrum to ensure a meeting of chief executives from all the major banks went smoothly. Gillespie merits one mention in the article: an email recounting how he persuaded the conservative Heritage Foundation to not attack the TARP program.

TARP was also used by the Obama and Bush administrations to rescue the auto and insurance industries. The money has been paid back, with interest — with the bank loans yielding taxpayers a $25 billion profit, according to the Treasury Department. So whatever money supposedly was given away has been returned.

The ad concludes saying, "Ed Gillespie made millions selling out to the highest bidder," citing a 2007 Washingtonian magazine article. But that article is a list of the 50 most influential lobbyists as of summer 2007. Gillespie is listed as No. 8, and his then-partner, Democratic strategist Jack Quinn, is listed as No. 4. The list details how the pair sold the ownership of their company to a larger firm, London-based WPP, and speculated that they each received millions from the deal. It also mentioned a blue-chip client list that included AT&T, Sony and drug companies.

The ad creates the illusion that the mere sale of the company or the act of running that company was something much more sinister. It's reasonable to expect that, like any for-profit company, Quinn & Gillespie would aim to turn a profit.

David Turner, a spokesman for the Northam campaign, said in an email: "Ed Gillespie's job, as a business, was to forgo whatever principles he may have (for example, he has talked about reducing the cost of college) to lobby for principles not congruent with what he says he stands for (i.e. Nelnet)."

The Pinocchio Test

Both camp's ads exaggerate and manipulate the truth in deeply misleading ways.

The link Gillespie and the president create between Northam's vote, sanctuary cities and increases in crime is a scare tactic and, frankly, fearmongering. Northam's vote wasn't decisive. Even if it had been, it would have been irrelevant. Virginia doesn't currently have any sanctuary cities, and no Virginia cities seem to be moving immediately in that direction. And even if there were some sanctuary localities, there's currently no evidence that sanctuary policies are in any way connected to increases in crime, much less a rise in MS-13 specifically. Using imagery from outside the United States in an ad about American crime adds inauthenticity to the inaccuracy of this ad.

Northam is right that Gillespie was a lobbyist, and that he didn't always lobby in the public interest. But that wasn't his job. The ad cherry picks details from Gillespie's past without adding context. By citing articles, Northam's ad creates an illusion of truth but ultimately skews what was written. The notion that Gillespie "didn't care" about workers erases the fact that TARP was used to rescue the U.S. economy — and that American taxpayers earned a profit on that rescue. TARP even saved the auto industry, which certainly employs many American workers. This ad leaves out key facts and details to create a negative impression of Gillespie's work as both a lobbyist and a government official.

Both campaigns receive Four Pinocchios. Our advice to readers remains: When a campaign ad appears on television, it's best to ignore it.

Four Pinocchios

(About our rating scale)

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posteverything

**I was devastated about Las Vegas — but quietly relieved that the shooter was white ; Minorities in America know that there will be fallout if a killer is black, Hispanic or Muslim.**

By Zack Linly

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English

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On Monday morning, I woke up to the news that innocent people had been killed in another senseless mass shooting. At least 50 people had been killed after a gunman opened fire on thousands attending a country music festival in Las Vegas. And before I could feel fear, grief or despair, I felt relief that the killer was white.

The vast majority of mass shootings in this country are committed by white men, yet the stereotype of the angry, violent white male has virtually no pull on the social standing or political power of the white male collective. Disgruntled white men are almost unanimously recognized as the face of maniacs killing at random, yet whenever there's a new tragedy, it's we black and brown people who rush frantically to Google, hoping the shooter doesn't look like us.

After the news broke, I, along with millions of other black folks and people of color, felt that all-too-familiar anxiety. It's a discomfort white people have no real frame of reference for, making it easy for them to write it off as racial paranoia. But it's real for us who fit outside the default for cultural and social normalcy. If a white person commits a crime, no one suggests that white people in general are criminally inclined, or that the crime says something larger about whiteness. Obviously, the same cannot be said for black people.

Our relief that we don't resemble the killer comes with feelings of conflict and guilt: People are dead and families are devastated. I doubt many people of color were celebrating and high-fiving each other because we didn't look like the bad guy. But I know that if the shooter had been black, the national conversation would somehow "straw-man" its way into being about Black Lives Matter and black criminality. God help us if it had happened at a rap concert. "Black-on-black crime" would've been on the tongues of every demagogue blowhard with a platform, and black athletes wouldn't be able to kneel in protest of police brutality again without having a massacre thrown in their faces. (In fact, Fox News managed to get in a swipe at black NFL players anyway.)

If he had been Hispanic, it would be the reason "we can't let these people in our country." Whether he was actually an illegal immigrant would've been obfuscated into irrelevancy within the first day of reporting, as pundits bleated about massive deportation and building walls (logistics not included).

If the shooter was Middle Eastern or Muslim, the rhetoric would pretty much write itself at this point. President Trump could add half the Middle East to his travel ban list and justify it through 24-hour news coverage of fleeing survivors. It wouldn't matter if the killer was a U.S. citizen, born and raised in Vegas or if there were no ties found to any known terrorist organization. I doubt he'd be granted a descriptor with a positive connotation like "lone wolf," as if he were the protagonist in a classic Western; I doubt any editor would find that term appropriate.

But white people don't need to fear their movements for justice being undermined or the whole of their demographic feeling the pressure to answer for the crimes of a few. They may have to endure a couple weeks of anti-white nationalist think pieces (which they're free to ignore) showing up in their news feeds when someone gets killed at a Nazi rally, but their very existence will never be viewed as a threat. They don't rush to their search engines after breaking news of a mass killing to make sure the assailant isn't white. And when he so often is, they face no persecution as a result.

Even the fact that so many news outlets are calling what happened in Las Vegas "the deadliest shooting in U.S. history" goes to show how much race is embedded in our responses to crime. These outlets overlook the deadliest massacres in this country's history, which all involved black victims: the havoc brought down in Tulsa in 1921 (300 murdered by a white mob); in Phillips County, Ark., in 1919 (an estimated 100-237 lynched); in Colfax, La., (150 killed); and many more atrocities where black victims were slaughtered by white psychopaths.

Even immortalizing the Vegas shooting by naming it the deadliest we've ever seen won't stop white terrorism from being treated as more than anecdotal and isolated. If the shootings at Sandy Hook and Charleston have shown us anything, it's that even the most heinous crimes imaginable, when committed by members of the white majority, don't inspire much of a lasting sense of urgency. We don't militarize airports and ban entire populations from U.S. entry the way we do after even a whiff of "Islamic terrorism." We don't enact preventive measures. We don't seem to do much at all.

What I know is that on Monday, I found out that innocent people died, and I felt relief. It didn't feel good, but I felt free in the way the white majority — the default — gets to feel naturally, regardless of what color the shooter is.

This is why it's always about race. Even when it's not.

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**Transcript: Securing Tomorrow with David Ignatius and Sen. Tom Cotton**

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Coratti: Hi. Good morning, everyone. My name is Kris Coratti. I'm vice president of communications and events at The Washington Post. Thank you for joining us this morning for our latest Securing Tomorrow conversation. In just a minute, The Washington Post's David Ignatius will sit down with Arkansas Senator Tom Cotton. But first, I want to thank our presenting sponsor, Samsung Electronics America, and welcome to the stage Johnny Overcast, Senior Director of Samsun's federal government team.

Overcast: Thank you. Thank you very much, good morning, and welcome to today's great event. We now live in a mobile-first world, in case you didn't know that, right? [LAUGHTER] One in which our mobile devices serve as hubs for work and communication. Just a little over 10 years go—it's hard to imagine 10 years ago—the smart phone revolution began and it has reshaped the world.

Smart phones now give us persistent and ubiquitous access to information and resources ranging from business applications, driving directions, dinner reservations, and more. For many of us, smart phones aren't just a convenience, they're simply indispensable. Some agencies are prepared to support the demands of a mobile-first always-on society, while others are not yet. Yet, as mobile devices now surpass PCs as the primary platform for exchanging data and communications, it has become imperative that all government organizations embrace the rich exchange of in-the-moment information.

Samsung is committed to meeting the demands of these organizations by providing an open, customizable, and secure platform to serve as the foundation for this mobile data exchange. We are proud to support The Washington Post's live Securing Tomorrow series, as it explores the demands of always-on society. Thank you very much and have a great day.

Coratti: Thank you so much. I'd now like to welcome to the stage David Ignatius and Senator Tom Cotton. Thank you.

Ignatius: Thank you, Kris and Johnny. It's a special pleasure this morning to welcome Senator Tom Cotton. Senator Cotton, at 40, is, I believe, the youngest member of the U.S. Senate.

Cotton: That's a very low bar to clear. [LAUGHTER] You know, I feel old and worn down in the morning or in the evenings when I'm dealing with my two sons under the age of three. And then I get to work and I feel young again. [LAUGHTER] I think there's only seven senators more than twice my age. [LAUGHTER] Only two that were elected before I was born. Bonus point if you can guess.

Ignatius: Well, gosh. Tell us.

Cotton: Anyone? Hatch is one.

F: Feinstein.

M: McCain.

Cotton: She's twice my age, but wasn't elected before I was born. [LAUGHTER] McCain is twice my age but elected before I was born. Leahy.

Ignatius: Well, you're going to make everyone in the audience, including your moderator, feel very old. So we're going to stop this. [LAUGHTER] Senator Cotton is a member of the Armed Services Committee. He is a member of the Senate Intelligence Committee. He has made in his short time as a senator quite a reputation. He was the subject of a fascinating Atlantic Monthly profile [INDISCERNIBLE] that was written as he was running in 2014 by Molly Ball called "The Making of a Confederate Superstar—Conservative Superstar." Sorry about that. [LAUGHTER]

Cotton: Freudian slip, David.

Ignatius: So this non-Confederate, conservative superstar is with us this morning. I should say that he is on the way. We're the warm-up act before Senator Cotton President Trump today, before noon at the White House. So we want to be as straightforward with him, direct, ask him good questions. And I want to start with an issue that I'm sure the president and Senator Cotton are going to talk about. It was the subject of an important speech that the senator gave Tuesday night at the Council on Foreign Relations. And that's Iran and what to do about certification or non-certification of the Iran Nuclear Deal. The president, next week, has to make a decision about what to do about that. It's a real hinge point in our thinking about this agreement and our relationship with Iran.

I want to ask you to take us through some of the issues that you talked about in your speech. You said in the speech that we should refuse to certify Iranian compliant with the deal. And I'm quoting here, "Not primarily on grounds related to Iran's technical compliance, but rather based on the long catalogue of the regime's crimes and perfidy against the United States." If I read that right, it's saying Iran may indeed be in technical compliance with the agreement, but we should still decertify it.

The question that I had is why would any country ever make an agreement with the United States if they thought that even if they were technically complying with it, we might void it? Why would a country do that? Why in particular would North Korea ever consider making a nuclear agreement with us under those circumstances?

Cotton: Well, first, North Korea doesn't need any pretext to break its own commitments. North Korea has been negotiating and making international commitments for over 50 years, and they seem to make those commitments only so they can violate them, just like with the agreed framework in 1994. But I think it's important, David, to distinguish between the JCPOA itself and U.S. law. Specifically, the Iran Nuclear Agreement Review Act. The president has to make a decision by October 15th whether the certify under U.S. law not only that Iran is fully transparently and verifiably complying with the JCPOA, but also that the JCPOA is in the quote "vital national security interests of the United States."

I would say they're not complying fully and verifiably and transparently on the first point [ph], but more importantly the second point. It clearly is not in our vital national security interests. The president himself has said it's an embarrassment and the worst deal in U.S. history from the floor of the United Nations General Assembly. That deal ultimately puts the United States in a position of making Iran a legitimate and lawful nuclear power in a mere eight to 13 years, assuming they don't have a covert nuclear program. In the meantime, it has empowered and enabled Iran's campaign of imperial aggression across the Middle East, which has only gotten worse and more aggressive over the last two years.

So I think it's time for a new approach. It's time to say to Congress, say to our allies, say to Iran that this president is not just going to continue a series of half-hearted certifications. He is going to strike out in a new direction. He's going to demand a better deal. And that he's willing to engage in course of diplomacy to get that.

Ignatius: I want to ask you what that process might look like. Before I go any further though, I want to solicit from the audience, in this room and watching on streaming on Washington Post Live, your questions. I have a way here to pick up questions from all of you. The hashtag is #SecuringTomorrow. So if you have questions that you'd like to put to Senator Cotton, please let me know, and I'll be looking at this periodically.

So thinking about what would come next, let's assume that the president followed your advice, and didn't certify the deal. It would then go to Congress, which could decide whether to reimpose sanctions. If the deal isn't certified, it's possible now for Congress to reimpose sanctions. As I read you in your speech and in your other comments, I'm not clear on whether you think that sanctions should be reimposed, or we should go into a kind of period where we're not in but not out. Explain to us what you see happening.

Cotton: So I wouldn't counsel immediately reimposing sanctions. That 60-day window is something that Congress has always had the power to do, which is to reimpose those sanctions, or impose new ones, just like the president has had it in his power at all times to reimpose those sanctions. Both the U.S. law sanctions and the U.N. Security Council sanctions. But again, I think the better course would be to engage in a period of diplomacy to try to get better terms to solve the manifest flaws of the deal; flaws of which most people are aware if they follow this debate.

Most importantly, the sunset clauses that puts Iran on the path to being a nuclear power in eight to 13 years; centrifuge research and development for which they have no legitimate reason unless they want to build a nuclear weapon; the ballistic missile testing that Iran is using to, again, perfect their ability to deliver nuclear weapons once they have it; the lack of viable, kind of escalating menu of responses when Iran does cheat on the deal. Right now it's only all snap-back sanctions, which is kind of like saying you only get the death penalty for both murder and jaywalking. It makes the West very reluctant to pull the trigger. Those are the main flaws in the deal, and those are what we should work with, the president and Congress together with our European allies, and especially Israel and our Arab allies.

Ignatius: In this period after we have refused to certify but have not yet reimposed sanctions?

Cotton: Correct. Because remember declining to certify under the Iran Nuclear Agreement Review Act does not withdraw us immediately from the JCPOA. It does not violate any term of the JCPOA. It simply sends the right signal that the president is serious about it. This is a problem that we are going to address in a matter of weeks or months. It's not going to be years. It's certainly not going to be 2025 to 2030. Ultimately, the most fundamental problem with the JCPOA in the long term, putting aside Iran's immediate-term [ph] aggression throughout the Middle East, is that it puts Iran on the path to being a nuclear power. I have not heard anyone give a single good answer for what happens in the second half of the next decade.

I mean, in a way, the Obama administration's policy was premised on a fanciful vision of regime change. Well, let's get the breaking out time to a year, let's kick the can down the road to 2025 to 2030, and let's hope in the meantime the mythical moderates have prevailed in Tehran. We tried that in North Korea. We see where we are now. That's one reason why we have so few good options in North Korea is because we waited too long as dangers gathered.

Ignatius: I understand argument about magical thinking and the expectation that they would be significant change, but to be honest, senator, I worry that there's a little magical thinking in the idea that you can reopen and renegotiate the provisions of a deal that all told took 13 years to negotiate. You're describing seeking changes, a different sunset clause, a different end date, a different inspection regime, reopening the deal to negotiate those items. If this is going to a negotiation, what's in it for Iran? Why would Iran ever do that?

Cotton: I don't have much confidence that Iran, which is a rogue outlaw regime and the most anti-American regime in the world, is going to sit down. And even if they do, that they will try, as they always do, to drag negotiations out for years. So what I am proposing is more of an internal ally discussion with the United States, European partners, Israel, Arab allies that is going to say what we will do. Then let Iran, China, and Russia be isolated in a rogues' gallery.

So for instance, in the inspections regime, Iran continues to refuse to grant access to military facilities. Director Amano at the IAEA just last week said that they lack the tools to fully verify their compliance because they can't access certain facilities under what's known as "Section T" of the JCPOA, which deals with weaponization and nuclear explosives research. Well, we could say if that is not resolved, then we are going to take these steps. It may not be the full snap back of sanctions. It may be some incremental imposition of sanctions.

So what I'm proposing doesn't depend on good will with the Iranians reacting in a matter of weeks or months. It is a largely internal discussion with our allies who have begun to recognize that President Trump takes this seriously. Emmanuel Macron, for instance, has acknowledged the problems with the sunset clauses and the lack of restrictions on ballistic missile and cruise missile testing. That's why the certification decision is so important. Whatever progress has been made over the last three months or over the last six months, it is because our allies believe the president is serious. Not just about declining to certify under U.S. law, but potentially withdrawing from the deal entirely.

If the deal is certified again under U.S. law by October 15th, I think that progress will stall [ph]. We'll see no more movement in another 75 days. European partners will begin to show a little more leg again [ph], hopefully, getting another half-hearted certification. That's why the certification decision under U.S. law is so important.

Ignatius: But senator, it's true that our European partners in this negotiation think that President Trump may indeed refuse to certify, but from everything I know, it's not correct to say that that's produced useful movement on their part. Indeed, what I hear is that they're deeply concerned that we would do that, think it would be a mistake, and that it might well fragment the coalition against Iran, which has been so important. So if you didn't get the agreement of partners to pursue this course you're describing, and we were doing it alone essentially, would that still make sense?

Cotton: Well, for 18 months after the JCPOA was signed you saw no admissions from European partners that there were flaws in the deal, that we needed to address the sunset clauses, or the weak inspections regime, or the missile testing programs. Over the last six months, especially over the last three months, you have seen some acknowledgement of that. So I think it's worth trying. We won't know though until we try, but it is certainly worth trying.

Ignatius: So let me cite the most authoritative person who disagrees with you, at least on the public record. That's a person who is, I would say, second to none as a hawk on Iran; a person who's warned about the Iranian threat and done something about it through many years of command. And that's our Secretary of Defense, General Mattis. As you know, General Mattis was pressed on this question on Tuesday by Senator Angus King and others when he was testifying. He was asked would he urge the president to recertify and he said, yes, that was the course the president should consider.

And then Senator King really pushed him on the core issue. Do you think that it is in the national interest of the United States to remain in this deal? Whether this agreement is in the national security interest of the United States. If you saw the clips, you saw General Mattis take a long pause, think about it, and then say, "Yes, senator, I do." So he's disagreeing with you about the fundamentals here. He sees this agreement as being in our national security interest. Why is General Mattis wrong about this and you're right?

Cotton: Well, I respect General Mattis, but I disagree with him here. And it's not General Mattis's decision to make, nor is it Rex Tillerson, nor is it Mike Pompeo, nor is it H.R. McMaster. It's the president's decision to make. They advise, he decides. I have not heard from anyone, no one in the Cabinet, no one outside the government, the answer to the fundamental question of what happens in the second half of the last decade, or the next decade.

Moreover, in almost every way, delay plays into Iran's hands. It allows them to strengthen and grow their economy. It creates more time for Western businesses to entrench themselves in Iran's economy, creating a pro-Iran lobby inside our countries. It allows them to get closer and closer to a breaking out time of a matter of weeks, not one year, not even months. It allows them to continue to sew chaos and discord throughout the region. So it's often the case when dealing with a weaker but aggressive revisionist power, time is not on our side. Time is on their side, just as you saw in North Korea in the 1990s and 2000s.

Ignatius: Let me say one more piece of what you might call rebuttal evidence. A number of prominent Israeli national security professionals have said and have been quoted in Israeli news accounts as taking essentially the same position that General Mattis does; that as they look at Israel's national security interests—having the limits on enrichment, having the limits of numbers of centrifuges, having the cap on heavy water production and storage—make Israel safer for the period of this agreement, and for that reason they would prefer that it remain in place.

They're speaking from the neighborhood. How do you answer that criticism? I know Prime Minister Netanyahu takes a different view. But as you well know, there are a lot of Israelis who would say, "We agree with General Mattis."

Cotton: So, first, I'd say the same thing about members of the Israeli general staff, or other members of their security establishment, that I would say about our Cabinet and our military. They aren't elected to make those decisions. Donald Trump is elected, Benjamin Netanyahu is elected to make those kind of essentially statesmanship questions, not generalship questions. And I've heard from not just Prime Minister Netanyahu, but other people who are directly accountable to him, that Israel cannot live with this agreement.

As you said, for the term of the agreement. If we assume that Iran is not cheating, if they're not hiding facilities the size of a football field inside a country two-and-a-half times the size of Texas, even if they agree with every single term, by the second half of the next decade, they will be a lawful and legitimate nuclear power. I don't think we can live with that. I don't think Israel can live with that. I don't think our Arab allies can live with that. That's the fundamental point that I would make; that, again, I have heard no answer for what happens in 2025 to 2030.

And in the meantime, that deal has enabled and empowered Iran to become more aggressive in their campaign for regional hegemony. Not just because Iran received over $100 billion in sanctions relief, but because they know that the last administration, and most of the other members of this deal, are more worried about the deal being broken than they are about Iran not just supplying rockets to Hezbollah, which they've done for a long time, but now building missile factories on Israel's border; sending missiles to Houthi rebels that can not only shut down the Bab-el-Mandeb Straight, but also reach Jeddah and Riyadh.

Ignatius: And just a final question and then we'll leave it because there's so many other things I want to talk about. In dealing with these regional issues—and I agree, I think any analyst who looks at the Middle East agrees that Iranian behavior in the region is aggressive and dangerous, through their proxy's mining the Bab-el-Mandeb Straight. They are now said to be able to range Abu Dhabi and Riyadh with missiles that are placed in Yemen. Serious problems.

Why isn't it easier to deal with those problems when you have the nuclear agreement in place, and that part of the Iranian danger is capped in a way that seems to be verifiable, reasonably verifiable, through 2025?

Cotton: I think, for the Trump administration, they feel that they can tackle both problems. They can try to strengthen the JCPOA and confront Iran's aggression. In the Obama administration, clearly, they didn't want to confront Iran's aggression because they were worried Iran having pocketed $100 billion might walk away from the JCPOA. But you know what's really hard to do? To confront their aggression in the Middle East when they have a nuclear weapon, which is where we'll be in the later part of the next decade. Again, that's the blink of an eye in the life of a nation. That's why these dangers gather over time.

Now, another premise of most of your questions, David, and most of the argument about this that we don't have a credible military option, which is simply false. President Obama often implied that the only choice we had was capitulation under the JCPOA, or a decade of occupation after forcible regime change through the introduction of 150,000 mechanized troops like we had in Iraq. That's simply not the case. We have a number of calibrated military strikes, like Ronald Reagan conducted against Libya; like Bill Clinton conducted repeatedly against Iraq; like Donald Trump conducted against Syria; like Ronald Reagan conducted against Iran itself, by blowing up half of their navy and several oil platforms, which I would point out wasn't too long before the Iran-Iraq War ended.

Ehud Barak has said Iran's nuclear infrastructure could be destroyed in a fraction of a night. I would say that's probably a little optimistic. But again, we have options between capitulation under this deal, and forcible regime change followed by a decade of occupation. And Iran needs to know that.

Ignatius: I'm going to turn to other subjects. You've teed up what is a huge public policy choice for the president. As I say, I'm sure you'll be talking about it with him in a couple of hours. I hope we warmed you up. We'll be following this with great interest. I want to turn to something that's been haunting all of us, haunting the country. I'm sure haunting you. And that's what happened last weekend in Las Vegas. I want to begin by quoting the lead guitarist of one of the country music bands that played before Jason Aldean and the carnage that we've watched in the footage.

This is a guitarist named Caleb Keeter. I'm quoting something he said. "I've been a proponent of the Second Amendment my entire life until the events of last night. I cannot express how wrong I was. Enough is enough. We need gun control right now. My biggest regret is that I stubbornly didn't realize it until my brother on the road and myself were threatened by it." Here's, as he says, a lifelong Second Amendment supporter confronted with the level of this violence, this automatic gunfire.

You know more than anybody in this room what automatic weapons can do. You've seen them chew up human beings in Iraq and Afghanistan. So let me ask you whether in the aftermath of this you've had new reflections of your own? And in particular, whether you'd be willing to support controls on these so-called "bump stock conversion kits" that turn what are supposedly not automatic weapons into ones that can fire this way?

Cotton: Well, first, David, let me just express my deepest condolences and sympathies to the loved ones, families, and friends of everyone who was murdered or injured in this terrible mass murder episode. I think it's too soon to draw conclusions because the investigation is ongoing. I've seen media reports, but I haven't seen confirmed official reports of exactly what happened; what kinds of fire arms were fired; how they were obtained and so forth.

Automatic weapons have been strictly regulated in this country for 80 years. They've been nearly prohibited for 30 years, since the 1986 amendments to the National Fire Arms Act. You can still buy ones that were in circulation before 1986, but it's under very strict government regulation. An even stiffer background check. I'm not sure if the shooter had one of those or not. I haven't seen reports of that. You would think that the government's records would indicate if he did.

I'd be willing to entertain any kind of device that turns a semiautomatic weapon, which is defined simply as one pull of the trigger equals one round discharged, into an automatic weapon, which means one pull to the trigger equals an unlimited number of rounds discharged until your ammunition is expired, or until your barrel overheats, for the same reasons that we strictly control automatic weapons in this country. But we'll wait for the conclusions of the investigation to come forward and see what the current law says, and what authorities the ATF has. But I'd be willing to entertain this.

Ignatius: I don't think I've seen your name publicly identified with this idea that perhaps we should have new controls on these conversion kits so that to me is—[OVERLAPPING]

Cotton: I would say too that we shouldn't necessarily expect to change the world with these kinds of steps. Again, the media reports say—they've not been verified so I can't speak for certain—but the media reports say that this man had no criminal record. He had no history of mental illness.

Cotton: Again, the media reports say—they've not been verified, so I can't speak for certain—but the media reports say that this man had no criminal record, he had no history of mental illness; he passed every background check that was required when he bought those firearms. Bump firing is not a new thing, nor do you need a conversion kit or a stock to do that. I saw lots of skilled soldiers who can go to the firing range and take an M4, which is the military version of an AR-15, and empty a magazine through bump firing, which takes a little bit of practice but it's something that can be done just through skilled marksmanship, not through a technique.

So again, we shouldn't expect to change the world with these things, but it's something that we should consider once we have all the facts and circumstances at hand.

Ignatius: Let me ask you one more question, post-Las Vegas. There have been times in our history where there's been a sense that we have a problem that we just don't know how to deal with. And there're sharply competing arguments about why that problem exists. But I think nobody in our country can look at that level of killing and not think—we're looking in the mirror here—not think that there's something that we ought to deal with somehow. So I've thought back in our history, when we had big problems. Sometimes we've had a national commission that has people of very different viewpoints—the Kerner Commission that dealt with early civil rights issues was an example, but there are others. Where these commissions meet and they talk in private and they're real and responsible discussions. Would you have any interest in supporting an idea like that? Not prejudging what it would say, but just being a process where the country could get together and think, "What are we going to do about this?"

Cotton: That's an interesting idea, David. Sometimes commissions are a way for politicians in Washington to punt a problem off, but sometimes they do gather real valuable information and analysis and insights, as with the 9/11 Commission, for instances. And clearly, none of us wants to see another mass shooting. At the same time, the Second Amendment protects Americans' right to own firearms, and I know lots of Arkansans who own multiple firearms, to include this guy. And we can't infringe upon the constitutional rights of Americans, so we'd have to define such a commission's remit carefully. But I do think that most Americans, you know, are appalled at the kind of mass murder that we saw in Las Vegas or that we've seen in other places. Every person of good will should want to try to examine its cause and see what we can do, consistent with the individual rights of American citizens.

Ignatius: So if such a commission was bounded by the obligation of its members to understand we're a country that has a constitutional amendment that protects the right to own firearms, but also every member recognize that we have a terrible national problem, we don't understand exactly where it comes from, what to do about it, that's something that you would—[OVERLAPPING]

Cotton: Again, I'd want to see the parameters of it, but studying this problem—and it's not just mass murder, either; it's murder on a mass scale, as you see in cities like Chicago. Chicago hasn't had the kind of mass murder we've seen in Las Vegas or Orlando or Virginia Tech, but on really bad weekends or a week, it can add up to that scale as well. So I'd want to examine the problems that we have with growing rates of violence to include mass murderers in this country.

Ignatius: So I want to turn now to another issue on which you've been outspoken, but also I think more provocative than people may realize, and that's the issue of immigration. Unlike some hardliners on immigration, as I read your comments, you would not necessarily call for deportation of the so-called DACA Dreamers under some solution that Congress might come to, as President Trump has requested. But you said that you think the price for any compromise that allows some sort of permanent resident status for these DACA Dreamers should be basically a new deal on immigration that protects American workers and their interests better. I'd love for you just to explain to the audience how you see that, how the pieces of that tradeoff would come out.

Cotton: Before I get to that specific piece of potential legislation, let me back up and think about immigration a little more broadly. It's a very important issue. It's a very controversial issue because it's crosscutting on so many other issues in terms of the economy and jobs and wages, security, community, public services, and so forth.

Congress has failed three times in 11 years to pass what they call comprehensive immigration reform, which primarily means amnesty first, enforcement later—i.e., enforcement never—and mass immigration. The most recent time was in 2013. I was in Congress for that one; I helped stop the so-called Gang of Eight bill in the House.

It had three main components. One is mass migration, under our legal immigration systems, increasing the number of green cards, which is about a million people a year right now, every year. We have given about the State of Montana's worth of green cards. Plus millions and millions of temporary guest workers under the high-tech programs, under agricultural programs, so forth. The second category is security enforcement measures—the wall, visa overstay systems, ICE enforcement and personnel, immigration judges, and so forth. The third category is what to do about illegal immigrants who are here today—about 12 million.

I've introduced legislation to focus on the first problem, and really only a subset of the first problem, which is green cards. The administration has most of the authority they need for security enforcement. The third question I think is politically impossible for Congress to handle until we have more confidence on the first two categories of the American people.

So the legislation I have with David Perdue would fundamentally alter our green card system away from one that was designed for last century's country and economy into one designed for this century's country and economy. We would prioritize high-skilled immigrants who are able to come to this country, stand on their own two feet, pay taxes, not use welfare, contribute to our economy, probably create jobs on their own. And we'd do that in the way that Australia and Canada does, by creating a point system that's very easy to administer and very objective, on things like your educational attainment and field, your English language ability, the salary you've been offered relative to the median salary in your geographic locale, your ability to bring large amounts of money into this country in investment and actively manage it, your age, and any kind of exceptional abilities or achievements that you've had.

So, now, going to the particular question that the president's right, correct decision to stop the unlawful DACA program makes. President Trump says he doesn't have legal authority to continue this program. He's right. Don't take his word for it. President Obama said he didn't have the legal authority to implement that program, before he went ahead and did it in 2012, in the middle of a reelection campaign. So that program is going to begin to unwind by March 5th unless Congress does something.

The president has said he would like to see a legislative solution for the 800,000 or so illegal immigrants who have received a DACA permit. I'm willing to work with him on that, and with my Democratic and Republican colleagues in the Senate and the House. You said the price of that work, I would put it a different way. I would put it in terms of control the effects of that action.

If you codify the DACA program, you're going to create two negative side effects. The first one is you're going to create a new chain for chain migration, for people to bring into this country illegally; not just spouses and unmarried minor children, which is what my bill would do, but their parents, who created the problem in the first place, their adult siblings, spouses—and then that creates another unlimited chain. The second negative side effect is you're going to encourage more illegal immigration, obviously. I mean, imagine if you lived in El Salvador and you had a three-year-old living in the most dangerous country in the world—more dangerous than Syria, more dangerous than Afghanistan, more dangerous than any other country in the world—and the United States just gave citizenship to people who were brought here as children 20 and 30 years ago. What kind of risks would you take to come here now and hope that your child can benefit from the next amnesty in 10 or 15 years? They'd probably be pretty significant and they'd be very dangerous for you and that child.

So, there's two problems you need to control for those two negative side effects. The first is simply to end chain migration. Stop admitting people to this country who we have no idea if they can contribute effectively to our economy and to our society. The second: there's more flexibility there. It could be building a wall. It could be building a visa overstay system. It could be using employment verification systems at the workplace. Adding more immigration judges to clear up backlogs, adding more ICE agents. There's a whole menu of things you could look at to control illegal immigration, which will be more incentivized under a DACA deal.

But that's the way I would put it. It is a small package. It's not trying to boil the ocean. It's not going to be a fourth run at comprehensive immigration reform. But it would solve the problem the president has said he would like to see solved, while mitigating those two negative side effects.

Ignatius: Let me ask a crass question. How many votes do you think you have for that approach?

Cotton: A majority.

Ignatius: Do you?

Cotton: Look, I mean, the House of Representatives could pass that bill. I have no doubt about that. I served in the House, I have many friends there, I serve it [ph]. Democrats in the Senate have said they won't take anything. You saw Nancy Pelosi, for instance, get heckled and protested by many of the young illegal immigrant activists who say they want—they're not going to accept anything other than complete amnesty, not just for them but for everyone. Well, if that's the case, then we're not going to have a solution. But if the House of Representatives passes a good bill that can codify DACA while also controlling for those negative side effects by ending chain migration and improving enforcement, well, it's up to Chuck Schumer and Dick Durbin and the Senate Democrats. Do they want to give legal status to the people they said they've defended for all these years? Or do they want to see it expire on March 5th? That'll be their decision.

Ignatius: Just focus in on a little subchapter of this immigration story. You gave a very interesting—as I said earlier, provocative—speech about this at a college in Michigan, recently. In that, in talking about how we got into the current immigration situation—you would say a mess—you had some pretty harsh language about the elites who've made, in your view, immigration policy favor immigration—you called them the cosmopolitan elites, the pampered elites, the overeducated elites. And I want to ask you at that last line [ph]—

Cotton: Those are my kind words [ph].

Ignatius: So I want to ask you about this terrible overeducated elite that's wrecking the country. And I ask this not facetiously. You're a graduate of Harvard College. You're a graduate of Harvard Law School.

Cotton: But I'm a son of Yell County, Arkansas. And by the way, that's spelled Y-E-L-L.

Ignatius: I understand your background and admire all the things you've done. But are you overeducated?

Cotton: I would say that I'm more connected to the places in the country that understand the negative side of immigration. Look, if you live in Washington, you live in New York, you live in L.A. or San Francisco, most of the benefits of immigration are an upside [ph], especially for those people who are in upper income brackets there, as we have inside the Beltway the four richest counties in America. But when you live in other places, where people work with their hands and they work on their feet, or they take a shower after they get off work, not before they go to work, you see a lot of the downsides of immigration. You see wages that have stagnated for 40 years for people with a high school degree or less. You see schools and hospitals that are over capacity. You see jobs that once provided a decent middle-class living for blue-collar workers, not available anymore.

So there is a real problem with our elites. And this is not just an American problem, this is a global problem. I mean, talk to the people in London about the Brexit vote. You saw very similar patterns that we saw in our election last year, and the people who were advocating for Brexit said that uncontrolled migration within the E.U. was one of the driving factors there. In Germany, you just had a right-wing party, the AFD, get elected to the Bundestag for the first time since World War II, and the single core issue was Chancellor Merkel's decision to throw open the doors of Europe two years ago, without any kind of democratic consultation or legitimacy.

Bernie Sanders, remember, got the same number of votes—or I'm sorry, the same percentage of votes in his primary that Donald Trump got in my party's primary. He probably would have won if it hadn't been for the way the Democrats have superdelegates. And he was an immigration skeptic for many years, just like Barbara Jordan, a liberal Democrat, was as well.

So yes, the people who tend to be highly educated, who live in New York and Washington and Chicago and San Francisco and L.A., simply do not appreciate the downsides of immigration. The same way that those elites who live in London and Paris and Brussels and Berlin don't appreciate the downsides of it.

Ignatius: I'm not really arguing, Senator, the case you're making about out-of-touch elites and their views about immigration. I'm specifically asking you about taking a shot at the overeducated. And the reason that I ask that is that I've always had the impression that our system of education—especially of higher education, the overeducated people who went to Harvard—is one of our great national resources. I, this summer, heard the vice chancellor of Oxford say that in this environment where many American—our top researchers fear that there's a public mood that's anti-education, anti-education elite, that they may not be able to sustain funding for their labs, so their beginning to talk to Oxford and other universities about moving their labs to someplace that may be more hospitable. If that happens, I think we've really suffered a national security problem. And I'll bet you agree with me, and that's why I want to ask you this question of education.

Cotton: There's a story about Calvin Coolidge's son. One summer between his years in college, he was picking tobacco in Connecticut, back when Connecticut still was a big tobacco hub. And he was doing that with some local kids who were not in college, and they knew that he was in college and one of them said, "So, college boy, what does your dad do for a living?" And Coolidge's son said, "Well, he's the president." And the kid said, "President of the United States?" And Coolidge's son said yes. And the kid said, "You know, if my dad was president, I don't think I'd be picking tobacco in the summer." And Coolidge's son said, "If your dad was my dad you would." [LAUGHTER]

And that's a real problem with our educated elite, if you don't like overeducated. That they don't have those kind of experiences. They do gap years and they travel around the world and, you know, they go straight to work at the premier banks or consulting firms or corporations. They come to Washington. They do policy analysis. They haven't worked on farms. They haven't served in the military. They haven't seen so much of what the previous generation saw.

Look at people like John F. Kennedy or George H.W. Bush. Very well educated, Ivy League, patrician families. But they both went out and served in the military. And that wasn't just a marker of their patriotism and their sacrifice and bravery. That also exposed them to all kinds of people whom they would have never met at boarding schools in New England and Ivy League colleges and at Wall Street banks and law firms. I think that's a real problem with the elites in our society. But again, it's not just our society. It's across the world as well.

And if we had more people with those experiences, I think we'd have a little bit more trust in the elites in our society. Not just politicians, but people in media and the academy and business and so forth.

Ignatius: That's a good answer. I just want to ask you to take the next step. So that sounds like something that General McChrystal has advocated, which is some program of national service; that we have some way, not necessarily serving in the military, for that shared undertaking of Americans to be easier for people to experience. Would you favor that?

Cotton: I admire General McChrystal and his efforts on this front very much. I can't say that I would favor making it compulsory or mandating it. I certainly wouldn't do so with the military. You talk to most of our flag officers, our generals and admirals, they'll say that our military is the best it's ever been, with an all-volunteer force. Some countries have to have compulsory service, like Israel, a country that is small and near its adversaries. We don't, because we're a country that is very big and we're far from our adversaries.

However, when I speak to high school students and college students—which I do with some frequency—encourage them all to join the military. Preferably the Army, but the other three are good too. But I tell them—especially the college students who are here in Washington, D.C., in the summer, on internships, who probably come from upper-middle-class or rich families—"Look, I know you're all eager to get out and make your mark in Wall Street or law firms or tech startup world. All that stuff is going to be there when you're 25 or 26. That may seem like you're going to be old as the hills, everything is going to pass you by, but trust me. If you will spend three or four years serving in our country's armed forces, it will be the best thing you do in the long run."

Still the best thing that I ever did in the long run. In terms of the experience you'll get, the responsibilities you'll earn, the leadership you'll see, and the skills that you'll carry on with you in the future. Not necessarily tangible skills. You know, in the infantry, we don't learn a lot of tangible skills that we can take out into the civilian world. I mean, you can't knock out a bunker and take a trench line in the civilian world. But the intangible skills—the leadership, the mission focus, the discipline, the teamwork. That's why companies, like Walmart or JPMorgan or UPS, make it such a priority to try to hire veterans.

Ignatius: Should just note, for anybody who doesn't know the senator's biography, he won a Bronze Star for this services in the infantry, officer in Iraq and Afghanistan. I want to ask you one final area and then we've got to let you go vote—something you senators have to do at awkward times. Ask you to put on your hat as a member of the Senate Intelligence Committee. You're chairman and ranking member. Senator Burr and Senator Warner yesterday gave a kind of progress report, and they said that they think—and I want to ask you whether you would agree with this—that your investigation so far, it's going to continue, but your investigation so far has basically confirmed that the report by the intelligence community that was issued January 6th, that said that Russia had interfered in our 2016 presidential election, that allegation is accurate. Do you share that judgment?

Cotton: Yes. I have no reason to doubt the conclusions of the intelligence community assessments. I might have one question that I haven't yet resolved about one small point on motivation behind Russian activities.

Ignatius: Explain what you mean.

Cotton: Let me finish. That in terms of Russia hacking into those emails and releasing them, I have no reason to doubt that. And now it would appear that Russia intelligence services also tried to use social media platforms, like Facebook and Twitter and Google and so forth, to influence public opinion as well. We're going to dig a little bit more in that. We have a public hearing coming up soon, as they mentioned yesterday.

That's not a surprise. That's what Russia does. I mean, Russia was behind much of the nuclear freeze movement in 1983 because they were afraid of the deployment of intermediate-range nuclear forces to Europe. So the question about motivation is—I think, if I recall, there were four main motivations behind Russia's activities. One was simply to sow chaos and discord in our democracy. I think, again, that's just what Russia does. Not just in the United States but throughout Europe. A second was if they could, to try to embarrass, hurt, retaliate against Hillary Clinton. Vladimir Putin has longed nursed grudges against the Clintons. Not just from Hillary Clinton's time as secretary of state, but also from the last few years of the Clinton administration in the 1990s and the way he was perceived as treated then. A final one—

Ignatius: And I take it you see the evidence supporting that second?

Cotton: Oh yeah, I think, I mean, it totally stands to reason. Again, Vladimir Putin likes to retaliate against people that he views as having slighted him. Final question, motivation, about which we still have some question, is the affirmative desire to try to help elect Donald Trump. I think we still have some questions we need to ask about that. Those aren't really classified questions; they're just more common-sense questions. Donald Trump campaigned on a platform of increasing defense spending, accelerating nuclear modernization, expanding ballistic missile defenses, producing more American oil and gas. None of those things look good if you sit in the Kremlin. Hillary Clinton was more or less opposed or didn't take those to the same degree.

So I think it's important that we ask the questions why Vladimir Putin and Russian intelligence would have wanted someone who took those views, in the White House, when they could notice [ph] the one with more friendly policy views. Someone who was more committed to carrying on the Obama foreign policy legacy, which helped enable Vladimir Putin's aggression not just against the United States but around the world. Remember, Barack Obama was the one that told Mitt Romney, in a contemptuous manner, that the 1980s wanted their foreign policy back when Mitt Romney said Russia was our number one geopolitical threat. So I think it's worth probing more on that.

But on the underlying factual question, I have no reason to doubt that Russia hacked into those emails and released them, and now it would appear, tried to use social media to influence public opinion as well, which is again what they do in France and in Germany and in Montenegro and in Catalonia and everywhere else.

Ignatius: Your Republican chairman, Senator Burr, said that one possible answer to your question, why would the Russians have supported Trump, the question that we call collusion, that the evidence has not yet emerged to support that, but that you're going to continue to look in your investigation, to see if there was any, he said, hint of collusion. Is that a good way to put it?

Cotton: That's the way I would characterize it as well. I've seen no evidence of that, but as Chairman Burr and Vice Chair Warner said, we've reviewed hundreds of thousands of pages. We've done, I think, over a hundred interviews now. I can tell you personally this is probably the matter in which we've spent the most time in my three years on that committee. So we're going to follow the facts wherever they lead us, and we're not going to jump to any conclusions before we get all the facts. Hopefully we can do that sooner rather than later, and hopefully we can make as much of that public as possible. I think that is in the public's interest and that's in the interest of both of our parties, it's in the president's interest, and also it's in the interest of our democratic processes in the future.

We're still having elections. Virginia and New Jersey are having an election for their governor in just a few weeks. We have primaries coming up next year and then midterms. All of our states need to be vigilant about the risk of Russian or other adversarial meddling in our elections. And I don't just mean putting up a random Twitter account or hacking into someone's emails, I mean trying to hack into voting calculations. Zero evidence that happened anywhere in the country last year. But we shouldn't be complacent just because it didn't happen in 2016, that it might not happen in the future.

And our states in particular—governors, legislators, secretaries of state—need to take proper steps to ensure the integrity of their electoral processes.

Ignatius: We need to get you to your vote. I have one question on the way out that I want to ask you. Are you confident, Senator, that President Trump will not interfere, seek to interfere in the investigation that is being conducted by Special Counsel Robert Mueller? And if there was an attempt to fire Mueller, as has been rumored in the past, would you join with other Republican and Democratic senators who've stated that they would seek, through legislation, to establish some alternative way that would be legal under our Constitution to have a three-judge panel appoint a new special counsel so that the investigation could continue?

Cotton: So first, I have no reason to believe that'll happen. Second, I don't think that legislation is consistent with our Constitution. The independent counsel statute, in my opinion, was a constitutional abomination. In Morrison v. Olson, Justice Scalia wrote one of his greatest opinions in dissent, explaining why it was unconstitutional. And although it was a minority of one, if I recall, I think pretty much everyone in our political system agreed, about 10 years later after the Starr investigation concluded, that Justice Scalia had gotten that one right, and the majority had gotten it wrong.

Ignatius: This has been a wonderful conversation. Thank you for joining us. I hope we warmed you up for Mr. President. Our next guest in this Securing Tomorrow series will be Kay Bailey Hutchison, former senator from Texas and now our ambassador to NATO. That'll be next week. Please join us. Thank you, Senator, for coming.

Cotton: Thank you, David.

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all-opinions-are-local

**Ed Gillepsie's dog whistle ; The Republican gubernatorial candidate slaps a big dollop of horror into the political ad wars.**

By Norman Leahy

772 words

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English

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What happens when Mr. Nice Guy meets the Blair Witch Project?

No, it's not a pitch for a send-up of the horror movie franchise. Rather, it's a question about what happens when Republican Ed Gillespie — a nice, diligent, wonkish guy who really wants to be Virginia's next governor — decides it's time to slap a big dollop of horror into the political ad wars.

According to an article by The Post's Fenit Nirappil and Laura Vozzella, the Gillespie campaign now has four ads running in various media markets linking Democratic gubernatorial nominee Ralph Northam to violent MS-13 gangs.

Because Northam voted against a bill that would have banned sanctuary cities in Virginia (more on that later), the Gillespie campaign wants voters to believe that Northam would throw open the commonwealth's doors to illegal immigrant baddies who would visit unspeakable horrors upon the populace.

Just in case no one gets the message behind the ad, it begins with an image right out of the "Blair Witch" basement: a sepia-tinted, hooded figure, his back to the camera, with a baseball bat resting menacingly over one shoulder as the words "kill, rape, control" flash over the screen.

Putting aside the triple-bank-shot logic it uses to link Northam to MS-13, it's also misleading (never mind that Virginia has no sanctuary cities).

That's the conclusion FactCheck.Org came to when it reviewed the legislative shenanigans at the heart of the ad's claim about Northam.

According to FactCheck:

As lieutenant governor, Northam only votes in the case of a tie in the state Senate. That happened when Thomas Norment, the Republican majority leader, voted with Democrats against the bill, causing a 20-20 split. (Republicans have a 21-19 majority.)

After Northam's subsequent "nay" vote momentarily killed the bill, Norment moved to hold another vote. The bill proceeded to pass when Norment switched sides and voted with his fellow Republicans. The bill, which also passed in the House of Delegates, was later vetoed by McAuliffe, the Democratic governor.

Northam's team accused Norment of plotting to force the lieutenant governor to make a vote that would later become irrelevant.

"Norment declined to comment, and later grinned as a reporter tried to coax out information on whether the Senate majority leader was colluding with the Gillespie campaign to set up the lieutenant governor," according to the Richmond Times-Dispatch.

Of course it was a set-up. And the Gillespie campaign is running with that vote, it hopes, right into the Executive Mansion.

The conventional wisdom says such ads motivate the base and move undecided voters to your candidate's column. That's why Democrats immediately decried the ad as Gillespie's Willie Horton moment. They feared the possible consequences.

But the history of that infamous though little-seen ad from the 1988 presidential election, offers a cautionary tale.

Writing in The Post back in 2016, George Washington University political scientist John Sides said the "legend" surrounding the Horton ad and how it sank Democrat Michael Dukakis's presidential campaign "is largely wrong."

The "attacks on Dukakis disappeared after the use of Horton as a campaign message was framed as a racially coded appeal," Sides wrote.

A crucial difference between George H.W. Bush's presidential campaign then and Gillespie's gubernatorial bid now is that Bush was trending ahead of Dukakis in the polls beginning in August 1988. So far, Gillespie has consistently trailed Northam in polls of the Virginia contest, though the race is undeniably close.

But what about the other homage in Gillespie's ad?

In case you couldn't hear it, it's a dog whistle that echoes Donald Trump's presidential campaign kick-off statement regarding illegal immigrants from Mexico and the troubles they bring to America:

They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people.

Trump toppled the conventional wisdom pillar and post as he marched into the Oval Office. Maybe Gillespie thinks a slightly more subtle approach can work again, one not using Trump's words (and never his name) but a dog whistle wrapped around a legislative sleight of hand shrouded in a horror movie cloak.

That'a a triple bank shot that requires a lot of skill — and even more cynicism — to work.

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right-turn

**Why do we allow politicians to shush us on the gun debate?**

By Jennifer Rubin

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I guarantee you that if a Muslim jihadist opened fire on a crowd in Las Vegas, President Trump wouldn't wait a nanosecond before invoking his Muslim ban. After all that is precisely what he did after the London subway attack, when the nationality of the bomber(s) was still unknown. If a mass killing had been perpetrated by an illegal immigrant, do we imagine Trump's press secretary would implore us not to discuss immigration in the wake of the violence?

And yet, the NRA-approved mantra that we should not even raise the subject of guns after a mass shooting has become an entrenched talking point for Republicans. Asked about the implications of the shooting for gun policy, White House press secretary Sarah Huckabee Sanders declared, "Today is a day for consoling the survivors and mourning those we lost. Our thoughts and prayers are certainly with all of those individuals. There's a time and place for a political debate, but now is the time to unite as a country." On behalf of a president who rarely waits for facts she intoned, "A motive is yet to be determined, and it would be premature for us to discuss policy when we don't fully know all the facts or what took place last night."

After again admonishing the country that Monday was "a day of reflection, a day of mourning, a day of gratefulness for those that were saved," she insisted that "there will be, certainly, time for that policy discussion to take place, but that's not the place that we're in at this moment." However when pressed again she could not resist seizing on her pro-Second Amendment talking points. "I think one of the things that we don't want to do is try to create laws that won't stop these types of things from happening," she lectured. "I think if you look to Chicago, where you had over 4,000 victims of gun-related crimes last year, they have the strictest gun laws in the country. That certainly hasn't helped there. . . " The conversation continued:

Q So related to gun control, what would the President like to see Congress do — is the question I want to get at.

MS. SANDERS: Again, we haven't had the moment to have a deep dive on the policy part of that. We've been focused on the fact that we had a severe tragedy in our country. And this is a day of mourning, a time of bringing our country together, and that's been the focus of the administration this morning.

Q Can you explain where that's different from Orlando, though, Sarah — when at that day he was talking about the travel ban, saying he didn't want congratulations, essentially? Why is this —

MS. SANDERS: I think there's a difference between being a candidate and being the President.

Q Thanks, Sarah. I do want to ask — because before last night's massacre, the bill was advancing through the House; Republicans cleared it through the House Committee on Natural Resources that would, among other things, make it easier for people to buy silencers. Hillary Clinton tweeted about it this morning. She said that, "Imagine the deaths in Las Vegas if the shooter had a silencer, which the NRA wants to make easier to get." Does the White House have a position on this particular legislation?

MS. SANDERS: Again, I haven't spoken with the President about that specific issue, but I don't think that that is something that would have changed. Again, I think before we start trying to talk about the preventions of what took place last night, we need to know more facts. And right now we're simply not at that point.

It's very easy for Mrs. Clinton to criticize and to come out, but I think we need to remember the only person with blood on their hands is that of the shooter. And this isn't a time for us to go after individuals or organizations. I think that we can have those policy conversations, but today is not that day.

Q Sarah, are there any policy prescriptions that the President considers to be out of bounds on the policy debate that will happen in the next few weeks? Could you articulate a little bit what his position on gun control is?

MS. SANDERS: The President has been clear that he's a strong supporter of the Second Amendment, and I don't have anything further at this point.

So it's fine to inveigh against counter-productive gun laws and reaffirm support for the Second Amendment; it's always acceptable to attack Hillary Clinton. Just don't talk about whether we might need better enforcement or new legislation? It's all preposterous, a smoke screen for avoiding a political discussion at a time absolutism on the Second Amendment sounds the most bizarre.

The president (and certainly this president who has trashed all rules for civil discourse) doesn't get to determine the etiquette for addressing delicate topics. We actually need more timely debate, not less, which is why the NRA absolutists shrink from debate at the precise time their arguments sound most inhuman and out of touch. We actually have a good deal of consensus on guns. As Axios reminds us, 89 percent of both Republicans and Democrats oppose allowing the mentally ill to purchase guns, over 80 percent in each party would ban those on the no-fly list from purchasing guns. Even 77 percent of Republicans (90 percent of Democrats) would require background checks for purchases at gun shows. Surely, we can at least reach agreement on those sorts of items before launching into more contentious matters.

Moreover, the argument that no post-shooting legislative response is appropriate unless it would have stopped the particular shooting we've just experienced is nonsensical. Trump proposes all sorts of measures (banning refugees, barring immigrants from Chad and elsewhere, building a wall, attacking funding of so-called sanctuary cities) that have little to no connection to any actual crimes or real threats. If we can reach agreement on some measures that might prevent some shootings, we should proceed promptly to a legislative debate.

In sum, no one should be deterred by the administration's or the NRA's tut-tutting about the ground rules for debating an issue they don't want to discuss at all. We are a country that rarely addresses big problems before they happen so for once let's at least have an extended, serious debate after gun violence again rears its head.

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Obituaries

**Pete V. Domenici, Republican senator from New Mexico, dies at 85**

By Elaine S. Povich

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Pete V. Domenici, a Republican lawmaker from New Mexico who became a leading voice on budget and energy policy during six terms in the Senate, and who a colleague once diagnosed as suffering from a "case of terminal responsibility," died Sept. 13 at a hospital in Albuquerque. He was 85.

The death was announced by the law firm of his son Pete Domenici Jr. The senator had abdominal surgery in recent weeks and been treated for several years for frontotemporal lobar degeneration, a brain disease.

Mr. Domenici (pronounced doe-MEN-ih-chee), who represented his state in Congress from 1973 to 2009, was the longest-serving senator in New Mexico history. His seniority on the Appropriations Committee added to his power and prominence, but he was best known for his chairmanship of the Budget Committee during the turbulent budget and tax wars of the 1980s and '90s.

A conservative with a pragmatic streak, he worked with Democrats to forge budget-cutting legislation. Then-Rep. Lynn Morley Martin (R-Ill.), citing Mr. Domenici's deeply held convictions about the need for a balanced budget, reportedly issued the quip about "terminal responsibility."

Mr. Domenici, who also chaired the Energy and Natural Resources Committee, was a champion of nuclear energy, pressing for legislation and federal money to support his state's national laboratories and military installations. On the Indian Affairs Committee, he worked to set aside money for the settlement of Indian water disputes and land claims.

For decades, Mr. Domenici pursued mental health parity in health insurance coverage — an issue of personal importance to him, as one of his children was diagnosed with schizophrenia.

His chief ally was Sen. Paul Wellstone (D-Minn.), whose brother had suffered from mental illness. After Wellstone died in a plane crash in 2002, Sen. Edward M. Kennedy (D-Mass.) took up the cause of the bipartisan legislation.

By the time the bill finally passed in 2008 as part of the Troubled Asset Relief Program (TARP) bill that extended a lifeline to banks as well as insurance firms and auto companies, Mr. Domenici had decided not to run for another term.

"It never would have happened without Pete," said former senator Christopher J. Dodd (D-Conn.), who was instrumental in incorporating the mental health bill into TARP in his post as chairman of the Senate banking committee. "He brought the Republican side to the issue because of his passion."

Mr. Domenici's reputation as a steady, unflashy senator — he was sometimes known as "Saint Pete" — was jarred by the revelation in 2013 that he had fathered a child in the 1970s with Michelle Laxalt, the daughter of fellow senator Paul Laxalt (R-Nev.). Michelle Laxalt, who became a lobbyist, was 24 at the time; Mr. Domenici was 46 and married.

Mr. Domenici, who had left office by the time of the disclosure, and his wife of more than 50 years, Nancy, held their family together. He and Michelle Laxalt said they revealed the affair because they suspected that someone else was about to go public with the information. Their son, Adam Laxalt, became Nevada attorney general in 2015.

It was another scandal, in 2008, that was said to have been a factor, along with his health concerns, in Mr. Domenici's decision not to seek a seventh term. In April of that year, the Senate ethics committee reprimanded him for an "appearance of impropriety" stemming from his involvement in the George W. Bush administration's firing of nine U.S. attorneys.

During that time, Mr. Domenici and Rep. Heather A. Wilson (R-N.M.) were alleged to have pressured David Iglesias, one of the attorneys asked in December 2006 to resign, to pursue corruption cases before the November elections. Mr. Domenici later admitted that he had called Iglesias about the case, but he denied pressuring him.

Pietro Vichi Domenici was born in Albuquerque on May 7, 1932, to an Italian immigrant mother and an Italian-born father who earned U.S. citizenship after World War I service. Pete — a name he legally took when he entered public life in the 1960s — was the youngest of six siblings and the only boy. He worked in his father's thriving grocery business as a child.

He received a teaching degree from the University of New Mexico in 1954. He was a standout baseball player in college and subsequently pitched in the minor leagues for the Albuquerque Dukes.

He received a law degree from the University of Denver in 1958 and then co-founded an Albuquerque law practice. The same year, he married Nancy Burk, with whom he had eight children. Survivors include his wife, children and many grandchildren.

Mr. Domenici was elected to the Albuquerque City Commission in 1966 and the next year was named chairman, a post equivalent to mayor at the time. After an unsuccessful run in 1970 for a gubernatorial nomination, he sought an open Senate seat in 1972 and won.

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"I understand this whole idea of a household with a father who is American and a mother who is not, but they are living, working and getting ahead," he said. "I understand that they are just like every other family in America. There is nothing different. They have the same love, same hope, same will and same aspirations as those of us who were born here have."

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Document WPCOM00020170913ed9d003bi



right-turn

**Jeff Sessions should be tired of losing**

By Jennifer Rubin

818 words

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English

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Attorney General Jeff Sessions has been among President Trump's most rabid supporters of the travel ban, building a wall on the southern border and a crackdown on so-called sanctuary cities. Meanwhile, he favors heavy-handed techniques such as civil asset forfeiture, which both libertarian-minded conservatives and liberals find unpalatable.

If Sessions decided to put up with the president's verbal abuse and public humiliation to fulfill his own dream of mass deportation and to institute a raft of policing policies that disproportionately hurt minorities, he might rethink his decision. (Now that Congress has made clear that it will not consider this year any attorney general nominee to replace Sessions, one should not feel the least bit anxious about his departure. Deputy Attorney General Rod J. Rosenstein could remain on indefinitely as the acting attorney general — and ensure that special counsel Robert S. Mueller III keeps his job.)

On sanctuary cities, Sessions has lost twice in federal courts, with each ruling resulting in suspension of his effort to punish states for refusing to notify the feds in advance of releasing an illegal immigrant suspect from custody, give the feds access to suspected illegal immigrants in local jails and, finally, delaying release of suspected illegal immigrants when Immigration and Customs Enforcement officials send a detainer request but lack a warrant/probable cause to hold a person. In April, a federal court in California enjoined Trump's executive order, which sought to cut off federal grants and other monies if states did not do ICE's bidding.

Then on Friday, the city of Chicago scored a major win, obtaining an injunction against pulling the plug on the Edward Byrne Memorial Justice Assistance Grant Program, which the feds sought to do in retaliation for Chicago's refusal to be dragooned into assisting ICE. ("The City has used these funds to buy police vehicles and to support the efforts of non-profit organizations working in high crime communities.") The federal court found that the statute authorizing the grants does not give the attorney general discretionary power to limit or revoke grants when he does not approve of the level of cooperation with ICE (or for any other disagreement he may have with local law enforcement). "This conclusion is supported by the fact that Congress specifically conferred authority to impose conditions on other grants housed in the same chapter," the court determined. "Where Congress did so, it did so clearly." The court therefore held:

Congress may well have Spending Clause power to impose the conditions or delegate to the Executive Branch the power to impose them, including the notice and access condition [alerting ICE to a release and giving ICE access to local jails], but it must exert that power through statute. The Executive Branch cannot impose the conditions without Congressional authority, and that authority has not been conferred . . . The notice and access conditions therefore exceed statutory authority, and, consequently, the efforts to impose them violate the separation of powers doctrine and are ultra vires.

In other words, Trump and Sessions cannot usurp Congress's power.

Speaking of Congress, the GOP-led House also decided to countermand the administration on civil asset forfeiture. The Hill reported:

A bipartisan group of lawmakers pushed an amendment to a government-spending package for 2018 that would prohibit the Trump administration from using funds to remove restrictions on the use of asset forfeiture. The practice allows law enforcement to seize cash and property and keep at least part of the proceeds.

Opposition to relaxing asset-forfeiture limits produced a strange-bedfellows effort by members of the conservative House Freedom Caucus and liberal progressives. Sponsors of the amendment included Reps. Justin Amash (R-Mich.), Mark Sanford (R-S.C.), Raúl Labrador (R-Idaho), Pramila Jayapal (D-Wash.), Ro Khanna (D-Calif.) and Don Beyer (D-Va.).

We can expect similar legislation in the Senate.

Sessions has been equally unsuccessfully in his efforts to ban Muslim arrivals from designated countries. The first travel ban was struck down. The second version has been partially enjoined and awaits a ruling on the merits from the Supreme Court. Sessions's insistence that the president rescind the Deferred Action for Childhood Arrivals order set off a firestorm and galvanized the president, Democrats and even many Republicans to enshrine relief for the "dreamers" in statute.

In short, Sessions's draconian policy initiatives have been political and legal blunders. Congress and the courts have rather systematically pushed back against his extreme measures, and even the president now seems determined not to allow Sessions to throw out nearly 800,000 dreamers. Rather than stay as a presidential punching bag, Sessions might think again about departing. After all, the American Civil Liberties Union is wiping the courtroom floors of America with him. I do wonder whether the ACLU is getting tired of winning.

Document WPCOM00020170918ed9i003ux



right-turn

**Name tags for the Trump era**

By Jennifer Rubin

738 words

17 September 2017

Washington Post.com

WPCOM

English

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Once upon a time, the media could say or write "Democrats think. . . ." or "Conservatives want. . . " and we would know about whom they were speaking. There were always gradations within parties, but we generally knew what "Democratic," "Republican," "conservative," etc. meant. Then came President Trump.

Headline writers were tied up in knots last week trying to describe those reacting to Trump's deal with the Democrats on Deferred Action for Childhood Arrivals (DACA). "Republicans" were not uniformly outraged; indeed some are working on legislative fixes. You couldn't fairly say "conservatives" were outraged for who would call Sen. Jim Lankford (R-Okla.), a co-sponsor of the more conservative version of the Dream Act, outraged by progress on an issue he is trying to solve.

Referring to "Trump's supporters" is tricky too, as in "Trump's supporters were outraged that . . ." But that's not quite right either. Even among hard-core Trump idolizers there were distinctions. Laura Ingraham decried the move toward a DACA fix; Sean Hannity implausibly assigned blame to the conservative establishment. Then there are Trump voters, who, it seems, want DACA kids to stay. As William Galston wrote about recent polling:

The breakdown of the 76 percent who want the Dreamers to remain either as citizens or permanent legal residents is revealing. It includes 84 percent of Democrats, 74 percent of Independents, 69 percent of Republicans—and two-thirds of self-identified Trump voters. 60 percent of the voters who "strongly approve" of Mr. Trump's performance as president want the Dreamers to be allowed to stay, compared to 33 percent who want them to be deported.

So it would be correct to say some Republicans were outraged, others used the opportunity to get to work on a fix. Some Trump fans blamed him, but others did not and some would be favorably disposed to a DACA fix. I know — it's hard to fit in 140 characters, let alone a headline.

The left cannot be lumped together either. Are "Democrats" on board with the single-payer plan Sen. Bernie Sanders (I-Vt.) rolled out? Hardly. He got more support than when he first rolled it out (none) but less than 20 Democrats in the Senate signed on. Well, we can say "progressives" signed on, right? Not so fast. Sen. Sherrod Brown (D-Ohio), one of the most progressive members of the Senate did not sign on. Meanwhile, some centrist Democrats such as Sen. Jeanne Shaheen (D-N.H.) did line up behind Sanders. To make matters more complicated, a good number of "progressives" backed Hillary Clinton in 2016, while many seethed and sat on their hands.

Part of the tendency to overgeneralize and label is human nature. We are categorizers to a large degree; the practice is hard-wired into us. Michael Lewis, author of "The Undoing Project," which recounts the development of behavioral economics, says, "One of the big things the human mind is doing all the time is making similarity judgments: Is this a friend or a foe? Is this a potential mate or not? Is this edible food or not? It's always classifying. We take it for granted, but we're doing it all the time."

That's not the only thing going on, however. Politicians and partisans intentionally spur imprecise, unflattering categorizations of their opponents. Republicans love to say things like, "Democrats are for socialized medicine." Democrats love to say, "Republicans want to deport every illegal immigrant." Those are misleading, so misleading as to be wrong. But politics has largely become about broad brush smears of the other side. Again Lewis observes, "If you want to reduce the power of a stereotype, you eliminate the classifications. The more you reinforce the classifications, the more powerful the stereotype will be."

We in the media would do well to resist over-categorizing. For one thing, it would enlighten readers/viewers so they avoid adopting inaccurate stereotypes. But in a larger sense, in hyper-divided America we might actually reduce differences, instill respect for one another, and encourage civility by refusing to paint the politic debates in such stark white and black (or red and blue, as the case may be) terms. We could use more nuance and less stereotyping these days. I know, that seems like pie-in-the-sky stuff in a Twitter world. Nevertheless, we can certainly try.

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Metro

**Ran Senate budget panel in Reagan era**

Elaine S. Povich

1,349 words

14 September 2017

The Washington Post

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FINAL

B06

English

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Pete V. Domenici, a Republican lawmaker from New Mexico who became a leading voice on budget and energy policy during six terms in the Senate, and who a colleague once diagnosed as suffering from a "case of terminal responsibility," died Sept. 13 at a hospital in Albuquerque. He was 85.

The death was announced by the law firm of his son Pete Domenici Jr. The senator had abdominal surgery in recent weeks and been treated for several years for frontotemporal lobar degeneration, a brain disease.

Mr. Domenici (pronounced doe-MEN-ih-chee), who represented his state in Congress from 1973 to 2009, was the longest-serving senator in New Mexico's history. His seniority on the Appropriations Committee added to his power and prominence, but he was best known for his chairmanship of the Budget Committee during the turbulent budget and tax wars of the 1980s and '90s.

A conservative with a pragmatic streak, he worked with Democrats to forge budget-cutting legislation. Then-Rep. Lynn Morley Martin (R-Ill.), citing Mr. Domenici's deeply held convictions about the need for a balanced budget, reportedly issued the quip about "terminal responsibility."

Mr. Domenici, who also chaired the Energy and Natural Resources Committee, was a champion of nuclear energy, pressing for legislation and federal money to support his state's national laboratories and military installations. On the Indian Affairs Committee, he worked to set aside money for the settlement of Indian water disputes and land claims.

For decades, Mr. Domenici pursued mental health parity in health insurance coverage - an issue of personal importance to him, as one of his children was diagnosed with schizophrenia.

His chief ally was Sen. Paul Wellstone (D-Minn.), whose brother had suffered from mental illness. After Wellstone died in a plane crash in 2002, Sen. Edward M. Kennedy (D-Mass.) took up the cause of the bipartisan legislation.

By the time the bill finally passed in 2008 as part of the Troubled Asset Relief Program (TARP) bill that extended a lifeline to banks as well as insurance firms and auto companies, Mr. Domenici had decided not to run for another term.

"It never would have happened without Pete," said former senator Christopher J. Dodd (D-Conn.), who was instrumental in incorporating the mental health bill into TARP in his post as chairman of the Senate banking committee. "He brought the Republican side to the issue because of his passion."

Mr. Domenici's reputation as a steady, unflashy senator - he was sometimes known as "Saint Pete" - was jarred by the revelation in 2013 that he had fathered a child in the 1970s with Michelle Laxalt, the daughter of fellow senator Paul Laxalt (R-Nev.). Michelle Laxalt, who became a lobbyist, was 24 at the time; Mr. Domenici was 46 and married.

Mr. Domenici, who had left office by the time of the disclosure, and his wife of more than 50 years, Nancy, held their family together. He and Michelle Laxalt said they revealed the affair because they suspected that someone else was about to go public with the information. Their son, Adam Laxalt, became Nevada attorney general in 2015.

It was another scandal, in 2008, that was said to have been a factor, along with his health concerns, in Mr. Domenici's decision not to seek a seventh term. In April of that year, the Senate Ethics Committee reprimanded him for an "appearance of impropriety" stemming from his involvement in the George W. Bush administration's firing of nine U.S. attorneys.

During that time, Mr. Domenici and Rep. Heather A. Wilson (R-N.M.) were alleged to have pressured David Iglesias, one of the attorneys asked in December 2006 to resign, to pursue corruption cases before the November elections. Mr. Domenici later admitted that he had called Iglesias about the case, but he denied pressuring him.

Pietro Vichi Domenici was born in Albuquerque on May 7, 1932, to an Italian immigrant mother and an Italian-born father who earned U.S. citizenship after World War I service. Pete - a name he legally took when he entered public life in the 1960s - was the youngest of six siblings and the only boy. He worked in his father's thriving grocery business as a child.

He received a teaching degree from the University of New Mexico in 1954. He was a standout baseball player in college and subsequently pitched in the minor leagues for the Albuquerque Dukes.

He received a law degree from the University of Denver in 1958 and then co-founded an Albuquerque law practice. The same year, he married Nancy Burk, with whom he had eight children. Survivors include his wife, children and many grandchildren.

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right-turn

**Sessions forced Trump into his dumbest political move yet**

By Jennifer Rubin

593 words

13 September 2017

Washington Post.com

WPCOM

English

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Attorney General Jeff Sessions apparently convinced President Trump he had no choice but to pull the plug on the Deferred Action for Childhood Arrivals, using a phony deadline as the pretext. Stephen K. Bannon and the alt-right may think this was a terrific idea, but the polls say otherwise — as does Trump's newfound interest in finding a fix to his own political malpractice.

According to a new Morning Consult/Politico poll, 65 percent of voters think that "passing a bill that grants young people who were brought to the United States illegally when they were children, often with their parents, protection from deportation" should be a top or at least important priority. A plurality (45 percent) think ending DACA was wrong.

Asked "When it comes to legislation regarding Dreamers, which of the following would you most like Congress to pass?" 54 percent say they want dreamers "to stay and become citizens if they meet certain requirements" while an additional 19 percent want to afford them legal residence. That includes 41 percent of Republicans who voted for Trump. Only 12 percent want to deport them. Repealing DACA looks like it's even less popular than Trumpcare.

In addition, a plurality (45 percent) think a DACA fix should be a stand-alone bill while only a third think it should be part of a larger immigration package.

The DACA repeal therefore has done several things, none of them helpful to the anti-immigrant crowd. First, it has galvanized sympathy for dreamers to such an extent that a significant majority now want them to be citizens. Second, it has made Trump as anxious about passing a DACA fix as Democrats are. He's so concerned, the White House already threw in the towel on tying it to funding for the wall. In all likelihood, DACA will be fixed and the wall will never be built. It's a result Hillary Clinton might not have been able to obtain (certainly not with a GOP House and Senate). Third, Trump's decision will force a good number of Republicans to cast votes for the Dream Act (or some variation), thereby emphasizing the split between the Bannonites and the rest of the GOP. This offers traditional Republicans an opportunity to rebuke the ethno-nationalist agenda (oddly, with Trump's help) but puts anti-immigrant but pro-Trump lawmakers (e.g., Sens. Tom Cotton of Arkansas, Sen. Ted Cruz of Texas) in a precarious position.

No one should consider a DACA fix to be a small or insignificant part of the immigration problem. About 1.9 million people were eligible for DACA — more than 17 percent of the estimated 11 million illegal immigrants in the United States. About 788,000 successfully applied for DACA status, about 7 percent of the illegal immigrant population. Taking care of dreamers, without giving up much of anything, would be a huge win for the pro-immigrant community. Getting Americans to think of immigrants as assets, not burdens, and certainly not as a bunch of "murderers," as Trump described them, would represent an important precursor to a humane, reasonable immigration solution that takes care of those already here, provides workable border and visa overstay-prevention and reform of our legal immigration system (not slashing of legal immigration, an immensely stupid and destructive proposal). It would be what the die-hard anti-immigrant groups used to call "amnesty." And it will be largely due to the handiwork of Jeff Sessions.

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posteverything

**How DACA pits 'good immigrants' against millions of others ; The policy was never an adequate solution to the nation's immigration situation, and the narrative around it has hurt immigrants.**

By Joel Sati

847 words

7 September 2017

Washington Post.com

WPCOM

English

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I'm one of the approximately 12 million undocumented immigrants in the United States, and I'm also a doctoral student at UC Berkeley — one of the "deserving" immigrants, the "good" immigrants, the "DREAMers." My friends and I always joke that if there ever was a poster child for DACA, it would be me. For five years, Deferred Action for Childhood Arrivals (DACA) has protected me and 800,000 others from deportation while granting us work permits among other benefits. Today, under the Trump administration, the end of DACA could be just six months away.

And while some continue to debate the fine points of DACA, the policy was never an adequate solution to our nation's immigration situation — and its framing of some immigrants as "good" and others as "bad" has actually hurt the movement.

The DACA narrative, advanced by advocates, politicians and media reports, tends to highlight "model" immigrants — those with perfect GPAs, impeccable English and spotless criminal records, like me. A Miami Herald editorial arguing in favor of DACA featured a photo of a high school valedictorian, Larissa Yanin Martinez. Leon Panetta praised dreamers in a op-ed as patriotic and open to military service. "They would make outstanding soldiers, sailors, airmen, Marines and Coast Guardsmen," he wrote. In a letter reversing his previous opposition to DACA, Tennessee Attorney General Herbert Slatery wrote of the "outstanding accomplishments and laudable ambitions" of many DACA recipients. The "they came here through no fault of their own" refrain, repeated again this week by Harvard Law Prof. Laurence Tribe, appears in nearly every story about Dreamers.

Though well intentioned, lauding the Dreamers has the unintended effect of juxtaposing these "good," "deserving" immigrants with the "bad" ones — those with, say, a drug charge from years back — who deserve nothing but deportation and marginalization. Narratives of childhood innocence and economic contribution constrict the movement at a time when it needs to include all 12 million. And supporting DACA has allowed the liberal elite to feel good about ostensibly doing something pro-immigration when, in fact, it hurts our struggle.

In addition to exceptionalizing a few of us, DACA essentially threw non-DREAMer immigrants under the bus, and now the policy has been exposed as an abject political failure. The distinctions some immigrants made to present themselves as deserving no longer carry water; the good immigrant/bad immigrant distinction is gone. We without papers have been, and will continue to be, functionally illegal, and no amount of, "um, actually, the term is undocumented " will change that.

I don't object to the protections that DACA grants (which would be strange, given that I have benefited so much from it), nor am I against efforts to retain it. But DACA is not the endgame, and the fight to keep it needs to adopt a narrative that doesn't criminalize the rest of the 12 million — many of whom are not valedictorians, have an indiscretion on their record or speak broken English. Without the "good immigrant" vs. "bad immigrant" narrative, and without the pressure for respectability on which our current movements are premised, there would be neither a need nor a justification for a hotline to report immigrant crimes. The president would be unable to pay lip service to only deporting "bad hombres" while actually allowing the deportation of anyone who had crossed the border. People would be unable to support policies that punish immigrants while expressing horror when a "good one" faces deportation.

And as the Black Lives Matter movement makes clear, black Americans who are "respectable" are not safe from mistreatment or violence at the hands of the state. Thus, in fighting for substantive immigration protections, we must understand how creating the status of "illegal immigrant" is not a static occurrence but an ongoing political, legal and social process; this is why it is accurate to speak of immigrants without status not as just undocumented or illegal but illegalized . This denotes a status where the immigrants are made to grovel for a humanity that ought to be presupposed.

Such a position is where we find ourselves. DACA, for all its benefits, was a Faustian bargain that we never should have struck. Our movement must make a fundamental shift in how we frame our experience in the struggle for substantive immigration protections: safety from deportation, citizenship for all 12 million and a reconceptualization of political membership in such a way that the situation we face never happens again. We deserve this not because we are good, but because we are human beings, and as Elie Wiesel proclaimed, "no human being is illegal." As we look inward to determine where our movement went wrong, we must admit that our readiness to adopt damaging narratives hampered our long-term strategic gains for short-term objectives. Unless we move beyond DACA, we now stand to pay the price for our myopia.

Document WPCOM00020170907ed97002pe



right-turn

**A pariah president: DACA repeal is too extreme for Americans and religious leaders**

By Jennifer Rubin

891 words

6 September 2017

Washington Post.com

WPCOM

English

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The Morning Consult/Politico poll reports:

Fifty-eight percent of Americans said Dreamers should be allowed to stay in the country and become citizens if they meet certain requirements, according to a Morning Consult/POLITICO poll conducted Aug. 31 through Sept. 3. Eighteen percent said they should be allowed to remain and later become legal residents, but not citizens, if they meet certain requirements, while 15 percent of respondents favor deportation, according to the national sample of 1,993 registered voters.

Seventy-one percent of Democrats and 56 percent of independents, as well as a 46 percent plurality of Republicans, said DACA recipients should be permitted to continue residing in the United States and become citizens if they meet certain conditions.

In other words there are huge majorities in favor of not only allowing "dreamers" to stay but also to become citizens. Even a plurality of Donald Trump voters (44 percent) do.

As for the greater illegal immigrant populations, Americans are far more accommodating than President Trump and his anti-immigrant ilk:

A 49 percent plurality said undocumented immigrants should be allowed to stay and become citizens if they meet certain requirements. Twenty-one percent said undocumented immigrants should be allowed to stay and become legal residents, but not citizens, if they meet certain conditions, and 22 percent said they should be deported.

So 70 percent want the 11 million, at the very least, to remain with legal status. It's hard to fathom how Trump could be persuaded — other than by legal mumbo-jumbo from Attorney General Jeff Sessions — that this is a wise political course.

Trump, however, seems sealed in a nativist, xenophobic bubble where his loyal cadre of Christian evangelicals say his action was "compassionate" (!) and his Breitbart pals cheer on every attack on minorities and every bone thrown to the white nationalists (including the pardon of Joe Arpaio, for criminal contempt). One wonders whether his chief of staff, John F. Kelly, presented a representative array of business, community and religious leaders to impress upon his boss the sheer cruelty of his move. Perhaps Trump did get such edification, and knowing what he did was profoundly cruel hid behind Sessions, who made the announcement.

Trump apparently doesn't hear or isn't persuaded by the voices outside the clique of right-wing Christian leaders (who gave up their moral credibility to play right-wing block back for team Trump). The U.S. Conference of Catholic Bishops roundly condemned his decision:

The cancellation of the DACA program is reprehensible. It causes unnecessary fear for DACA youth and their families. These youth entered the U.S. as minors and often know America as their only home. The Catholic Church has long watched with pride and admiration as DACA youth live out their daily lives with hope and a determination to flourish and contribute to society: continuing to work and provide for their families, continuing to serve in the military, and continuing to receive an education. Now, after months of anxiety and fear about their futures, these brave young people face deportation. This decision is unacceptable and does not reflect who we are as Americans.

That's as ferocious a scolding as I've ever seen the bishops deliver (at least on a subject other than abortion) to a politician.

The Catholics were not alone. Leading Jewish organizations including the Anti-Defamation League, the Jewish Reform Movement, HIAS (a Jewish refugee organization) and the Jewish Council for Public Affairs all excoriated the move. Russell Moore, president of the Southern Baptist Ethics & Religious Liberty Commission, implored Congress to act. ("Moore and other leaders of the Evangelical Immigration Table (EIT) asked Trump and congressional leaders in Aug. 30 letters to maintain protections for Dreamers. More than two dozen Southern Baptists who did not sign the EIT's Aug. 30 letter have affirmed the coalition's statement of six general principles for immigration reform.") Other Christian denominations added their condemnation. Leaders in the Muslim community also deplored Trump for "pandering to the demands of anti-immigrant extremists."

The criticism seemed to have gotten to Trump, who less than 12 hours after the DACA announcement tweeted, "Congress now has 6 months to legalize DACA (something the Obama Administration was unable to do). If they can't, I will revisit this issue!" So never mind the deadline, and the Constitution won't matter then!? Trump can never stand to take responsibility for his messes, nor be the bad guy; for that very reason DACA supporters must keep a laser-like focus on him.

It is hard to think of another action in which both the public and such a large panoply of religious leaders so viscerally opposed on humanitarian grounds a presidential action. It is, perhaps, a sign of decent, humane societies that they welcome immigrants. Treating the stranger with compassion is a foundational belief among Christians and Jews. All of that is lost on Trump, who lacks an intuitive sense of right and wrong and routinely does not understand the effect his words and actions have on others. He has now encountered a furious, impassioned backlash. In that sense he brought the country together; now Americans across religious and political lines should insist his action be reversed.

Document WPCOM00020170906ed9600364



A-Section

**'If they deport all of us, who will rebuild?'**

Arelis R. HernÃ¡ndez Aaron C. Davis

1,883 words

5 September 2017

The Washington Post

WP

FINAL

A01

English

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HOUSTON - Everywhere Samuel Enrà­quez looks, he can see the work that needs to be done. But because he is in the United States illegally, he knows he can't earn an official paycheck in this city's recovery.

The carpenter from El Salvador sits on a curb outside a home improvement store, hoping a passer-by will offer $10 an hour to help rip out sewage-soaked carpets or rotting drywall. Having lived in the United States for a year, he believes Texas is as good a place as any to seek refuge, because that's where the work is now, even if some government officials want him and others like him to leave the country.

"If they deport all of us, who will rebuild?" says Enrà­quez, 36, waiting along with about two dozen other laborers seeking work. "We do more for less."

It will take an army of workers to reconstruct a vast swath of southeast Texas, including the sprawling metropolis of Houston, that was devastated by Hurricane Harvey. Whether the region can do it without fully embracing workers like Enrà­quez will soon be put to the test - with reverberations that could be felt nationwide.

Under President Trump, authorities in Texas have been bearing down on illegal immigrants. Until a judge blocked the measure last week, they threatened to enact a new state law that would outlaw sanctuary cities. Texas also has been leading a group of 10 states demanding that Trump end the Obama-era Deferred Action for Childhood Arrivals program, or DACA, which granted reprieves from deportation to nearly 800,000 undocumented immigrants who came to the United States as minors.

It is a harsher landscape for those in the country illegally than it was 12 years ago, when the Gulf Coast faced the similar-size task of cleaning up from Hurricane Katrina. Eight days after that storm made landfall, President George W. Bush bowed to pressure from construction firms and relaxed worker ID rules. By some estimates, that allowed more than a quarter of all government-paid recovery jobs to go to illegal immigrants.

But 10 days after Harvey struck Texas with record-setting rains and caused unprecedented flooding, the Trump administration has made no similar proclamation. Worse, immigrant rights groups say, federal authorities have sent conflicting signals about whether they might start simply detaining and deporting those flushed out into the open by the storm.

Rep. Lamar Smith (R-Tex.), who was critical of Bush's decision, said in a statement Sunday that he sees even greater challenges in recovering from Harvey. "But that does not mean federal immigration laws should be ignored. Nor should regulations that require federal contractors to verify legal work authorization of their employers," he said. "These policies were put in place to protect American workers and taxpayers."

More than 200,000 homes sustained damage in the storm, including more than 13,500 that were destroyed, according to early local estimates that don't provide solid numbers for some of the hardest-hit areas. Leaders in the construction industry have begun sounding alarms that there will not be enough American-born workers to rebuild as quickly as needed.

"If they would relax the rules, honestly, that would be great, we could use it," said Jeffrey Nielsen, executive vice president of the Houston Contractors Association, whose members include the city's largest firms that build roads, bridges and other public works.

Nielsen said that even before Harvey hit, almost every member of the association was grappling with a shortage of workers. With a crushing list of jobs now growing by the day, thousands need to be hired - and fast.

Nielsen said he and other construction industry officials were told at a weekend briefing that roughly 30 percent of all roads in and around Houston will remain impassable without some construction work.

"The truth is, there are not a lot of people jumping up and down to do civil construction work in Texas. It's hot, and these jobs are pouring concrete or, worse, hot asphalt," Nielsen said. "That's the reality of it, and we need more people than ever."

There are plenty in and around Houston who might consider taking on the work, which can pay $20 an hour or more, if ID requirements were relaxed, construction industry officials say.

The Houston metropolitan area has the third-largest illegal immigrant population in the country, about 575,000 people, according to a Pew Research Center report this year. Those workers already make up roughly a quarter of all construction laborers citywide, according to the study. Some estimate it could be closer to half.

But as the federal government this week is expected to begin signing massive contracts for debris removal, roofing work and other emergency efforts, none of Houston's unauthorized immigrant population could pass worker verification guidelines required of federal contractors.

At a news briefing last week, White House homeland security adviser Tom Bossert tried to allay fears that Houston's immigrants would be rounded up when they sought help at shelters. The administration, he said, was encouraging people to seek lifesaving help if they need it and wouldn't "let somebody starve or die of thirst or exposure."

But Bossert also was clear that the extent of the government's leniency for illegal immigrants ends there.

"There's no real wavering here, and it's pretty clear about our position on immigration," he said. "I don't think there's going to be a lot of benefits going out to illegal immigrants in terms of the American taxpayer."

On the ground in Houston, the reality is different. Workers are needed urgently, and in Harvey's wake, a shadow economy of off-the-books hiring will only expand, putting workers at risk of exploitation and robbing the state and federal government of tax dollars.

In eastern Houston, Guillermo Herrera's banquet hall received about two feet of water after the west canal of Greens Bayou swamped the nearby community of mobile homes and cottages.

The hall was full of mud, the beer fridge had overturned, and the drywall stank, Herrera said. But despite the storm and flooding, one of his clients refused to cancel a Saturday night wedding ceremony planned for 600 guests. To make good on the contract and keep his business afloat, Herrera turned to his employees and their relatives to get the job done.

"I didn't care where they came from," said Herrera, 55. "We needed the help."

By midday Saturday, the tile floor was sparkling, the tables and their gaudy glass centerpieces were in place, the septic tank was back in working order, and the mariachi band would soon arrive.

Without undocumented workers, "there was no damn way" to do the job, Herrera said, adding that after the nuptials he planned to close the hall for two weeks for a more extensive rehab - one that will probably require hiring more undocumented workers.

Dave and Josephine Bushnell traveled from Louisiana to help their daughter clean up after the flooded San Jacinto River left nearly six feet of water inside her two-story home in Humble, Tex.

The couple and a crew of local church volunteers are doing some initial work, but soon they will need more specialized help for wiring, reassembling walls and putting in new floors. Would they hire day laborers to help?

"Oh yeah. They need the help too. The government helps us, we help them, and all of us help the economy," Dave Bushnell said, pointing to a crew of three men pulling up a tree stump at an adjacent home. "You see how hard they work. They've probably lost everything too, but they can't sit and wait for a handout. They've got to work."

But to be part of the federal government's recovery effort, it's a different process entirely. Often, an early step is for an employer to check the U.S. Citizen and Immigration Services E-Verify website, which makes sure a worker is a U.S. citizen or a foreign one with the necessary authorization to draw a paycheck.

Nielsen said his crews of road workers have been getting walk-ups every day. "We tell them we E-Verify, and half of them just turn around and walk away," he said.

"We are undoubtedly going to need immigrant workers to rebuild Houston," said Kevin Appleby, director of policy for the nonprofit Center for Migration Studies of New York. "It is clear that immigrants, including those without status, helped to rebuild New Orleans."

Stan Marek, chief executive of Marek Construction in Houston, sees the damage left by Harvey as big enough to hopefully reset the national debate over illegal immigration.

He and other contractors want a permanent solution that will absorb the existing workforce and train them for the kinds of jobs that Houston and other parts of Texas will need. The storm, Marek said, provides an opportunity to solve an immigration problem in the state while advancing social justice.

"With some supervision and some training, we could kick-start this whole thing to basically integrate these people into society," Marek said. "Let's take them out of the shadows and give them the protection of our laws."

Roberto Benavidez, 45, a Nicaraguan, has been thinking the same thing as he paces in front of a Home Depot in West Houston looking for odd jobs.

"For the country to rebuild Houston, it will need amnesty for immigrants," Benavidez said. "I get it. It seems like we are busting in the door of your house and asking to stay, but in reality, we are knocking on the door and offering a service."

For a larger fix, advocates say Bush's decision after New Orleans can't be looked at as a model. In September of 2005, the Department of Homeland Security waived worker identification requirements for "victims" of Katrina for 45 days. Critics said it was impossible to determine who was a victim, and it let illegal immigrants from across the country descend on New Orleans and be hired as subcontractors.

Appleby said he sees three likely scenarios under Trump: "Either he does not waive and continues to be strict, or he does not waive but also does not enforce, or he does relax regulations," he said.

The most likely, Appleby believes, is for the administration to "wink and nod" and to not conduct raids of construction companies in the Houston area for some period of time.

In the meantime, Emelda, who cleans houses in Houston, said she is getting ready for an uptick in work and still holds hope something good can come out of Harvey.

"Through all this hurt, we've become, as a city, one hurting heart. The pain of one is the pain of all," said Emelda, who spoke on condition her full name not be used because she fears deportation. "I feel that through all of this, God is talking to us. And He's saying a lot, showing us we need to have compassion and patience with one another."

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A-Section

**Four firms picked to build border wall prototypes**

Tracy Jan

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The Trump administration on Thursday announced it has chosen four companies to build concrete prototypes of the president's much-touted border wall.

Construction of the prototypes, to take place in San Diego, is the first step in fulfilling Trump's campaign promise of building a "big, beautiful" wall stretching along the 2,000-mile U.S.-Mexico border.

"Today we mark a significant milestone," said Ronald Vitiello, acting deputy commissioner of U.S. Customs and Border Protection. "This is the first tangible result of the action planning that has gone on. This is the use of the resources we had available for this year."

There appears to be a lack of political will to fund a continuous barrier. Congress has set aside $20 million in the current budget to build the prototypes but has not appropriated any other money for the wall. Each of the four contracts is worth between just under $400,000 and $500,000, Vitiello said.

The companies chosen are Caddell Construction of Montgomery, Ala., Fisher Sand & Gravel/DBA Fisher Industries of Tempe, Ariz., Texas Sterling Construction of Houston, and W.G. Yates & Sons Construction of Philadelphia, Miss.

Construction of the prototypes is expected to begin in two weeks, Vitiello said, and should be completed this fall.

Each prototype will be 30 feet long and up to 30 feet high. All will be built in proximity of each other, he said. They will function as a secondary barrier in a border enforcement zone that already has a fence.

Officials from the Department of Homeland Security will spend 30 to 60 days using small hand tools to test the prototypes for resistance to tampering and penetration, Vitiello said. Officials will consider aesthetics as well as anti-climb features and how technology could be used to complement the physical barrier.

"We are not just asking for a physical structure," Vitiello said. "We're asking for all the tools that help secure the border."

The administration was initially expected to announce its decision on prototypes in June, but the contracting process was delayed after protests from two companies that had not made the list of finalists.

The Government Accountability Office dismissed the protests last Friday, but unsuccessful bidders have another opportunity to file new protests, which could further delay construction.

During a rally in Phoenix last week, Trump threatened to shut down the government if Congress does not agree to fund his wall in September.

"Believe me, if we have to close down our government, we're building that wall," Trump said. "The American people voted for immigration control. That's one of the reasons I'm here, and that is what the American people deserve, and they're going to get it."

Seven hundred miles of fencing was already built in the most critical areas after the passage of the 2006 Secure Fence Act under President George W. Bush. And there has been a significant decrease in the number of illegal border crossings since Trump took office.

The government in March asked for design submissions for two types of wall: a reinforced concrete barrier wall as well as one made of an alternative material with see-through capability. The government specified that the wall must be insurmountable and "aesthetically pleasing in color," at least from the U.S. side.

More than 200 companies responded with proposals. The contenders were winnowed down to a secret list of about 20 finalists.

Thursday's announcement by U.S. Customs and Border Protection did not include the winners of the non-concrete wall prototype. Trump had floated the possibility this summer of a solar-paneled wall, between 40 and 50 feet high as a way to help pay for construction.

But with less than 2 percent of the U.S. population living within 40 miles of the border with Mexico, most of the electricity generated by the wall would be useless - without the construction of costly transmission lines to take it to other parts of the country.

Vitiello said his agency expects to award as many as four contracts for the non-concrete prototypes next week. The prototypes will allow the agency to learn about what type of structure would work best along the border. They could function as permanent barriers in San Diego or be removed or relocated elsewhere, he said.

The firms selected to build the prototypes are not necessarily the ones that will be picked to build the wall, a border agency official said. Another bidding process would ensue if funding is approved for the wall itself.

"This is not a competition to build the rest of the wall," the official said.

Trump's 2018 budget calls for $2.6 billion for "high-priority tactical infrastructure and border security technology." Of that amount, $1.6 billion is for "bricks and mortar construction" and $1 billion for infrastructure and technology, such as roads needed to serve construction sites, and surveillance equipment.

Since the presidential campaign, Trump has scaled back his ambitions about the wall, conceding that a continuous barrier would not be possible - or necessary - given natural obstacles such as lakes, rivers and mountains. A seamless wall is also unrealistic because of international treaty and flood-zone requirements.

The administration had hoped to add more than 100 miles of wall over the next two years, according to a Department of Homeland Security planning document. Among the "high priority" locations would be the border sectors of the Rio Grande Valley in the southern tip of Texas as well as El Paso, Tucson and San Diego.

Of the more than 400,000 illegal-immigrant apprehensions on the southern border in 2016, nearly half were in the Rio Grande Valley, according to data compiled by the U.S. Border Patrol.

Customs and Border Protection said in June that it would start installing 35 gates in the Rio Grande Valley to cover gaps, as well as beginning work to replace fencing in San Diego and vehicle barriers in El Paso. Trump has pointed to the repairs as a sign that his wall is coming to life.

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post-politics

**DHS reviewing status of Obama's deferred-action program for illegal immigrants ; Advocates fear that Trump could end the program, which has offered work permits to 800,000 illegal immigrants but faces a potential legal challenge.**

By David Nakamura

701 words

25 August 2017

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WPCOM

English

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Top officials at the Department of Homeland Security met this week to review the status of a deferred-action program for illegal immigrants that could face a legal challenge from Texas next month, raising fears among advocates that President Trump could choose to eliminate it.

Acting DHS Secretary Elaine Duke and Thomas Homan, the acting head of Immigration and Customs Enforcement, were among those who gathered Monday to deliberate over the future of Deferred Action for Childhood Arrivals (DACA), according to an agency official with knowledge of the meeting.

During his campaign, Trump vowed to end DACA, which began in 2012 under the Obama administration, on his first day in office, calling it an unconstitutional abuse of executive authority. But Trump has not followed through on his threats. The program has provided renewable, two-year work permits to nearly 800,000 immigrants who came to the country illegally as children.

Chad Wolf, DHS's acting chief of staff; deputy general counsel Dimple Shah; and James D. Nealon, a former U.S. ambassador to Honduras working on policy at the agency, also attended the meeting this week, according to the official familiar with the meeting.

It is not clear what conclusions the group reached. But rumors swept through the immigrant rights community Thursday that a decision from Trump is imminent.

Any decision would provoke strong reaction from both sides of the debate.

DACA is immensely popular among Latino and Asian American communities. The president has wavered on his threats, and in April suggested that the DACA recipients, known as "dreamers," could "rest easy."

Immigration hard-liners, including some Republicans in Congress, have pressed Trump to act. The threat of a lawsuit from the states has led to speculation that the Justice Department, led by Attorney General Jeff Sessions, who opposed DACA as a Republican senator from Alabama, would not defend the program. Texas set a deadline of Sept. 5 for the administration to end the program.

Last year, a federal appeals court upheld an injunction issued by U.S. District Court Judge Andrew S. Hanen of Brownsville, Tex., who halted an Obama-era program that offered three-year work permits to the illegal immigrant parents of U.S. citizens a day before it was scheduled to begin enrolling applicants.

Last week, Hanen agreed to halt further proceedings on the deferred-action programs in his courtroom until after the Sept. 5 deadline on DACA.

In the wake of the legal activity, the DHS officials gathered to "review the status of DACA and [determine] next steps" for the program, according to the official, who spoke on the condition of anonymity to discuss internal deliberations.

"If Trump decides to end the successful DACA program, it would signal that he has decided to appeal to the white supremacists in his base rather than to courageously lead in this moment," Marilena Hincapié, executive director of the National Immigration Law Center, said Thursday. "He would be betraying the young immigrants he reassured did not have anything to worry about and claimed to have a 'heart' for."

On the other side, some immigration hard-liners have suggested that Trump could try to push through a package of legislation that would offer the dreamers more permanent legal status, along with new border security measures, including a reduction in the level of legal migration. Republican Sens. Tom Cotton (Ark.) and David Perdue (Ga.) have introduced a bill, with Trump's backing, to slash legal immigration levels in half over a decade.

Trump said this week that he would be willing to shut down the government over a spending bill in September if Congress does not allocate money for the border wall he has promised to build along the U.S.-Mexico border.

"If the supporters of the [dreamers] are scared enough, they might be willing to deal," Mark Krikorian, executive director of the Center for Immigration Studies, which advocates for lower immigration levels, wrote this month in the National Review.

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A-Section

**DHS reviews 'dreamers' program**

David Nakamura

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all-opinions-are-local

**College Park should not let illegal immigrants vote**

By Thomas Wheatley

724 words

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Officials in College Park are debating a measure that would grant illegal immigrants the right to vote in local elections. Justifying the measure, proponents say illegal immigrants should be able to voice their concerns on local issues such as trash collection, snow removal and other municipal services. Other supporters, including CASA de Maryland, an organization with a mission to "create a more just society by building power and improving the quality of life in low-income immigrant communities," say the measure sows the seeds for transgenerational "civic engagement" and will send a message that College Park values "diversity."

For those of us mindful of the rule of law, the measure reeks of the sort of self-serving underhandedness that has, for many people, become virtually synonymous with pro-illegal immigrant legislation.

A vote expected Tuesday was postponed until mid-September.

Consider, for example, how the measure interacts with Maryland's state election laws. Maryland state law is crystal clear on the relationship between citizenship and the right to vote: "An individual may become registered to vote if the individual . . . is a citizen of the United States." The Prince George's County Board of Elections reaffirms this citizenship requirement, which is also reflected in College Park's charter (requiring voters to have "registered to vote with the Supervisor of Elections for Prince George's County").

College Park's proposed measure, however, would skirt this registration requirement by amending College Park's charter to broaden voter eligibility to include any person who "is a resident of [College Park], will be eighteen years of age on or before the date of the next city election, and does not claim voting residence or the right to vote in another jurisdiction." The measure also creates a "supplemental voter registry" for noncitizens operated exclusively by College Park. By eliminating the need to register with Prince George's County, noncitizens would be able to participate in local elections without running afoul of Maryland's citizenship requirement.

Although legally compliant, the measure nonetheless smacks of unfairness — largely because of how proponents have attempted to downplay its impact.

Proponents wish to ameliorate public concerns by emphasizing that the measure would apply only to local matters, specifically highlighting mundane subjects such as trash and snow removal. But illegal immigrants would have a say in matters far more personal to lawful citizens, including those in which contrived opportunities to raid public coffers run rampant. College Park may, for example, take a page out of Montgomery County's book and raise its already burdensome property taxes to pay for utilities and services strained by a burgeoning illegal immigrant population (a population that may well have been incentivized to live in College Park because of its noncitizen-friendly voting laws).

Second, although the measure is indeed local in nature, its consequences would far exceed College Park's borders. Considering again the property tax example, if housing costs become too high, low-income families would move out of College Park and into more affordable neighboring communities. Some of these communities would have the resources to handle a surge of poor residents, others would not. This is, of course, in addition to the other, more sinister consequences associated with illegal immigration that reach far beyond the jurisdiction of a single city or town.

Finally, the voter law would create yet another incentive for illegal immigrants to embark on the treacherous journey in the first place. But illegal immigration comes at a tremendous humanitarian cost. Last month, eight people in San Antonio, Texas, were found dead in the back of a tractor-trailer (a ninth died later), victims of a barbaric human-trafficking ring that exploits the hopes of innocent migrants for cash. College Park's voting measure lengthens the lifespan of such criminal schemes and turns a blind eye to its victims. For that reason alone, all organs of sovereign power — federal, state and local — should be encouraging compliance with long-standing federal immigration law, not engendering its violation.

It is perfectly reasonable for Marylanders to expect illegal immigrants to refrain from participating in local elections, where even a handful of votes can make the difference. Voting is a privilege avowed by law to be exclusive to U.S. citizens. It should remain so.

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A-Section

**No wall between Trump and immigration**

Ashley Parker David Nakamura Philip Rucker

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The border wall looms large for President Trump.

Aboard Air Force One last week, talking with reporters en route to Paris, he ruminated about the wall of his dreams - 700 to 900 miles long, with transparent sections so that border agents aren't hit on the head by "large stacks of drugs" tossed over from the Mexican side, and outfitted with solar panels.

And no, Trump insisted, he was "not joking."

"There is a very good chance we can do a solar wall," he said, "which would actually look good."

The president began promoting the idea, aides explained, after a business acquaintance pitched it in one of the many conversations he has with friends - yet another example of how Trump often outsources his policy process, including an eagerness to entertain creative, even pie-in-the-sky notions.

Critics often dismiss Trump as a chief executive uninterested in the policy process, unwilling to delve into minutiae and impatient with the pace of governing. He has been largely absent from arm-twisting on Capitol Hill, remote in interacting with many of his Cabinet secretaries and remiss in the public salesmanship of big-ticket policy items - most recently on the GOP health-care plan that collapsed this week in the Senate.

But on immigration - a challenge that has vexed presidents since Ronald Reagan and a theme that has occupied Trump for decades - the 45th president has been heavily engaged in the administration's roiling debate. Officials credit him for being relentless in framing illegal immigration as a threat to public safety and to the economic security of American workers, and for turning a border wall into a populist rallying cry.

This portrait of Trump as a policymaker at the six-month mark of his presidency - culled from interviews with two dozen top administration officials, key lawmakers and other senior Republicans - shows a president driven by gut feelings, happy to mostly skim the surface but occasionally engrossed in details.

"The president's own opinion and his natural instincts on all of these issues is what will most likely be the default winner of the day, all the time," said Reince Priebus, the White House chief of staff. "So the guiding light is always his vast experiences and his years of thought on these subjects."

Advisers said the president has strong, instinctual opinions on broad issues but is open to persuasion on details. Trump is proudly nonideological, but retains some key beliefs - especially on immigration, trade and national security. He defends his views vigorously, yet solicits alternative perspectives and can be persuaded to change his position.

"The president likes consulting a wide variety of people and viewpoints," said Robert Porter, assistant to the president for policy coordination and the White House staff secretary. "He appreciates the back and forth. Sometimes it's on paper with memos that he'll read and ask for more information, and sometimes it's in meetings, either formal structured meetings or more informal discussions."

Trump is torn over how to address the status of the younger immigrants who were brought to the country illegally by their parents, colloquially known as "Dreamers," who were protected by President Barack Obama's administration. Debate about the Deferred Action for Childhood Arrivals (DACA) policy aimed at this group has been among the most robust - and inconclusive - in Trump's White House.

By contrast, Trump is far more certain about the wall. The structure could change in design or function - he vowed to build a much longer and higher wall during the campaign - but his security argument for it has remained constant.

"He campaigned on restoring the rule of law," said Rep. Lou Barletta (R-Pa.), an immigration hard-liner who was an early supporter of Trump's campaign. "He never wavered, never backed off. He's still doing what he said he was going to do."

Yet for Trump, like his predecessors, the reality is that changing the immigration system is unlikely to be achieved in a far-reaching bill. Any broad overhaul of the nation's immigration laws would need the legislative buy-in of both parties, and there is widespread resistance to building a wall that many consider an ineffective boondoggle.

The White House intends to fight hard for border wall funding in upcoming budget negotiations with Congress. Still, Trump appears resigned to trying to remake the immigration system through a combination of executive power and rhetoric.

"What I'd like to do is a comprehensive immigration plan," he said last week, "but our country and political forces are not ready yet."

'The two Stephens'

"A nation without borders is not a nation," Trump said five days after he took office in late January.

He was speaking at the Department of Homeland Security at a signing ceremony for two executive orders aimed at cracking down on illegal immigration. His troubled travel ban grabbed the headlines, but the two orders Trump signed that day represent his administration's immigration blueprint so far - one beefing up border security and the other increasing interior enforcement with more agents and restrictions.

Leading the charge on immigration is Stephen K. Bannon, who ran the conservative Breitbart news website and now serves as Trump's chief strategist, and Stephen Miller, Trump's senior policy adviser who made his name as a young Capitol Hill aide championing hard-right immigration policies. "The two Stephens," as colleagues sometimes refer to them, work with Julia Hahn, who had covered immigration for Breitbart and was hired in the West Wing by Bannon.

Like a businessman checking the status of a project, Trump demands regular updates, calling DHS Secretary John F. Kelly multiple times a week to check in, often with little or no notice.

More recently, Trump has focused his public remarks on the threat of a specific gang, MS-13, a Salvadoran cartel that has been active in the United States since the 1980s. Trump, who is from New York City, has been briefed about a rise in homicides on Long Island attributed to MS-13.

Aides said the tough rhetoric, along with stepping up immigration arrests, has paid dividends. The number of immigrants caught trying to cross the U.S.-Mexico border illegally fell to a 17-year low in March, with fewer than 17,000 apprehended that month compared with nearly 60,000 in December, according to DHS.

"What we've simply said is, if you are an illegal alien in the United States, you should be concerned about being in the United States illegally," Kelly said in an interview. "We know by polling that the Central Americans in particular are unsure of what's happening. Consequently, they are less inclined to spend what amounts to be their life savings to come up to the United States."

Trump's bluster has had other consequences. After he threatened to impose a border tax on Mexican goods to pay for the wall, Mexican President Enrique Peña Nieto abruptly canceled a ceremonial visit to the White House. The administration's ban on travelers from some majority-Muslim nations has been the persistent subject of both outrage and court challenges. And some immigrants who have served in the U.S. military under a promise of citizenship from the Pentagon have begun to flee the country for fear that they could be deported to dangerous homelands.

But Trump's advisers view his immigration stance as savvy politics, reaffirmed by recent internal polling of 10 battleground states.

"Immigration policy affects every aspect of life - incomes, schools, hospitals, community resources," Miller said. "Prioritizing the needs of American workers over powerful special interests is not merely a core issue for Republicans, but also independents and massive numbers of Democrats."

Hugging 'angel moms'

Trump - a known germaphobe - is not a natural hugger. But every time he meets "angel moms," whose children have been killed by illegal immigrants, they expect to receive an embrace from the president.

They have become the emotional touchstone of his immigration crusade.

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A 'very hard' decision

If the campaign rally chants came easy to Trump and his supporters, the next few months will prove more daunting as he attempts to implement an immigration agenda in the wake of the health-care fiasco and other legislative failures.

Sens. Tom Cotton (R-Ark.) and David Perdue (R-Ga.) have been working with the White House to introduce a bill by the end of the summer that would cut the current annual level of 1 million green cards by half in 10 years, largely by limiting visas for extended families of legal U.S. residents.

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The strategic thinking among administration members is that they can gain a political advantage on immigration once they begin talking about proposals publicly. The release of the Cotton-Perdue legislation, they hope, will mark the beginning of a public immigration pitch.

Meanwhile, Obama's DACA policy, which has granted work permits to more than 750,000 Dreamers, offers its own emotional narrative and has led to one of the most fraught debates in the White House. The program is extremely popular among Latino and Asian groups, and ending it would produce fierce blowback.

The fight over how to handle DACA largely pits Miller, who vociferously opposes the program, against most other White House advisers, who, to varying degrees, take a less dogmatic approach. Some administration officials have privately griped that they wish Miller could be forbidden from briefing the president on the issue.

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"It's a decision that's very, very hard to make," Trump told reporters on Air Force One.

Fixated on the wall

Trump in many respects faces the same challenge his predecessors did: How to balance security with pragmatism. It's impossible, experts said, to deport all 11 million undocumented immigrants as Trump repeatedly promised during the campaign. His administration this week also nodded to the reality of employment trends when it authorized an additional 15,000 temporary work visas for lower-skilled immigrants over the next few months. Trump has employed such immigrants at his golf courses and other properties, drawing criticism.

And that is why some White House aides said the border wall is so important - it could be the symbolic victory that allows him more flexibility to forge a compromise on Dreamers and other immigration issues.

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Trump is so fixated on a physical wall that in May, White House press secretary Sean Spicer showed off photos of tall steel rods along the border, calling it a "bollard wall." Many scoffed that it looked more like a fence, and the president himself, one adviser said, had little patience for the design.

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The president, the policymaker, the real estate magnate, understood one thing in his gut: He had promised a wall, and now he needed to build one.

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Joshua Partlow in Mexico City contributed to this report.

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National-Politics

**Trump's wall: The inside story of how the president crafts immigration policy**

By Ashley Parker;David Nakamura;Philip Rucker

2,585 words

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Washington Post.com

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English

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The border wall looms large for President Trump.

Aboard Air Force One last week, talking with reporters en route to Paris, he ruminated about the wall of his dreams — 700 to 900 miles long, with transparent sections so that border agents aren't hit on the head by "large stacks of drugs" tossed over from the Mexican side, and outfitted with solar panels.

And no, Trump insisted, he was "not joking."

"There is a very good chance we can do a solar wall," he said, "which would actually look good."

The president began promoting the idea, aides explained, after a business acquaintance pitched it in one of the many conversations he has with friends — yet another example of how Trump often outsources his policy process, including an eagerness to entertain creative, even pie-in-the-sky notions.

Critics often dismiss Trump as a chief executive uninterested in the policy process, unwilling to delve into minutiae and impatient with the pace of governing. He has been largely absent from arm-twisting on Capitol Hill, remote in interacting with many of his Cabinet secretaries and remiss in the public salesmanship of big-ticket policy items — most recently on the GOP health-care plan that collapsed this week in the Senate.

But on immigration — a challenge that has vexed presidents since Ronald Reagan and a theme that has occupied Trump for decades — the 45th president has been heavily engaged in the administration's roiling debate. Officials credit him for being relentless in framing illegal immigration as a threat to public safety and to the economic security of American workers, and for turning a border wall into a populist rallying cry.

This portrait of Trump as a policymaker at the six-month mark of his presidency — culled from interviews with two dozen top administration officials, key lawmakers and other senior Republicans — shows a president driven by gut feelings, happy to mostly skim the surface but occasionally engrossed in details.

"The president's own opinion and his natural instincts on all of these issues is what will most likely be the default winner of the day, all the time," said Reince Priebus, the White House chief of staff. "So the guiding light is always his vast experiences and his years of thought on these subjects."

Advisers said the president has strong, instinctual opinions on broad issues but is open to persuasion on details. Trump is proudly nonideological, but retains some key beliefs — especially on immigration, trade and national security. He defends his views vigorously, yet solicits alternative perspectives and can be persuaded to change his position.

"The president likes consulting a wide variety of people and viewpoints," said Robert Porter, assistant to the president for policy coordination and the White House staff secretary. "He appreciates the back and forth. Sometimes it's on paper with memos that he'll read and ask for more information, and sometimes it's in meetings, either formal structured meetings or more informal discussions."

Trump is torn over how to address the status of the younger immigrants who were brought to the country illegally by their parents, colloquially known as "Dreamers," who were protected by President Barack Obama's administration. Debate about the Deferred Action for Childhood Arrivals (DACA) policy aimed at this group has been among the most robust — and inconclusive — in Trump's White House.

By contrast, Trump is far more certain about the wall. The structure could change in design or function — he vowed to build a much longer and higher wall during the campaign — but his security argument for it has remained constant.

"He campaigned on restoring the rule of law," said Rep. Lou Barletta (R-Pa.), an immigration hard-liner who was an early supporter of Trump's campaign. "He never wavered, never backed off. He's still doing what he said he was going to do."

Yet for Trump, like his predecessors, the reality is that changing the immigration system is unlikely to be achieved in a far-reaching bill. Any broad overhaul of the nation's immigration laws would need the legislative buy-in of both parties, and there is widespread resistance to building a wall that many consider an ineffective boondoggle.

The White House intends to fight hard for border wall funding in upcoming budget negotiations with Congress. Still, Trump appears resigned to trying to remake the immigration system through a combination of executive power and rhetoric.

"What I'd like to do is a comprehensive immigration plan," he said last week, "but our country and political forces are not ready yet."

‘The two Stephens’

"A nation without borders is not a nation," Trump said five days after he took office in late January.

He was speaking at the Department of Homeland Security at a signing ceremony for two executive orders aimed at cracking down on illegal immigration. His troubled travel ban grabbed the headlines, but the two orders Trump signed that day represent his administration's immigration blueprint so far — one beefing up border security and the other increasing interior enforcement with more agents and restrictions.

Leading the charge on immigration is Stephen K. Bannon, who ran the conservative Breitbart news website and now serves as Trump's chief strategist, and Stephen Miller, Trump's senior policy adviser who made his name as a young Capitol Hill aide championing hard-right immigration policies. "The two Stephens," as colleagues sometimes refer to them, work with Julia Hahn, who had covered immigration for Breitbart and was hired in the West Wing by Bannon.

Like a businessman checking the status of a project, Trump demands regular updates, calling DHS Secretary John F. Kelly multiple times a week to check in, often with little or no notice.

More recently, Trump has focused his public remarks on the threat of a specific gang, MS-13, a Salvadoran cartel that has been active in the United States since the 1980s. Trump, who is from New York City, has been briefed about a rise in homicides on Long Island attributed to MS-13.

Aides said the tough rhetoric, along with stepping up immigration arrests, has paid dividends. The number of immigrants caught trying to cross the U.S.-Mexico border illegally fell to a 17-year low in March, with fewer than 17,000 apprehended that month compared with nearly 60,000 in December, according to DHS.

"What we've simply said is, if you are an illegal alien in the United States, you should be concerned about being in the United States illegally," Kelly said in an interview. "We know by polling that the Central Americans in particular are unsure of what's happening. Consequently, they are less inclined to spend what amounts to be their life savings to come up to the United States."

Trump's bluster has had other consequences. After he threatened to impose a border tax on Mexican goods to pay for the wall, Mexican President Enrique Peña Nieto abruptly canceled a ceremonial visit to the White House. The administration's ban on travelers from some majority-Muslim nations has been the persistent subject of both outrage and court challenges. And some immigrants who have served in the U.S. military under a promise of citizenship from the Pentagon have begun to flee the country for fear that they could be deported to dangerous homelands.

But Trump's advisers view his immigration stance as savvy politics, reaffirmed by recent internal polling of 10 battleground states.

"Immigration policy affects every aspect of life — incomes, schools, hospitals, community resources," Miller said. "Prioritizing the needs of American workers over powerful special interests is not merely a core issue for Republicans, but also independents and massive numbers of Democrats."

Hugging ‘angel moms’

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Joshua Partlow in Mexico City contributed to this report.

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right-turn

**Another dumb Trump idea bites the dust**

By Jennifer Rubin

608 words

18 July 2017

Washington Post.com

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English

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Forget about deporting every illegal immigrant. Don't bother nagging Mexico to pay for a wall that we don't need anyway. On second thought, let's keep the "One China" policy. President Trump's best ideas invariably involve abandoning his extreme, unworkable and dangerous ones. The latest example concerns a reversal on his threats to pull out of or significantly redo the North American Free Trade Agreement, which he falsely claimed was responsible for losing "millions" of U.S. jobs.

The Wall Street Journal reports:

The blueprint for a new Nafta shows the White House trying to navigate the shoals of striking a deal with its closest trading partners that can pass in U.S. Congress. It contains nods to Mr. Trump's base of voters fearful and angry over lost U.S. manufacturing jobs—including the broad objective for reducing the U.S. trade deficit with Nafta countries and an effort to retain rules that favor U.S. firms in government procurement.

The plan also backs an unspecified mechanism to prevent countries from manipulating their currencies for trade advantage, an issue of increasing concern among lawmakers and some economists, though one less central to U.S. trade ties with Mexico and Canada. It also includes provisions meant to challenge Mexico on labor and environmental issues.

In other words, it's a nothing-burger. At least that was the Canadian press reaction: "The NAFTA's new objectives under the Trump administration — offered in an 18-page summary released Monday by the U.S. Trade Representative's Office — are surprisingly tame, according to international trade and customs experts." The report added, "They see as downright sensible the U.S. proposals calling for regulatory co-operation, the addition of a chapter to address the digital economy, raising the duty-free spending limit for Canadians, and even the scrapping of a dispute resolution mechanism." One trade guru is quoted as saying it is "nothing close to tearing up the NAFTA" and "doesn't throw a lot of red meat for the protectionist crowd." Another noted, "Notwithstanding some protectionist objectives and measures announced in the document, it's actually something that Canada and Mexico can work with."

Reaction from Mexico was measured as well:

Mexico's economy ministry said in a statement it would work "to achieve a constructive negotiation process that will allow trade and investment flows to increase and consolidates cooperation and economic integration to strengthen North American competitiveness."

Speaking on condition of anonymity, a senior Mexican government official said the list of priorities was "not as bad as I was expecting" and welcomed that the United States was not pushing to impose punitive tariffs, as Trump has threatened.

The Wall Street Journal sees things the same way. "The quick Kremlinology says it's the globalists, led by Gary Cohn, the former Goldman Sachs Group Inc. president running the White House National Economic Council," it reported. "That said, the battle isn't over. Many of the provisions remain vague. And Mr. Trump has reserved the right to pull out altogether—the goal of his nationalist advisers—if he's not pleased with the final result."

If hypocrisy is the compliment vice pays to virtue, then a Trumpkin trade policy is a nod to the benefits of free trade and the danger of trade wars. As frustrating as it might be to see Trump win office by touting nonsensical trade policy, it will be a relief if it turns out that he never meant what he said — or more likely, has no idea how trade policy should work.

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A-Section

**Vice chair of fraud panel pursues tougher voting requirements**

Christopher Ingraham

676 words

18 July 2017

The Washington Post

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A18

English

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The day after President Trump was elected, Kansas Secretary of State Kris Kobach, now the vice chair of Trump's commission on voter fraud, told Trump's transition team of a proposal to change federal law to allow stricter requirements on voter registration.

Kobach's team was "putting together information on legislation drafts for submission to Congress early in the administration," Kobach wrote to transition team member Gene Hamilton in an email. "I have some already started regarding amendments to the NVRA [National Voter Registration Act] to make clear that proof of citizenship requirements are permitted (based on my ongoing litigation with the ACLU over this)."

The email was released on Friday as part of that American Civil Liberties Union lawsuit and was first published by HuffPost.

Amending the NVRA in such a manner "will lead to a dramatic reduction in access to voting," Wendy Weiser, director of the democracy program at NYU's Brennan Center, said in an interview. "Every time legal obstacles to restricting the vote have been lifted in recent years, we've seen substantial spikes in efforts to restrict the vote."

Passed in 1993, the NVRA contains some provisions intended to increase voter participation. Among the provisions, it requires states to allow voter registration at motor vehicle offices and by mail.

As secretary of state in Kansas, Kobach introduced the SAFE Act, which requires first-time voters to provide proof of citizenship when registering to vote.

Kobach told the Daily Signal last year that every time an illegal immigrant votes, "it effectively cancels out a vote of a U.S. citizen," and said there is "huge potential" for those votes to alter the outcome of an election.

"Even if it's just a handful of votes, it's still a huge injustice," he said.

Extensive investigations by state elections officials have found that noncitizen voting is rare. "Based on state prosecution records, votes by noncitizens account for between 0.0003 percent and 0.001 percent of all votes cast," according to an analysis by the Brennan Center, a nonpartisan think tank that works to expand voting access.

Conversely, a national survey sponsored by the Brennan Center in 2006 found that millions of Americans do not have access to the documentation that proves their citizenship. In Kansas, thousands of voter registrations have been refused or put "on hold" because of failure to provide proper documentation under Kobach's SAFE Act.

In September, a federal appeals court blocked the proof-of-citizenship requirement in Kansas and two other states. The ACLU is suing Kansas over the citizenship requirements. As that lawsuit unfolded, Kobach was photographed holding a document that included the text "Draft Amendments to the National Voter . . . ." The rest of the text was obscured by Kobach's arm.

The ACLU filed a motion for Kobach to release those documents. Kobach attempted to argue that the documents were not related to the proof-of-citizenship requirement, but he was subsequently fined $1,000 by the federal court for making false claims about their contents.

In 2013, the U.S. Supreme Court struck down a similar proof-of-citizenship requirement by 7 to 2, ruling that under the Constitution, the federal NVRA must take precedence over any state citizenship requirement. Amending the NVRA to explicitly allow state-level citizenship requirements would eliminate that conflict between state and federal law.

Critics of Kobach say the email proves that the voter fraud commission is aiming to restrict voting access regardless of any findings it may make. "I think the email is wholly unsurprising," said Justin Levitt, an elections expert at Loyola Law School." I won't be shocked as more proof emerges that the cake is already baked."

Kobach is running for governor in Kansas, and he has been accused of violating federal law by using his position on the voter fraud commission to promote his campaign.

That commission is scheduled to have its first meeting this week.

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wonkblog

**Vice chair of Trump's voter fraud commission wants to change federal law to add new requirements for voting, email shows ; "The cake is already baked," outside expert warns.**

By Christopher Ingraham

700 words

17 July 2017

Washington Post.com

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English

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true-crime

**Mother accused of killing her 4 children and their father is illegal immigrant**

By Lindsey Bever;J. Freedom du Lac

558 words

7 July 2017

Washington Post.com

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English

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A suburban Atlanta mother, who federal authorities say is in the United States unlawfully, has been charged with murder after four of her young children and their father were found stabbed to death at home early Thursday morning.

Gwinnett County police and firefighters responded to a 911 call from inside the home in Loganville, Ga., where they found what one police official described as a "horrendous" scene: five bodies — one of the victims not yet 2 years old — along with another child who was badly injured.

That child, 9-year-old Diana Romero, is hospitalized in Atlanta in serious but stable condition.

"We continue to pray for Diana's recovery, both physically and emotionally as she learns about what happened to her father and siblings," Gwinnett County Police said in a statement.

Officials said 33-year-old Isabel Martinez, a Mexican national, has been charged with five counts of murder, five counts of "malice murder" ("where all the circumstances of the killing show an abandoned and malignant heart," according to Georgia code) and six counts of aggravated assault.

Federal immigration authorities said Martinez, whom they identified as Maria Isabel Garduno-Martinez, illegally entered the United States, though it is not clear when or where she crossed the U.S. border. She is currently being held on an immigration detainer for U.S. Immigration and Customs Enforcement. This is her first encounter with ICE, authorities said.

Martinez was arrested Thursday and is being held without bond. According to police, she "has been cooperative with the investigators," but authorities have not released a motive for the killings. Martinez is due in court Friday.

The Gwinnett County Medical Examiner's Office identified the victims to The Washington Post as Martin Romero-Mora, age 33, and his children Isabela Garduno-Martinez, 10; Dacota Moncerrat Romero, 7; Dillan Martin Romero, 4; and Axel Oliber Romero-Garduno, 1.

"What prompts a person to take the life of such innocent children and her spouse is something we may never understand," police said earlier in a statement. "This is a horrendous crime not only for the victims but for the extended family, neighborhood and community."

Police Cpl. Michele Pihera told reporters Thursday that Martinez was "quickly taken into custody," according to ABC affiliate WSB. "Right now, the indication is that the suspect used a knife. However, the medical examiner's office will be able to conclusively decide that later upon autopsy."

"What her motivations are for committing this horrendous crime, we still don't know," Pihera said of the suspect, according to CBS News.

A neighbor told the ABC station that Martinez had been depressed since her father died several months ago in Mexico and that she had been praying for him. "She seemed so normal, like a regular mother," Letty Perez told the news station. "She was good, went to our church last weekend, she was there with us."

This post, originally published on July 6, has been updated.

Read more:

Husband accused of fatally shooting wife while riding in Uber

Chief Justice Roberts quoted this little-known 19th-century lawmaker in siding with religious institutions in church-state decision

Va. Supreme Court to hear case challenging police retention of license plate data

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LocalLiving

**for the record**

693 words

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The Washington Post

WP

FINAL

T22

English

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Here's how area members of Congress voted on major issues last week.

House

Sanctuary cities, immigration policing

For: 228 / Against: 195

The House passed a GOP-sponsored bill (H.R. 3003) that would deny law-enforcement and anti-terrorism grants to so-called sanctuary cities that refuse to cooperate with federal immigration enforcement. Critics say these cities are legally required to comply with federal requests that they help locate and detain undocumented immigrants. In response, the cities say that to do so would undercut local policing efforts that depend on rapport with immigrant populations. There are more than 400 sanctuary cities nationwide. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Ruppersberger (D)

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Sarbanes (D)

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Exemptions to protect public safety

For: 181 / Against: 230

The House defeated a Democratic bid to exempt from H.R. 3003 (above) any sanctuary city where local authorities conclude that federal immigration mandates and financial penalties would impede their investigation of crimes including sexual assault and domestic violence, and thereby undermine public safety. A yes vote was to adopt the motion.

MARYLAND Y N NV Brown (D) ïfi˜

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Raskin (D) ïfi˜

Sarbanes (D) ïfi˜

Penalties for deportees who return to the U.S.

For: 257 / Against: 167

The House passed a bill (H.R. 3004) that would toughen sentences on undocumented immigrants, including ones with criminal records, who are convicted of illegally reentering or attempting to reenter the United States after they have been deported. Republicans named the bill Kate's Law in response to a 2015 slaying in San Francisco, a sanctuary city, in which an illegal immigrant with felony convictions killed KatH.R.yn Steinle after city authorities released him from custody. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Raskin (D)

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Sarbanes (D)

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Exemptions for victimsof sex trafficking

For: 193 / Against: 232

The House defeated a Democratic bid to protect against criminal prosecution under H.R. 3004 (above) victims of sex trafficking who cross the U.S. border to seek protection at ports of entry. The exemption would apply to people who have been previously deported from or denied admission to the United States. A yes vote backed an exemption for sex-trafficking victims.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Hoyer (D) ïfi˜

Ruppersberger (D) ïfi˜

Raskin (D) ïfi˜

Sarbanes (D) ïfi˜

Limiting damages for medical malpractice

For: 218 / Against: 210

The House passed a GOP-sponsored bill (H.R. 1215) to limit medical malpractice lawsuits in federal and state courts. In part, the bill would cap noneconomic (punitive) damages at $250,000, limits plaintiffs' attorneys' contingency fees and narrow the window for filing suits. The bill would place no caps on economic damages and does not preempt state laws that impose higher or lower medical-malpractice caps. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Senate

Kristine L. Svinicki confirmation for NRC

For: 88 / Against: 9

The Senate confirmed Kristine L. Svinicki to her second five-year term on the Nuclear Regulatory Commission, where she is expected to continue to serve as chairwoman. Svinicki, 51, a nuclear engineer, held previous positions at the U.S. Department of Energy and on the Senate Armed Services Committee. The NRC is charged with overseeing the licensing and operation of nuclear power plants in the United States, as well as other areas of public health and safety related to nuclear energy. A yes vote was to confirm Svinicki.

MARYLAND Y N NV Cardin (D) ïfi˜

Van Hollen (D) ïfi˜

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LocalLiving

**for the record**

696 words

6 July 2017

The Washington Post

WP

FINAL

T19

English

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House

Sanctuary cities, immigration policing

For: 228 / Against: 195

The House passed a GOP-sponsored bill (H.R. 3003) that would deny law-enforcement and anti-terrorism grants to so-called sanctuary cities that refuse to cooperate with federal immigration enforcement. Critics say these cities are legally required to comply with federal requests that they help locate and detain undocumented immigrants. In response, the cities say that to do so would undercut local policing efforts that depend on rapport with immigrant populations. There are more than 400 sanctuary cities nationwide. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Exemptions to protect public safety

For: 181 / Against: 230

The House defeated a Democratic bid to exempt from H.R. 3003 (above) any sanctuary city where local authorities conclude that federal immigration mandates and financial penalties would impede their investigation of crimes including sexual assault and domestic violence, and thereby undermine public safety. A yes vote was to adopt the motion.

MARYLAND Y N NV Brown (D) ïfi˜

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Sarbanes (D) ïfi˜

Penalties for deportees who return to the U.S.

For: 257 / Against: 167

The House passed a bill (H.R. 3004) that would toughen sentences on undocumented immigrants, including ones with criminal records, who are convicted of illegally reentering or attempting to reenter the United States after they have been deported. Republicans named the bill Kate's Law in response to a 2015 slaying in San Francisco, a sanctuary city, in which an illegal immigrant with felony convictions killed KatH.R.yn Steinle after city authorities released him from custody. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Exemptions for victimsof sex trafficking

For: 193 / Against: 232

The House defeated a Democratic bid to protect against criminal prosecution under H.R. 3004 (above) victims of sex trafficking who cross the U.S. border to seek protection at ports of entry. The exemption would apply to people who have been previously deported from or denied admission to the United States. A yes vote backed an exemption for sex-trafficking victims.

MARYLAND Y N NV Brown (D) ïfi˜

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Ruppersberger (D) ïfi˜

Raskin (D) ïfi˜

Sarbanes (D) ïfi˜

Limiting damages for medical malpractice

For: 218 / Against: 210

The House passed a GOP-sponsored bill (H.R. 1215) to limit medical malpractice lawsuits in federal and state courts. In part, the bill would cap noneconomic (punitive) damages at $250,000, limits plaintiffs' attorneys' contingency fees and narrow the window for filing suits. The bill would place no caps on economic damages and does not preempt state laws that impose higher or lower medical-malpractice caps. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Sarbanes (D)

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Malpractice involving painkiller prescriptions

For: 191 / Against: 235

The House defeated a Democratic motion to exempt from H.R. 1215 (above) legal actions alleging gross negligence in prescribing the highly addictive pain medications known as opioids. U.S. doctors write hundreds of thousands of opioid prescriptions each day, and critics say over-prescription is driving a nationwide drug epidemic centered in rural areas in which opioid abuse leads to heroin addiction and increased mortality. A yes vote was to adopt a motion concerning opioid prescriptions.

MARYLAND Y N NV Brown (D) ïfi˜

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LocalLiving

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479 words

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T19

English

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Here's how area members of Congress voted on major issues last week.

House

Sanctuary cities, immigration policing

For: 228 / Against: 195

The House passed a GOP-sponsored bill (H.R. 3003) that would deny law-enforcement and anti-terrorism grants to so-called sanctuary cities that refuse to cooperate with federal immigration enforcement. Critics say these cities are legally required to comply with federal requests that they help locate and detain undocumented immigrants. In response, the cities say that to do so would undercut local policing efforts that depend on rapport with immigrant populations. There are more than 400 sanctuary cities nationwide. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Cummings (D)

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Ruppersberger (D)

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Sarbanes (D)

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Exemptions to protect public safety

For: 181 / Against: 230

The House defeated a Democratic bid to exempt from H.R. 3003 (above) any sanctuary city where local authorities conclude that federal immigration mandates and financial penalties would impede their investigation of crimes including sexual assault and domestic violence, and thereby undermine public safety. A yes vote was to adopt the motion.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Raskin (D) ïfi˜

Sarbanes (D) ïfi˜

Penalties for deportees who return to the U.S.

For: 257 / Against: 167

The House passed a bill (H.R. 3004) that would toughen sentences on undocumented immigrants, including ones with criminal records, who are convicted of illegally reentering or attempting to reenter the United States after they have been deported. Republicans named the bill Kate's Law in response to a 2015 slaying in San Francisco, a sanctuary city, in which an illegal immigrant with felony convictions killed KatH.R.yn Steinle after city authorities released him from custody. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Cummings (D)

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Ruppersberger (D) ïfi˜

Raskin (D)

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Sarbanes (D)

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Senate

Kristine L. Svinicki confirmation for NRC

For: 88 / Against: 9

The Senate confirmed Kristine L. Svinicki to her second five-year term on the Nuclear Regulatory Commission, where she is expected to continue to serve as chairwoman. Svinicki, 51, a nuclear engineer, held previous positions at the U.S. Department of Energy and on the Senate Armed Services Committee. The NRC is charged with overseeing the licensing and operation of nuclear power plants in the United States, as well as other areas of public health and safety related to nuclear energy. A yes vote was to confirm Svinicki.

MARYLAND Y N NV Cardin (D) ïfi˜

Van Hollen (D) ïfi˜

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LocalLiving

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T22

English

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Here's how area members of Congress voted on major issues last week.

House

Sanctuary cities, immigration policing

For: 228 / Against: 195

The House passed a GOP-sponsored bill (H.R. 3003) that would deny law-enforcement and anti-terrorism grants to so-called sanctuary cities that refuse to cooperate with federal immigration enforcement. Critics say these cities are legally required to comply with federal requests that they help locate and detain undocumented immigrants. In response, the cities say that to do so would undercut local policing efforts that depend on rapport with immigrant populations. There are more than 400 sanctuary cities nationwide. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Comstock (R) ïfi˜

Connolly (D)

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Garrett (R) ïfi˜

Wittman (R) ïfi˜

Exemptions to protect public safety

For: 181 / Against: 230

The House defeated a Democratic bid to exempt from H.R. 3003 (above) any sanctuary city where local authorities conclude that federal immigration mandates and financial penalties would impede their investigation of crimes including sexual assault and domestic violence, and thereby undermine public safety. A yes vote was to adopt the motion.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Penalties for deportees who return to the U.S.

For: 257 / Against: 167

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MARYLAND Y N NV Brown (D)

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Comstock (R) ïfi˜

Connolly (D)

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Garrett (R) ïfi˜

Wittman (R) ïfi˜

Exemptions for victimsof sex trafficking

For: 193 / Against: 232

The House defeated a Democratic bid to protect against criminal prosecution under H.R. 3004 (above) victims of sex trafficking who cross the U.S. border to seek protection at ports of entry. The exemption would apply to people who have been previously deported from or denied admission to the United States. A yes vote backed an exemption for sex-trafficking victims.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Comstock (R)

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Connolly (D) ïfi˜

Garrett (R)

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Wittman (R)

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Limiting damages for medical malpractice

For: 218 / Against: 210

The House passed a GOP-sponsored bill (H.R. 1215) to limit medical malpractice lawsuits in federal and state courts. In part, the bill would cap noneconomic (punitive) damages at $250,000, limits plaintiffs' attorneys' contingency fees and narrow the window for filing suits. The bill would place no caps on economic damages and does not preempt state laws that impose higher or lower medical-malpractice caps. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Cummings (D)

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Connolly (D)

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Garrett (R)

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Wittman (R) ïfi˜

Malpractice involving painkiller prescriptions

For: 191 / Against: 235

The House defeated a Democratic motion to exempt from H.R. 1215 (above) legal actions alleging gross negligence in prescribing the highly addictive pain medications known as opioids. U.S. doctors write hundreds of thousands of opioid prescriptions each day, and critics say over-prescription is driving a nationwide drug epidemic centered in rural areas in which opioid abuse leads to heroin addiction and increased mortality. A yes vote was to adopt a motion concerning opioid prescriptions.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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VIRGINIA Y N NV Beyer (D) ïfi˜

Brat (R)

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Comstock (R)

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Connolly (D) ïfi˜

Garrett (R)

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Wittman (R)

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Senate

Kristine L. Svinicki confirmation for NRC

For: 88 / Against: 9

The Senate confirmed Kristine L. Svinicki to her second five-year term on the Nuclear Regulatory Commission, where she is expected to continue to serve as chairwoman. Svinicki, 51, a nuclear engineer, held previous positions at the U.S. Department of Energy and on the Senate Armed Services Committee. The NRC is charged with overseeing the licensing and operation of nuclear power plants in the United States, as well as other areas of public health and safety related to nuclear energy. A yes vote was to confirm Svinicki.

MARYLAND Y N NV Cardin (D) ïfi˜

Van Hollen (D) ïfi˜

VIRGINIA Y N NV Kaine (D) ïfi˜

Warner (D) ïfi˜

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WP

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T06

English

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Here's how area members of Congress voted on major issues last week.

House

Sanctuary cities, immigration policing

For: 228 / Against: 195

The House passed a GOP-sponsored bill (H.R. 3003) that would deny law-enforcement and anti-terrorism grants to so-called sanctuary cities that refuse to cooperate with federal immigration enforcement. Critics say these cities are legally required to comply with federal requests that they help locate and detain undocumented immigrants. In response, the cities say that to do so would undercut local policing efforts that depend on rapport with immigrant populations. There are more than 400 sanctuary cities nationwide. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Cummings (D)

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VIRGINIA Y N NV Beyer (D)

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Brat (R) ïfi˜

Comstock (R) ïfi˜

Connolly (D)

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Garrett (R) ïfi˜

Wittman (R) ïfi˜

Exemptions to protect public safety

For: 181 / Against: 230

The House defeated a Democratic bid to exempt from H.R. 3003 (above) any sanctuary city where local authorities conclude that federal immigration mandates and financial penalties would impede their investigation of crimes including sexual assault and domestic violence, and thereby undermine public safety. A yes vote was to adopt the motion.

MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Connolly (D) ïfi˜

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Penalties for deportees who return to the U.S.

For: 257 / Against: 167

The House passed a bill (H.R. 3004) that would toughen sentences on undocumented immigrants, including ones with criminal records, who are convicted of illegally reentering or attempting to reenter the United States after they have been deported. Republicans named the bill Kate's Law in response to a 2015 slaying in San Francisco, a sanctuary city, in which an illegal immigrant with felony convictions killed KatH.R.yn Steinle after city authorities released him from custody. A yes vote was to send the bill to the Senate.

MARYLAND Y N NV Brown (D)

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Wittman (R) ïfi˜

Exemptions for victimsof sex trafficking

For: 193 / Against: 232

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MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Connolly (D) ïfi˜

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Limiting damages for medical malpractice

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MARYLAND Y N NV Brown (D)

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Cummings (D)

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Brat (R) ïfi˜

Comstock (R) ïfi˜

Connolly (D)

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Garrett (R)

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Wittman (R) ïfi˜

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For: 191 / Against: 235

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MARYLAND Y N NV Brown (D) ïfi˜

Cummings (D)

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Harris (R)

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Hoyer (D) ïfi˜

Ruppersberger (D) ïfi˜

Raskin (D) ïfi˜

Sarbanes (D) ïfi˜

VIRGINIA Y N NV Beyer (D) ïfi˜

Brat (R)

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Comstock (R)

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Connolly (D) ïfi˜

Garrett (R)

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Wittman (R)

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Senate

Kristine L. Svinicki confirmation for NRC

For: 88 / Against: 9

The Senate confirmed Kristine L. Svinicki to her second five-year term on the Nuclear Regulatory Commission, where she is expected to continue to serve as chairwoman. Svinicki, 51, a nuclear engineer, held previous positions at the U.S. Department of Energy and on the Senate Armed Services Committee. The NRC is charged with overseeing the licensing and operation of nuclear power plants in the United States, as well as other areas of public health and safety related to nuclear energy. A yes vote was to confirm Svinicki.

MARYLAND Y N NV Cardin (D) ïfi˜

Van Hollen (D) ïfi˜

VIRGINIA Y N NV Kaine (D) ïfi˜

Warner (D) ïfi˜

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National-Politics

**House passes bills to crack down on 'sanctuary cities' and deported criminals who return to U.S.**

By Mike DeBonis

919 words

29 June 2017

Washington Post.com

WPCOM

English

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The House on Thursday passed two hard-line immigration bills that would penalize illegal immigrants who commit crimes and local jurisdictions that refuse to work with federal authorities to deport them.

Both bills, Kate's Law and the No Sanctuary for Criminals Act, passed on largely party-line votes amid heavy promotion from Republicans, starting with President Trump.

"MAKE AMERICA SAFE AGAIN!" Trump tweeted as the House debated the bills Thursday, one of five tweets he pushed out to his 35 million followers highlighting the legislation.

Before the vote, Trump urged lawmakers to pass the bill during remarks at the Department of Energy, calling them "vital to public safety and national security."

Homeland Security Secretary John F. Kelly appeared on Capitol Hill ahead of the vote Thursday with House Speaker Paul D. Ryan (Wis.) and other Republican leaders to promote the bills.

Kate's Law, named after a 32-year-old woman shot and killed in 2015 by an illegal immigrant who had been deported five times, steps up prison sentences for criminals who reenter the United States illegally after being convicted and deported.

The No Sanctuary for Criminals Act bars "sanctuary cities" that do not cooperate with federal immigration enforcement from receiving many federal grants and leaves them vulnerable to liability lawsuits from victims of crimes committed by illegal immigrants.

Kelly cast the bills as common-sense measures that would "uphold our nation's immigration laws and help make our communities more safe."

"President Trump has been clear that our borders are not open to illegal immigration, that we are a nation of laws, and we will no longer look the other way," he said. "Well, we will no longer look the other way in the interior, either."

Kelly said Immigrations and Customs Enforcement has deported nearly 66,000 people known to be or suspected of being in the country illegally — representing a spike under Trump administration policies. Nearly half of those, he said, were charged with crimes or "had gang affiliations."

On the House floor, the lead sponsor of the bills, Judiciary Committee Chairman Bob Goodlatte (R-Va.) said the legislation would "provide better immigration enforcement and the peace of mind that no criminal will have sanctuary from our immigration laws."

"For years, the lack of immigration enforcement and spread of sanctuary policies have cost too many lives," he said, citing Obama administration policies that "encouraged or at the very least turned a blind eye to jurisdictions nationwide that implemented sanctuary policies."

The bills prompted sharp attacks by Democrats, who said the legislation would have a deleterious effect on public safety and would ramp up fear among law-abiding immigrants.

"The ultimate experts on community safety are communities themselves, and hundreds of them have determined that as community trust increases, crime decreases," said Rep. John Conyers Jr. (Mich.), the top Democrat on the House Judiciary Committee.

Some highlighted a new study published by a University of California at Irvine criminologist that concluded that immigration levels do not have a meaningful effect on crime. The study, published this month in the Annual Review of Criminology, examined 51 studies published between 1994 and 2014.

Members of the Congressional Hispanic Caucus rallied on Capitol Hill ahead of the vote and framed the bills as part of an anti-immigrant campaign led by Trump.

"These are Trump-inspired measures," said Rep. Julián Castro (D-Tex.), who accused the president of using immigrants as a "scapegoat for about everything wrong in the United States."

Ahead of the bills' House passage, Rep. Michelle Lujan Grisham (D-N.M.), chairman of the Congressional Hispanic Caucus, urged immigrants and allies to "immediately call their senators."

"We're in a better position there," she said.

The House bills face a major obstacle in the Senate, where Republicans have only 52 seats and need 60 votes to overcome a filibuster. A version of Kate's Law introduced last year by Sen. Ted Cruz (R-Tex.) failed on a 55-to-42 vote.

On Thursday afternoon, the House passed Kate's Law 257 to 167 and the sanctuary cities bill 228 to 195.

"Opposing these bills, and allowing dangerous criminals back into our communities, our schools, and the neighborhoods where our children play, puts all of us at risk," Trump said in a statement following the bills' passage. "Now that the House has acted, I urged the Senate to take up these bills, pass them, and send them to my desk."

In an unusually discordant moment on Thursday, Kelly told reporters he was "offended when members of this institution exert pressure and often threaten me and my officers to ignore the laws they make, and I am sworn to uphold" — an apparent reference to congressional Democrats who have confronted Kelly in closed-door meetings and open hearings about the deportation surge.

Kelly left the news conference, held on the day before the Trump administration's revised travel ban was set to take effect, without taking questions.

House Minority Leader Nancy Pelosi (D-Calif.) said it was "strange" that Kelly, a former Marine general, would level that accusation.

"Generals are used to a level of deference that members of Congress are not necessarily used to bestowing on cabinet officers," she said. "And so perhaps being asked questions and a follow-up question seems threatening to him, but that's the democratic way."

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National-Politics

**Tougher immigration policies face first major legislative test of Trump era**

By Mike DeBonis;David Nakamura

1,225 words

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English

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President Trump on Wednesday highlighted what he called the dangers posed by illegal immigrants ahead of important House votes on two bills aimed at cracking down on those who commit crimes and cities that refuse to help deport them.

Appearing with families that were victimized by immigrants, Trump called on lawmakers to "honor grieving American families" by sending the "lifesaving measures" to his desk quickly. The House action marks the first major legislative test of tougher immigration laws under Trump, who has tried to impose sweeping executive orders to limit immigration and ramp up enforcement.

"You lost the people that you love because our government refused to enforce our nation's immigration laws," Trump told the families in the Cabinet Room. "For years, the pundits, journalists, politicians in Washington refused to hear your voices, but on Election Day 2016 your voices were heard all across the entire world. No one died in vain, I can tell you that."

The president's focus on immigration, a day after Republican leaders in the Senate postponed efforts to repeal the Affordable Care Act, illustrated the White House's eagerness to get back onto comfortable footing. Trump has consistently employed strong rhetoric to paint immigrants — both those in the country illegally and some who arrive through legal channels — as potentially dangerous.

"The president's involvement has brought the pace of this up, and we're doing it this week because he wants it to happen," said Rep. Steve King (R-Iowa), a fierce advocate for strict immigration laws who co-sponsored the bills set to be passed Thursday. "The members are ready for it, too."

The House votes — coming six months into Trump's presidency — are also highlighting the limits of congressional action and the frustrations of conservatives who expected much more to have been done already.

Trump's executive actions have had limited success. His entry ban on refugees and immigrants from several Muslim-majority countries was held up in federal court until the Supreme Court ruled this week that some of the provisions could be enacted while the Justices prepare for a hearing on the ban in the fall.

Arrests of undocumented immigrants have spiked under Trump compared with the final couple of years under his predecessor, former president Barack Obama, who had sought to shield more immigrants from deportations. Illegal border crossings have fallen significantly since Trump took office, which immigrant rights advocates have said could be an effect of Trump's harsh rhetoric about illegal immigrants.

But on the legislative front, there has been little activity. Trump had suggested in February that he would be open to a comprehensive immigration bill that eluded presidents George W. Bush and Obama, but gaining buy-in from Democrats, and even some moderate Republicans, is seen as unlikely unless Trump is willing to compromise by allowing many unauthorized immigrants to gain legal status.

The House bills, by contrast, aim to enact tougher enforcement policies. One bill, known as "Kate's Law," is named after Kate Steinle, the 32-year-old woman who was shot and killed in 2015 by an illegal immigrant who had been deported five times. The bill enhances penalties for convicted and deported criminals who reenter the United States illegally.

The other bill, called the No Sanctuary for Criminals Act, would bar some federal grants from so-called sanctuary cities that do not cooperate with federal immigration enforcement authorities and allow victims of crimes committed by illegal immigrants to sue those cities.

"This is about protecting law-abiding citizens and getting criminals off of our streets, plain and simple," House Speaker Paul D. Ryan (R-Wis.) said Tuesday.

But several House conservatives — already frustrated that Trump has not acted more quickly to undo Obama's executive immigration actions — lamented that it took so long into Trump's presidency to get any immigration bills onto the House floor. And they quietly questioned why a more far-reaching immigration bill passed by the House Judiciary Committee in March was not being voted on.

Rep. Dave Brat (R-Va.), who beat the sitting House majority leader in a 2014 GOP primary after campaigning on immigration, said leaders were more interested in "a couple of the name-brand messaging pieces" than pushing for a more-thorough bill.

"I won on those issues. Trump won on those issues," Brat said. "Hello — only in D.C. can you not hear outside of the bubble."

Democrats, meanwhile, cast the bills as a mean-spirited attempt to rally Republicans around legislation that would mainly harm undocumented but otherwise law-abiding immigrants at a time when other major parts of the GOP agenda are foundering.

"They're going to have a hard time figuring out the budget. They're going to have a hard time figuring out their tax cuts. They're going to have a hard time figuring out health care. The one thing they don't have a hard time figuring out is being mean and nasty to immigrants," said Rep. Luis V. Gutiérrez (D-Ill.).

The House bills have little chance of success in the Senate, where Republicans have only 52 seats and need 60 votes to overcome a filibuster. A version of Kate's Law introduced last year by Sen. Ted Cruz (R-Tex.) failed on a 55-to-42 vote.

Still, the White House made the legislation a centerpiece of its message Wednesday. Rep. Bob Goodlatte (R-Va.), a hard-liner who chairs the House Judiciary Committee, joined Trump in the immigration meeting.

At the daily White House press briefing, Thomas D. Homan, acting director of Immigration and Customs Enforcement, and John W. Huber, the lead federal law enforcement official in Utah, took the podium to update reporters on the administration's efforts to arrest and deport immigrants.

Kate's Law, Huber said, would send a message that apprehending and punishing immigrants who repeatedly return to the country after being deported is a priority.

"It also sends a message to the judicial branch, to the judges, that the more that these people commit crimes in their communities, the more often they come back, the more serious the penalties will be," Huber said.

Homan added that the other bill, focusing on sanctuary cities, would ban any municipal restrictions on cooperating with federal immigration agents or any restrictions on allowing law enforcement officers to inquire about a person's immigration status.

"If you enter this country illegally and violate the laws of this nation, you should not be comfortable," Homan said.

Some Democrat-controlled state legislatures and city governments, including in California, have vigorously opposed Trump's efforts to impose penalties on sanctuary cities. Some have passed statutes forbidding the jurisdictions from using public funds to support some federal immigration enforcement efforts.

Trump and Attorney General Jeff Sessions have denounced such efforts. But a federal judge in April temporarily blocked the administration's effort to withhold federal grants from such cities, ruling that only Congress had such authority over spending matters.

An official with the American Civil Liberties Union said the House bills are "riddled with constitutional violations that completely disregard the civil and human rights of immigrants."

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Jenna Johnson contributed to this report.

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A-Section

**House votes will be Trump era's first big test of tougher immigration policies**

Mike DeBonis David Nakamura

1,005 words

29 June 2017

The Washington Post

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English

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President Trump on Wednesday highlighted what he called the dangers posed by illegal immigrants ahead of important House votes on two bills aimed at cracking down on those who commit crimes and cities that refuse to help deport them.

Appearing with families that were victimized by immigrants, Trump called on lawmakers to "honor grieving American families" by sending the "lifesaving measures" to his desk quickly. The House action marks the first major legislative test of tougher immigration laws under Trump, who has tried to impose far-reaching executive orders to limit immigration and ramp up enforcement.

"You lost the people that you love because our government refused to enforce our nation's immigration laws," Trump told the families in the Cabinet Room. "For years, the pundits, journalists, politicians in Washington refused to hear your voices, but on Election Day 2016 your voices were heard all across the entire world. No one died in vain, I can tell you that."

The president's focus on immigration, a day after Republican leaders in the Senate postponed efforts to repeal the Affordable Care Act, illustrated the White House's eagerness to get back onto comfortable footing. Trump has consistently employed strong rhetoric to paint immigrants - both those in the country illegally and some who arrive through legal channels - as potentially dangerous.

"The president's involvement has brought the pace of this up, and we're doing it this week because he wants it to happen," said Rep. Steve King (R-Iowa), a fierce advocate for strict immigration laws who co-sponsored the bills set to be passed Thursday. "The members are ready for it, too."

The House votes - coming six months into Trump's presidency - are also highlighting the limits of congressional action and the frustrations of conservatives who expected much more to have been done already.

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Arrests of undocumented immigrants have spiked under Trump compared with the final couple of years under his predecessor, former president Barack Obama, who had sought to shield more immigrants from deportations. Illegal border crossings have fallen significantly since Trump took office, which immigrant rights advocates have said could be an effect of Trump's harsh rhetoric about illegal immigrants.

But on the legislative front, there has been little activity. Trump had suggested in February that he would be open to a comprehensive immigration bill that eluded presidents George W. Bush and Obama, but gaining buy-in from Democrats, and even some moderate Republicans, is seen as unlikely unless Trump is willing to compromise by allowing many unauthorized immigrants to gain legal status.

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But several House conservatives - already frustrated that Trump has not acted more quickly to undo Obama's executive immigration actions - lamented that it took so long into Trump's presidency to get any immigration bills onto the House floor. And they quietly questioned why a more far-reaching immigration bill passed by the House Judiciary Committee in March was not being voted on.

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Democrats, meanwhile, cast the bills as a mean-spirited attempt to rally Republicans around legislation that would mainly harm undocumented but otherwise law-abiding immigrants at a time when other major parts of the GOP agenda are foundering.

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fact-checker

**President Trump's claim that MS-13 gang members are being deported 'by the thousands' ; Trump is indeed ramping up enforcement actions against MS-13, but deportations so far this year are in the hundreds, not the thousands.**

By Michelle Ye Hee Lee

1,127 words

26 June 2017

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English

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"You have a gang called MS-13. They don't like to shoot people. They like to cut people. They do things that nobody can believe. These are true animals. We are moving them out of the country by the thousands, by the thousands. We're getting them out, MS-13." — President Trump, remarks at a rally in Cedar Rapids, Iowa, June 21

"Great success, including MS-13. They're being thrown out in record numbers and rapidly. And they're being depleted. They'll all be gone pretty soon." — Trump, remarks at Cabinet meeting, June 12

"MS-13 is being taken care of at a very, very rapid clip by General — now Secretary — Kelly. He's done an incredible job, really incredible job." — Trump, meeting with House and Senate leaders, June 6

The Trump administration has, indeed, taken action to curb illegal immigration, including providing more resources to the Department of Homeland Security and expanding deportation priorities. In recent weeks, Trump has been touting his administration's deportations of members and associates of MS-13, or Mara Salvatrucha, a Central American gang that has been operating in the United States for decades.

Are MS-13 members really being deported "by the thousands"?

The Facts

MS-13 is a transnational gang that formed in Los Angeles in the 1980s, among members of the Salvadoran community who had fled violence and civil conflict in El Salvador. U.S. agencies have been dealing with enforcement and prevention of MS-13 activities since as early as 2004. MS-13 is operating in at least 40 states.

Gang violence in Central America's Northern Triangle region (El Salvador, Honduras and Guatemala) has contributed to the surge in recent years of border crossings by unaccompanied children and families over the Southwestern border into the United States.

The White House pointed us to a news release by Immigration and Customs and Enforcement, of a six-week nationwide gang operation from March 26 to May 6. It was the largest gang surge to date by Homeland Security Investigations, the investigative arm of the Department of Homeland Security, and it netted 1,378 arrests across the country, according to ICE.

Of the total arrests, the majority (1,095) were confirmed gang members and affiliates, including 104 associated with MS-13. A spokeswoman for the Embassy of El Salvador said none of the suspected gang members detained during the recent operations described in the news release has been deported yet.

The White House noted that Operation Community Shield, ICE's anti-gang initiative, resulted in "more than 4,300 criminal arrests and nearly 3,000 civil immigration arrests of MS-13 leaders, members and associates." But that initiative dates to 2005, so it predates the Trump presidency.

We asked how the Operation Community Shield figures support Trump's claim that the administration is "getting rid of them by the thousands," and asked the White House to clarify whether Trump was generally referring to enforcement efforts that have been taking place since 2005.

White House spokesman Steven Cheung said: "He said something that is factually accurate and true. He's the president of the United States. We are getting rid of them by the thousands."

The actual numbers of deported MS-13 members and affiliates are in the hundreds. ICE pointed us to the June 21 congressional testimony by top DHS officials on MS-13 enforcement.

From fiscal 2016 to fiscal 2017 (as of June 4), ICE made 602 criminal arrests of MS-13 gang members and associates, which resulted in 153 convictions, according to DHS. Of course, fiscal 2016 predates Trump's presidency as well.

Still, there has been an increase in the rate of gang deportations to El Salvador, and Salvadoran officials are preparing for more. The U.S. government deported 398 gang members to El Salvador so far this year, compared with 534 in all of 2016, The Washington Post reported.

Gang members make up a small portion of total deportations from the United States to El Salvador. Deportations to El Salvador during the first five months of 2017 (8,122) are comparable to the same period last year (8,054), according to data from the Embassy of El Salvador.

Carla Provost, the Border Patrol's acting chief, said in her congressional testimony that Trump's executive actions on illegal immigration enforcement gave more authority and resources to the agency to target gang activity and illegal immigration, leading to "a historic shift in illegal crossings along the Southwest border." (We covered this previously.)

Critics of former president Barack Obama's immigration policies call the Trump administration's efforts a welcome change that is clearly working in curbing MS-13 activity and illegal immigration.

Some immigration experts are wary of Trump's deportation-focused approach, and said there needs to be a comprehensive effort that includes prevention, intervention and other efforts in addition to deportation. MS-13's expansion in the United States accelerated after increased deportations back to the Northern Triangle, in the wake of the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996, according to the Congressional Research Service.

Jorja Leap, an anthropologist and professor at the University of California at Los Angeles whose research focuses on gang activity, said conviction and deportation of MS-13 members can take up to two years to build, and warned of rhetoric that makes it seem like deportations can happen overnight.

"I was at a community gathering [last week]. No one is being swept up and deported. In the traditional hot spots with gang activity, there's nothing going on," Leap said. "They're acting like there are these overnight deportations of thousands of people. The law does not operate that way."

The Pinocchio Test

The Trump administration is, indeed, increasing enforcement against gang activity and MS-13 members and affiliates. Earlier this year, ICE conducted the largest gang surge to date. But the deportations of MS-13 members and affiliates are in the hundreds, not the thousands, under Trump. The enforcement data Trump's White House provided comes from an initiative that dates to 2005.

This is a situation in which there is an element of truth but Trump exaggerates the facts in a way that lacks context. It is worthy of Two Pinocchios.

Two Pinocchios

(About our rating scale)

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National-Politics

**How Trump's dubious claims make the entire government react**

By Abby Phillip

1,429 words

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The words leapt from President Trump's mind to Twitter at 8:26 a.m. on the Friday after he fired FBI director James B. Comey, setting off a cascade of activity inside and outside the federal government to figure out what, exactly, he meant.

"James Comey better hope that there are no 'tapes' of our conversations before he starts leaking to the press!" Trump wrote.

With that tweet, Trump immediately deepened his own ­legal and political quagmire, evoking comparisons to President Richard M. Nixon and prompting congressional committees investigating his campaign's alleged ties with Russia to demand the disclosure of any such recordings. The message also prompted Comey to release previously undisclosed memos of his conversations with the president, which ultimately led to the appointment of a special counsel, who is now investigating whether Trump obstructed justice.

Far from knocking down the assertion that Trump had recorded conversations in the White House, his aides refused to give a definitive answer for weeks. Trump, ever the reality television host, teased at a news conference, "I'll tell you about it over a very short period of time."

On Thursday, 42 days later, he finally did. As most in Washington had anticipated, Trump said he did not have any such tapes.

The incident highlights a new reality for Washington, which now must spring into action to bolster or rebuff presidential assertions of dubious origin and with no evidence to back them up. In many cases, the claims have had the opposite effect of what the president presumably intended — feeding into doubts about his credibility, deepening his legal woes and generating unflattering accounts that dominate the news for weeks at a time.

And even when Trump has walked back a questionable comment, he has sometimes planted a new and similarly unsubstantiated claim. In denying Thursday that he had created "tapes" of his conversations with Comey, for example, Trump also suggested that he may have been surveilled.

"With all the recently reported electronic surveillance, intercepts, unmasking and illegal leaking of information, I have no idea whether there are 'tapes' or recordings of my conversations with James Comey," Trump wrote in one tweet, before denying that he had created any.

Before the tapes, there was Trump's unfounded claim that President Barack Obama "wiretapped" him in Trump Tower during the presidential campaign, setting off a flurry of official inquiries from Congress. His oft-repeated assertion during the campaign that a wall along the southern border would be paid for by Mexico is one that lawmakers in Trump's own party believe will never come to fruition — yet they and others in the government continue to look for some way to help the president save face.

Trump has also repeatedly claimed that millions of illegal immigrants voted in the last presidential election, with no proof. Yet in an effort to validate his comments, the Trump administration has created a commission aimed at investigating his claim of widespread voter fraud.

"What happens with the president is he shoots himself in the foot, and soon the gangrene spreads to the entire body politic," said Norm Eisen, a former U.S. ambassador to the Czech Republic and a former ethics czar in the Obama administration. "This is going to be the new normal: elements of the president's own executive branch openly, or indirectly through leaks, responding to these false tweets."

After Trump raised the prospect of Comey-related tapes, ­exasperated lawmakers in both parties pledged to find out one way or another. "I don't have the foggiest idea," Sen. Mark R. Warner (D-Va.) said on ABC News the following Sunday.

But the most significant consequences were yet to come.

Comey told lawmakers in testimony this month that as he lay awake in his Northern Virginia bed a week after he was summarily fired, he decided to act — in large part because of Trump's tweet.

"It didn't dawn on me originally that there might be corroboration for our conversation. There might be a tape," he said, explaining why he leaked memos of his conversations with Trump to the media. He also testified, "Lordy, I hope there are tapes!"

Comey's memos prompted the appointment of special counsel Robert S. Mueller III, a former FBI director, to investigate possible collusion between Trump campaign associates and Russians who interfered in the election. The Washington Post has also reported that Mueller is investigating whether Trump attempted to obstruct the investigation.

"There's nothing criminal or illegal about bluffing," said Alan Dershowitz, a Harvard Law School professor who has often defended Trump against various allegations. "I don't think he would have said he had tapes if he had them."

But Dershowitz acknowledged that the tweet may have been a shortsighted attempt to ensure that Comey was careful about his public statements on Trump.

"I don't know whether it was an unforced error or a tactic, but it could have been both: a tactic that turned out to be an unforced error," Dershowitz said. "He should have thought through all of that. I very often keep contemporaneous memos, particularly when I'm dealing with people who have credibility issues.

"Lawyers do that," he added.

A similar dynamic played out in March when Trump blasted out another shocker of a tweet claiming that Obama had wiretapped him — an implausible assertion that government officials and lawmakers moved quickly to deny.

But among Trump loyalists in the White House and in Congress, there was a spirited effort to validate the claim.

Three White House officials unearthed classified documents that suggested that Obama administration officials may have "unmasked" the names of Trump campaign associates that were contained in classified intelligence reports. Intelligence experts note that unmasking is a legal practice, if done properly, and completely different from Trump's claim that he was illegally "wire tapped."

But armed with the documents procured by the White House, Rep. Devin Nunes (R-Calif.), chairman of the House Intelligence Committee and a member of Trump's transition team, set out to defend the president's tweets. Nunes later told Fox News host Sean Hannity that he felt obligated to brief the president on the unmasking issue because he was "taking a lot of heat in the news media" for his wiretapping tweets.

To intelligence experts, the controversy was an attempt by Trump loyalists to confuse two entirely separate issues — illegal surveillance and legal "unmasking" of the names of American individuals — to defend the president.

"The notion that President Obama could instruct the intel community to set up a tap on Mr. Trump's offices is preposterous on its face. He doesn't have that authority," said Robert Deitz, a former general counsel at the National Security Agency and the Defense Department. "One of the things that's interesting about Washington is that it's a little bit of 'Alice in Wonderland': You hear something or you see something in the press, and you try to make sense of it."

The Trump administration has moved to accommodate the president's dubious rhetoric in other ways.

Trump has repeatedly insisted without evidence that he lost the popular vote because of millions of illegal-immigrant voters. That led the White House to create a commission to study the issue — an effort widely dismissed as a sham but which nevertheless is slated to produce a report of its findings next year.

A similar phenomenon has taken hold with Trump's proposed border wall. The president, lawmakers and his aides have floated a number of schemes to make his promise that taxpayers wouldn't foot the bill come true, including initially financing the wall with solar panels or a border adjustment tax. Even with Mexico refusing to entertain the idea of funding — and with Senate Majority Leader Mitch McConnell (R-Ky.) answering "no" when asked if Mexico would be paying up — Trump hasn't dropped the issue.

"It's not unprecedented for people anywhere in the bureaucracy to have to do cleanup or to deal with in other ways statements that are short on veracity from the man at the top," said Paul Pillar, a former CIA officer. "What you're talking about with the current president is a substantial difference of degree in which some of these things happen.

"There's as much eye-rolling with respect to our foreign partners. They realize the kind of boat their American counterparts have been put in," he added.

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A-Section

**From little tweets can grow great firestorms**

Abby Phillip

1,426 words

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The Washington Post

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"James Comey better hope that there are no 'tapes' of our conversations before he starts leaking to the press!" Trump wrote.

With that tweet, Trump immediately deepened his own legal and political quagmire, evoking comparisons to President Richard M. Nixon and prompting congressional committees investigating his campaign's alleged ties with Russia to demand the disclosure of any such recordings. The message also prompted Comey to release previously undisclosed memos of his conversations with the president, which ultimately led to the appointment of a special counsel, who is now investigating whether Trump obstructed justice.

Far from knocking down the assertion that Trump had recorded conversations in the White House, his aides refused to give a definitive answer for weeks. Trump, ever the reality television host, teased at a news conference, "I'll tell you about it over a very short period of time."

On Thursday, 42 days later, he finally did. As most in Washington had anticipated, Trump said he did not have any such tapes.

The incident highlights a new reality for Washington, which now must spring into action to bolster or rebuff presidential assertions of dubious origin and with no evidence to back them up. In many cases, the claims have had the opposite effect of what the president presumably intended - feeding into doubts about his credibility, deepening his legal woes and generating unflattering accounts that dominate the news for weeks at a time.

And even when Trump has walked back a questionable comment, he has sometimes planted a new and similarly unsubstantiated claim. In denying Thursday that he had created "tapes" of his conversations with Comey, for example, Trump also suggested that he may have been surveilled.

"With all the recently reported electronic surveillance, intercepts, unmasking and illegal leaking of information, I have no idea whether there are 'tapes' or recordings of my conversations with James Comey," Trump wrote in one tweet, before denying that he had created any.

Before the tapes, there was Trump's unfounded claim that President Barack Obama "wiretapped" him in Trump Tower during the presidential campaign, setting off a flurry of official inquiries from Congress. His oft-repeated assertion during the campaign that a wall along the southern border would be paid for by Mexico is one that lawmakers in Trump's own party believe will never come to fruition - yet they and others in the government continue to look for some way to help the president save face.

Trump has also repeatedly claimed that millions of illegal immigrants voted in the last presidential election, with no proof. Yet in an effort to validate his comments, the Trump administration has created a commission aimed at investigating his claim of widespread voter fraud.

"What happens with the president is he shoots himself in the foot, and soon the gangrene spreads to the entire body politic," said Norm Eisen, a former U.S. ambassador to the Czech Republic and a former ethics czar in the Obama administration. "This is going to be the new normal: elements of the president's own executive branch openly, or indirectly through leaks, responding to these false tweets."

After Trump raised the prospect of Comey-related tapes, exasperated lawmakers in both parties pledged to find out one way or another. "I don't have the foggiest idea," Sen. Mark R. Warner (D-Va.) said on ABC News the following Sunday.

But the most significant consequences were yet to come.

Comey told lawmakers in testimony this month that as he lay awake in his Northern Virginia bed a week after he was summarily fired, he decided to act - in large part because of Trump's tweet.

"It didn't dawn on me originally that there might be corroboration for our conversation. There might be a tape," he said, explaining why he leaked memos of his conversations with Trump to the media. He also testified, "Lordy, I hope there are tapes!"

Comey's memos prompted the appointment of special counsel Robert S. Mueller III, a former FBI director, to investigate possible collusion between Trump campaign associates and Russians who interfered in the election. The Washington Post has also reported that Mueller is investigating whether Trump attempted to obstruct the investigation.

"There's nothing criminal or illegal about bluffing," said Alan Dershowitz, a Harvard Law School professor who has often defended Trump against various allegations. "I don't think he would have said he had tapes if he had them."

But Dershowitz acknowledged that the tweet may have been a shortsighted attempt to ensure that Comey was careful about his public statements on Trump.

"I don't know whether it was an unforced error or a tactic, but it could have been both: a tactic that turned out to be an unforced error," Dershowitz said. "He should have thought through all of that. I very often keep contemporaneous memos, particularly when I'm dealing with people who have credibility issues.

"Lawyers do that," he added.

A similar dynamic played out in March when Trump blasted out another shocker of a tweet claiming that Obama had wiretapped him - an implausible assertion that government officials and lawmakers moved quickly to deny.

But among Trump loyalists in the White House and in Congress, there was a spirited effort to validate the claim.

Three White House officials unearthed classified documents that suggested that Obama administration officials may have "unmasked" the names of Trump campaign associates that were contained in classified intelligence reports. Intelligence experts note that unmasking is a legal practice, if done properly, and completely different from Trump's claim that he was illegally "wire tapped."

But armed with the documents procured by the White House, Rep. Devin Nunes (R-Calif.), chairman of the House Intelligence Committee and a member of Trump's transition team, set out to defend the president's tweets. Nunes later told Fox News host Sean Hannity that he felt obligated to brief the president on the unmasking issue because he was "taking a lot of heat in the news media" for his wiretapping tweets.

To intelligence experts, the controversy was an attempt by Trump loyalists to confuse two entirely separate issues - illegal surveillance and legal "unmasking" of the names of American individuals - to defend the president.

"The notion that President Obama could instruct the intel community to set up a tap on Mr. Trump's offices is preposterous on its face. He doesn't have that authority," said Robert Deitz, a former general counsel at the National Security Agency and the Defense Department. "One of the things that's interesting about Washington is that it's a little bit of 'Alice in Wonderland': You hear something or you see something in the press, and you try to make sense of it."

The Trump administration has moved to accommodate the president's dubious rhetoric in other ways.

Trump has repeatedly insisted without evidence that he lost the popular vote because of millions of illegal-immigrant voters. That led the White House to create a commission to study the issue - an effort widely dismissed as a sham but which nevertheless is slated to produce a report of its findings next year.

A similar phenomenon has taken hold with Trump's proposed border wall. The president, lawmakers and his aides have floated a number of schemes to make his promise that taxpayers wouldn't foot the bill come true, including initially financing the wall with solar panels or a border adjustment tax. Even with Mexico refusing to entertain the idea of funding - and with Senate Majority Leader Mitch McConnell (R-Ky.) answering "no" when asked if Mexico would be paying up - Trump hasn't dropped the issue.

"It's not unprecedented for people anywhere in the bureaucracy to have to do cleanup or to deal with in other ways statements that are short on veracity from the man at the top," said Paul Pillar, a former CIA officer. "What you're talking about with the current president is a substantial difference of degree in which some of these things happen.

"There's as much eye-rolling with respect to our foreign partners. They realize the kind of boat their American counterparts have been put in," he added.

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right-turn

**Nixon went to China, Trump went for 'amnesty' ; Trump is now pro-amnesty.**

By Jennifer Rubin

871 words

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English

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President Richard Nixon, the quintessential Cold Warrior, could pull off an opening to China because his anti-communist credentials were never in doubt. President Trump, the quintessential anti-immigrant xenophobe who called Mexicans "murders," exploited victims of crimes allegedly committed by illegal immigrants and vowed to enact mass deportation, could be the one to bury the anti-immigrant right's agenda and its incessant crusade against "amnesty," which amounts to any immigration stance that does not result in deportation of 11 million to 12 million people.

On Friday, Trump decided if you can't beat the "amnesty" crowd, you might as well join them. The Associated Press reported:

The Trump administration said Friday it still has not decided the fate of a program protecting hundreds of thousands of young immigrants from deportation, despite a statement a day earlier that the program will continue.

The mixed signals reflect the political sensitivities behind the Obama administration program known as Deferred Action for Childhood Arrivals, or DACA. As a candidate who put tough immigration policies at the core of his campaign, Donald Trump denounced the program as an "illegal amnesty" and said he would immediately end it.

Since taking office, Trump has expressed empathy for the participants often called "dreamers," many of whom have no memory of living anywhere but the United States. Cancelling the program could mean trying to deport more than 787,000 people who identified themselves to the government in exchange for temporary protection.

The Homeland Security Department said Thursday that the program would "remain in effect."

President Barack Obama's order decried as "amnesty" and executive overreach is now part and parcel of Trump's policy, for the foreseeable future. Even Trump recognizes that Americans do not have the will, the money or the heart to round up everyone no matter the circumstances. Put differently, some people should get to stay, to obtain legal status. The recognition that mass deportation is neither logistically nor politically tenable was ridiculed by Trump and the anti-immigrant crowd during the GOP presidential primaries. Now that the message comes from Trump rather than Jeb Bush, the right nods dutifully and moves on.

The same fate awaits the promise to build the southern border wall, a $67 billion (roughly) boondoggle that no border-state member of Congress of either party supports. The right-wing talk-radio crowd and other anti-immigrant mouthpieces scoffed when Sen. Marco Rubio (R-Fla.) and Jeb Bush said Mexico would not pay for the wall. They derided these and other candidates who pointed out it was a waste of money (albeit a boon to the ladder industry). The government funding bill that Trump released in early May takes the country to the end of the fiscal year but contained no wall funding. Do not expect anything different for the 2018 fiscal year budget. If an anti-immigrant hawk such as Trump and GOP majorities in the House and Senate won't fund the wall, do we really imagine any president and Congress would?

Trump's executive order threatening "sanctuary cities" was stymied by the courts and then subsequently narrowed by immigration hawk Attorney General Jeff Sessions. The initiative is now so narrow as to be meaningless. Trump has increased raids and doubled the incidence of non-criminal deportations, but that's about the only thing the anti-immigrant crowd has gotten.

Truth be told, Trump and his anti-immigrant fans grossly exaggerated the extent of the illegal immigrant problem and the porousness of the border. At 11 million, the illegal immigrant population is down from 11.3 million in 2009. The Pew Research Center reported, "Unauthorized immigrants represented 3.4% of the total U.S. population in 2015. The number of unauthorized immigrants peaked in 2007 at 12.2 million, when this group was 4% of the U.S. population." Moreover, the percentage of illegal immigrants who have long-standing ties to the United States has soared, according to Pew. "About two-thirds (66%) of adults in 2014 had been in the U.S. at least [a decade], compared with 41% in 2005. A declining share of unauthorized immigrants have lived in the U.S. for less than five years – 14% of adults in 2014, compared with 31% in 2005."

With the illegal immigrant population on the decline, unemployment continuing to drop (these foreigners aren't "stealing jobs" but rather participating in economic growth) and Trump's legal initiatives largely stalled, maybe it is time to declare "victory" on the illegal immigration front and get on with legalization, at the very least for those people who have been here a decade, remained employed, learned English and committed no crimes. Allowing such people to pay a fine and back taxes to attain legal status is overwhelmingly popular with voters, according to multiple polls. Both parties could finally put this issue behind them.

Listen, if it took Nixon to go to China, certainly Trump could go a long way toward mass "amnesty." Maybe with a Democratic House majority after the 2018 election Trump and Rep. Nancy Pelosi (D-Cal.) could get the ball rolling.

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worldviews

**An Italian mayor won an international award for helping migrants. Then she lost her job.**

By Anna Momigliano

751 words

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Two months ago Giusi Nicolini, the mayor of a small Italian island with a population of 6,000, received the prestigious UNESCO Peace Prize. Lampedusa, the island 70 miles from the Tunisian coast that she has been governing since 2012, has experienced an influx of refugees over the past few years, and Nicolini got the award because of the "boundless humanity and unwavering commitment" with which she managed the refugee crisis.

In the past few years, Nicolini had become a national symbol of Lampedusa's willingness to help those fleeing war and poverty: When President Obama hosted a state dinner in honor of then-Prime Minister Matteo Renzi in 2016, Renzi brought her along as one of the people who represented the best of Italy.

Yet Nicolini failed to get reelected when local elections were held last Sunday. Not only that, she did not even come second, losing disastrously to an opponent who, during the campaign, famously said that he "cannot stand seeing migrants swarming everywhere."

So, does Nicolini's defeat mean that being nice to migrants could cost a politician their seat?

People on the right were quick to celebrate the election results as proof that Italians are tired of helping out immigrants and asylum-seekers.

Matteo Salvini, the leader of the anti-immigration Northern League, mocked Nicolini for what he described as "feel-good propaganda" that cost her the election. Conservative activists joyfully posted altered images representing the former mayor as an illegal immigrant expelled from the country and memes claiming she is an agent of George Soros, the liberal tycoon whom conspiracy theorists accuse of being behind the wave of African immigration to Europe.

#elezioniamministrative2017 ,sonora bastonata per la sindaca piddina di #Lampedusa. #giusinicolini sindaca pro-#immigrazione solo terza. pic.twitter.com/zNjZaciO5S

— Danilo (@danilosantini65) June 12, 2017

Ciao @giusi\_nicolini , mi raccomando pic.twitter.com/TxE92iyWBg

— OINOT49 (@oinot49) June 14, 2017

In an interview with The Washington Post, Nicolini said she has been insulted for the national and international attention she got because of the migrant crisis: "They called me 'ladra di medaglie,' medals thief, and accused me of talking too much to the media. But I was just trying to promote the image of the island."

Lampedusa's economy revolves around fishing and tourism and Nicolini said that, during her tenure, she tried to balance the moral duty to welcome migrants and the need to keep the island appealing for tourists — and with good results: the tourism business grew 36 percent.

It's true that the new mayor, Salvatore "Totò" Martello, had used harsher language about migrants. Martello, who, like Nicolini, belongs to the center-left Democratic Party, won the election focusing his campaign on the promise of obtaining financial compensation for fishermen whose business is allegedly hurt by the shipwrecks of migrants' boats. He contends that the presence of sunken ships in that area of the Mediterranean is damaging the fishermen's nets.

However, after the elections, he immediately toned down his approach, expressing his respect for migrants who risk their lives at sea.

Alessandro Puglia, a freelance journalist who did extensive work on Lampedusa and authored a documentary about the island, is skeptical that the election results had anything to do with the migrant crisis. He noted in an interview that Lampedusa's residents have demonstrated their solidarity throughout the decades: "Migrants have been coming to the island since the 1990s and locals have always offered them food and blankets. Moreover, it was often the fishermen of Lampedusa who rescued migrants at sea."

If anything, said Puglia, some of the locals resented the fact that the mayor was getting all the attention, while their work remained largely unknown to the wider world.

Nicolini acknowledges the migrant crisis was just one of the factors, claiming that her policy of "sustainable growth" made her enemies among investors and developers less concerned with the environment.

But whether the migrant crisis was a determining factor in the local elections of this small island remains debatable, it is pretty clear that it is becoming a hot-button issue nationally. With elections scheduled next year, two of the country's major parties, the Five Star Movement and the Northern League, are heavily campaigning against immigration — the latter openly using Nicolini as a target. According to a recent poll, 62 percent of Italians would favor a stricter immigration policy.

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Local-Politics

**Stewart calls Gillespie's work for Tyson Foods 'human trafficking'**

By Laura Vozzella

985 words

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Washington Post.com

WPCOM

English

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Virginia gubernatorial hopeful Corey Stewart on Tuesday accused one of his rivals of participating in "human trafficking," a claim he based on work Ed Gillespie's lobbying firm did for Tyson Foods when the poultry giant was charged with smuggling Mexicans across the border to work in its U.S. plants.

"In essence, Ed Gillespie is complicit in smuggling illegal aliens into this country," Stewart said. "He's complicit in human trafficking."

Stewart, who faces Gillespie and state Sen. Frank Wagner (Virginia Beach) in the June 13 GOP primary, made the claim one day after The Washington Post reported that Tyson paid Quinn Gillespie & Associates more than $1 million for help on a range of issues, including the criminal case, which ended in acquittal.

Gillespie's campaign dismissed Stewart's claim — which came exactly two weeks before the primary — as a baseless attack.

"Corey Stewart's campaign has been a constant stream of fabrication and falsehoods," Gillespie spokeswoman Abbi Sigler wrote in an email. "Tyson Foods retained Quinn Gillespie in 2001 to provide public relations services dealing with charges for which a jury later found the company not guilty. As The Washington Post reported, Tyson's made clear the firm was not retained to lobby on the issue and Ed was not involved in the day-to-day work for them."

Polls show Gillespie, a former Republican National Committee chairman and onetime adviser to President George W. Bush, with a double-digit lead over Stewart, who is chairman of the Prince William County Board of Supervisors, and Wagner heading into the homestretch. Gillespie left the lobbying firm in 2007. Many political analysts think Stewart turned himself into a fringe candidate months ago by making the preservation of the state's Confederate monuments the central issue of his campaign.

But Stewart sees an opportunity to reset the race by playing up Gillespie's ties to Tyson, noting that a sizable chunk of the electorate is undecided or even unaware of the race.

"Now people are tuning in," he said, suggesting that voters will turn away from Gillespie "when people find out that Ed Gillespie has been complicit in human trafficking of illegal immigrants into this country, illegal immigrants who are murdering and battering and raping American citizens."

On Facebook, Stewart's campaign promoted The Post story under an inaccurate headline of its own making: "BREAKING: Gillespie Exposed for Receiving $1M+++ for Colluding with Illegal Alien Human Trafficker." The actual Post headline was, "In Va. governor's race, Gillespie in a tight spot on immigration in Trump era."

Tyson hired Quinn Gillespie & Associates in December 2001, just days before the U.S. Justice Department charged the poultry giant with illegally smuggling Mexicans into the country to work at processing plants in Virginia and elsewhere. Tyson acknowledged some smuggling at the time but maintained that it had been the work of rogue employees and was not sanctioned by corporate leaders. The company was acquitted.

Tyson paid Gillespie's firm more than $1.1 million from 2001 to 2007 to lobby Bush's White House, the Senate and the House on a range of issues, according to federal lobbying disclosures. Gillespie was listed as a Tyson lobbyist for several of those years. He was registered to handle issues that included "amnesty proposals," "immigration reform," "country of origin labeling," and "labor and workforce issues," according to those forms.

Gary Mickelson, a Tyson spokesman, told The Post last week that the company hired Gillespie's firm "for public affairs consulting, not lobbying, when our company was facing immigration charges. . . . Most of the work done by Quinn Gillespie for our company did not involve Mr. Gillespie."

In response to Stewart's comments Tuesday, Mickelson issued a statement saying: "We have zero tolerance for employing anyone who is not authorized to work in this country and use all available tools provided by the U.S. government to check the documents of the people we hire."

Even without this latest development, immigration has been a tricky issue for Gillespie, who hails from the party's establishment wing and supported the 2013 "Gang of Eight" immigration initiative in the U.S. Senate that called for tighter border security as well as a pathway to citizenship for an estimated 12 million undocumented immigrants. Gillespie now says he never supported the amnesty aspect of the proposal; he says he wanted a pathway to legal status, not citizenship.

Gillespie has struck a "big tent" tone in TV commercials, which have him promising to be a "governor for all Virginians," while his Facebook ads show images of a massive border wall and a handcuffed illegal immigrant.

Stewart also tried to appeal to various GOP constituencies as he blasted Gillespie's work for Tyson, by turns describing the illegal Tyson workers as murderous and exploited.

He spoke at a morning conference at a county office building, surrounded by photos of Virginians who he said had been killed by illegal immigrants.

"If it weren't for the efforts of Ed Gillespie and Tyson, some of these people would still be alive today," Stewart said.

Asked whether he had any evidence that illegal immigrants who had worked at Tyson plants had killed anyone, Stewart said, "No, but I know a significant portion of those who come here illegally, they have criminal backgrounds and commit crimes."

At the same time, Stewart suggested that Gillespie had helped to exploit the immigrants, saying that they were smuggled into the country to work for wages and under conditions that no American would accept.

"There's another victim, too, and that is the illegal immigrants themselves," Stewart said. "They're paid next to nothing, and they're forced to work in conditions that no American would work in. . . . And he's been making a million dollars."

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Local-Politics

**Tyson Foods tries to scuttle TV ad playing up ties to GOP contender Gillespie**

By Laura Vozzella

727 words

11 June 2017

Washington Post.com

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English

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RICHMOND — Tyson Foods has asked Virginia gubernatorial hopeful Corey Stewart to kill a TV ad, one that slams Republican rival Ed Gillespie for work his Washington lobbying firm did for the poultry giant as it faced criminal charges related to undocumented employees.

Stewart has seized on Gillespie's ties to Tyson in the homestretch of the GOP nominating contest, which will be decided in a statewide primary Tuesday.

"When Tyson Foods was indicted for human smuggling, who's the first guy they called? Ed Gillespie," the 30-second spot begins. "Gillespie was paid $1.1 million to make excuses for trafficking illegal aliens and lobby for amnesty."

The ad ran statewide this week on Fox News, according to the Stewart campaign.

Tyson hired Quinn Gillespie & Associates in December 2001, just days before the U.S. Justice Department charged it with illegally smuggling Mexicans into the country to work at processing plants in Virginia and elsewhere. Tyson acknowledged some smuggling at the time but maintained that it had been the work of rogue employees and was not sanctioned by corporate leaders.

The company was eventually acquitted, something the ad does not mention.

"You are certainly entitled to make immigration part of your campaign for governor; however, we respectively [sic] ask that you stop disparaging the reputation of Tyson Foods by immediately discontinuing your false and misleading ads and public statements about our company," Paul T. Kirchner, vice president and associate general counsel for Tyson, wrote in a letter Friday to Stewart campaign manager Spence Rogers.

"While Tyson Foods was indicted on immigration charges in 2001, the company was later cleared by a federal jury of all charges," the letter continues. "We did hire Quinn-Gillespie during that time, however, it was to help us with public relations, not lobbying. And, most of the work done by the agency did not involve Ed Gillespie."

Stewart spokesman Noel Fritsch stood by the ad and accused Tyson of trying to "silence Corey."

"It's quite obvious that Ed Gillespie is desperate to keep us from talking about his record of helping smuggle illegal aliens into the country to work for low wages," Fritsch said. "This is about Ed at the end of the day. . . . It's about Ed not wanting to come clean about his horrible record on immigration."

Gillespie and Stewart are in a three-way primary with state Sen. Frank Wagner (Virginia Beach) for the Republican gubernatorial nomination.

Stewart, who led a crackdown on illegal immigration as chairman of the Prince William County Board a decade ago, has run as a hard-liner on illegal immigrants, vowing to "hunt them down."

Gillespie, a former Republican National Committee chairman and adviser to President George W. Bush, has walked a finer line. He advocated for the 2013 "Gang of Eight" immigration initiative in the U.S. Senate that called for tighter border security as well as a pathway to citizenship for an estimated 12 million undocumented immigrants, but he says he never supported the amnesty aspect of the deal. He promises to be a "governor for all Virginians" in TV spots but uses images of a massive border wall and a handcuffed illegal immigrant in more targeted Facebook ads.

Tyson retained Gillespie's firm through 2007, paying $1.1 million over that time to lobby Bush's White House, the Senate and the House on a range of issues, according to federal lobbying disclosures. Gillespie was listed as a Tyson lobbyist for several of those years, registered to handle issues that included "amnesty proposals," "immigration reform," "country of origin labeling," and "labor and workforce issues."

Gillespie told The Washington Post in May that he did not recall doing any work for Tyson, one of many clients of the firm he left in 2007.

Stewart's ad opens with an image of a New York Times headline from 2001: "Tyson Foods Indicted in Plan To Smuggle Illegal Workers."

Gillespie spokesman David Abrams said the campaign did not ask Tyson to write the letter but echoed the company's criticism.

Gary Mickelson, a Tyson spokesman, confirmed that.

"We've not been in contact with the Gillespie campaign, nor with Mr. Gillespie at all," he said. "We're simply defending our reputation."

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Metro

**Tyson Foods executive tries to scuttle TV ad linked to GOP contender**

Laura Vozzella

725 words

11 June 2017

The Washington Post

WP

FINAL

C06

English

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**Full interview transcript: Ed Gillespie**

5,607 words

1 June 2017

Washington Post.com

WPCOM

English

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Laura Vozzella: Okay, thanks for being here.

Ed Gillespie: Thanks for having me.

Laura Vozzella: So big picture here, you're an establishment figure running in the Trump era. How's that working for you?

Ed Gillespie: You know everywhere I go in Virginia, and I go everywhere in Virginia, people are responsive to my message about reorienting our approach to economic development and putting a greater focus on start-ups and scale-ups, making it easier to open a new business in Virginia, to expand an existing one. For a long time we've had to focus on what I call whale hunting. We're always trying to get a Fortune 100 company to move their headquarters here and I'm all for that, but we need to take a longer term, more patience approach to sustainable job creation in Virginia. And I think that requires putting a greater emphasis on start-ups and scale-up. And so you know people are interested in ideas and policies and how are we going to improve life for all Virginians. And I have a plan that will make our future better for all Virginians. And I find everywhere I go people are very responsive and appreciative of that approach.

Laura Vozzella: You're in a little bit of a tricky situation in that Trump clearly did not win in November, but he did win the Republican primary. That said, it doesn't seem like the most Trump style opponent in the primaries is gaining much traction. But how do you interpret the Trump win nationally and what it says about both parties really?

Ed Gillespie: I think it revealed a concern about our future and I see that here in Virginia. You know we've had three straight years now where more people have moved out of Virginia than into Virginia. It had never happened at all since we started collecting that data in 1978 and now we've had three straight years of it. For 10 years now we've been swapping out high paying jobs for low paying jobs and our economic growth is anemic. You know the most recent year we had was a 2 percent growth rate, which is pathetic, but that was the first time in five years we've got above 1 percent. And I feel the economic anxiety with my fellow Virginians as I travel the Commonwealth, and it's more pronounced in certain parts of Virginia than other parts. But everywhere — you know I was just meeting with a large group of women here in Northern Virginia talking about economic opportunity, and I told a story about a young woman I was talking to a couple of weeks ago: 26 years old, grew up here in Northern Virginia, moved in her teen years to Richmond, went to high school in Richmond, went to JMU and got a nursing degree. And she's living in Houston, Texas, right now and she'd rather be living in Virginia. But the opportunities aren't here. Texas has more opportunity, and it's a more affordable place to live. And so we've got to address this. I asked how many folks either have adult children or adult children from Virginia who have gone to our great public schools and are not living in the Commonwealth right now. Have moved to find opportunities in other states. And two-thirds of the hands went up. And so this economic anxiety, this concern about the lack of opportunity and good paying jobs in Virginia, is pretty much everywhere I go. Not just in coal country or Southside or Hampton Roads. But like I say I was just in Tysons Corner and you could feel it there too. It's palpable. And I think that what President Trump tapped into in his campaign is a sense that we've got to make it easier for hardworking Virginians to have higher take-home pay, to be able to get full-time jobs, to have the skills, training we need in Virginia for folks who are not going to go on to get a four-year college degree to get a good paying job and for those who do get a four-year college degree to be able to have the opportunity to stay here in Virginia.

Laura Vozzella: Now the man you'd like to replace would say we'd create all these health care jobs and employ that nurse, bring her back, if we just expanded Medicaid under Obamacare. What's your thought about that?

Ed Gillespie: Well, if you look at the states that have expanded Medicaid, they've put their taxpayers on the hook long term for a significant hit, and you're already seeing it now even before there is more of a cost shift to the states. And so I've got policies and I'm going to put them forward. I have nine different policy development working groups. Health care is one of them. Each of these policy working groups is co-chaired by a member of our state Senate or our House of Delegates so that I can hit the ground running if I'm elected to get this agenda introduced in our assembly. And we can make health care more affordable and more accessible without expanding the Affordable Care Act and Medicaid in the Commonwealth of Virginia. And we need to take a different approach. We do need to make it more affordable, more accessible. But Medicaid expansion is not the right answer for Virginia, and I think if you look at the experience in other states, people would agree.

Laura Vozzella: And looking at Obamacare more broadly, this came up in the debate and also back in 2014 when you ran for Senate. There are people who point to your book — here will give a little plug. And Corey Stewart was pitching your book in the last debate and saying how, page 245, you endorsed the individual mandate. And you're obviously discussing different possibilities for addressing the fact that people who don't think they need health care sometimes don't get insured. But then if they have an accident or whatever they end up using medical services, and then people who are paying insurance rates wind up footing the bill. And so you did explore this issue of having every emancipated adult capable of providing his or her health care do so, possibly through the tax code. Is that not a version of the individual mandate, which I think originally came out of the Heritage Foundation or some conservative think tank?

Ed Gillespie: Well a couple of things. First of all, thanks for plugging the book, "Winning Rights: Campaign Politics and Conservative Policies." And I wrote it in 2006, and I always say if you had bet my college roommates 30 years ago that Ed Gillespie would ever read a book, let alone write one, you wouldn't have had any takers. But I'm proud of that book and I did talk about the health care debate that was going on at the time in 2006 and talked about expanding health savings accounts, which I think is a good policy. I talked about tax credits, which is what I was talking about in that chapter of the book and what the debate was at the time. There is a big difference between a tax credit and a mandate. You know people who take a tax credit for a home, for home buying, are not mandated to buy a home. People who take a tax credit for health insurance are not mandated to buy health insurance. We do want to make it more affordable. And that was one of the options. There's a lot of different options that have come into play, obviously over the past 11 years. And that's what Congress is looking at now in terms of their debate over repealing and replacing the Affordable Care Act. How do you make it more affordable, get more people covered? Without the mandate — and I fought the mandate tooth and nail, as you know, during the course of the debate of the Affordable Care Act, Obamacare, as it was moving through Congress and vigorously opposed the mandates. So I oppose a mandate. I do think that on the conservative side we do have to put forward policies and proposals that make health care more affordable, more accessible to more Virginians. And that's, like I said, one of the things I'm going to do in my campaign as I continue my process of announcing and unveiling specific policies for the people of Virginia to look at before they vote in this election.

Laura Vozzella: So you were looking more carrot than stick on that in terms of you saw the benefit of inducing more people to provide their own insurance?

Ed Gillespie: Look, I think we need to make health care more affordable for more Americans and for more Virginians with our state policy. But there is a very significant difference from an employer mandate versus a tax credit.

Ed Gillespie: Right, okay. Now another book I don't have this one and I'm not sure I can even flash the cover in a video for a family newspaper in the first part of the name is Rat — assuming you're familiar with this book, Rat "Bleeped," and it's the true story behind the secret plan to steal America's democracy by David Daley. Are you familiar with it?

Ed Gillespie: I can't say I am.

Laura Vozzella: Oh okay, all right. It came out and it's about redistricting and it talks about what he calls a secret plan by Karl Rove, Ed Gillespie and Chris Jankowski to plot the comeback of the Republican Party after the first Obama win. And basically he's saying that you all helped Republicans take back the statehouses and whatnot all over the country, which I'm sure you would gladly claim. But he characterizes it as rigging American democracy and basically saying that it's responsible for when people complain about gerrymandering and voters and politicians choosing their voters rather than the other way around — he's saying that you're part of a cabal that cooked that up. And what do you — if you're not familiar with the book that's fine. But what role if any did you play in sort of redistricting redistricting battles?

Ed Gillespie: Well, I chaired the Republican State Leadership Committee, which helps to elect lieutenant governors and secretaries of state and state legislators all around the country. We were very successful. And there was no doubt in 2010 we put a focus on state legislatures that would have a significant impact in the redistricting process. I think it was a smart plan. No secret about it.

Laura Vozzella: Right.

Ed Gillespie: There was a lot of press around it and made it clear that this was one of the goals. And I'm proud of the work that we did there and I'm proud of the work that state legislatures are doing. You know we have I think now 69 of the 99 state legislative chambers are in Republican hands, including the State House and the state Senate in Virginia. When I was chairman of the Republican State Leadership Committee more recently one of the things we did was to fend off an onslaught of liberal outside spending from George Soros and Tom Steyer and Michael Bloomberg that were trying to flip the Virginia State Senate from Republican control and all this out-of-state money came pouring in. And we were very helpful, the Republican State Leadership Committee, to Virginia Republicans in fending off that onslaught of liberal outside money, and it's a very effective organization. I'm no longer involved in it, but you know I've been focused on the states and the impact and the innovation that we see in policy at the state level for sometime and it's obviously one of the reasons that I'm running for governor because I know that at the state level you can make a significant impact on the quality of life for, in my case, from my fellow Virginians. And so I'm proud of that work and it was very successful.

Laura Vozzella: Is there such a thing as nonpartisan redistricting? I think it sounds good, but some people question whether — you know, you still have human beings involved. But is it possible or is it a good goal? Or is it you — it's a contest and you should try to seek advantage for your party as the other party does it for itself?

Ed Gillespie: Yeah, and I've looked at it very closely and I do understand some of the concerns about, as you put it, elected officials picking their voters rather than voters picking their elected officials. And it's a legitimate concern, especially with the precision with which you can carve out district lines now. But if you look at places that have tried nonpartisan redistricting — I mean look at the maps in California. And you know they don't tend to — they are pretty gerrymandered. You know it works in Iowa, is one place where I've seen it work. But Iowa got four congressional districts and it's a kind of a rectangle and they cut it into quarters. And you know I don't know that you need a commission for that. But in other states it seems to be something that works better in theory than in practice. It's hard to take the politics out of politics.

Laura Vozzella: Right, now you rolled out an ethics package and you've also accepted the endorsement of Bob McDonnell, who is on "60 Minutes" the other night. I don't know if you happened to see him on there.

Ed Gillespie: I did.

Laura Vozzella: What I was struck by his statement, he certainly said he needed to do it over again, he wouldn't take the gifts. But he also said that he made all the proper disclosures when in fact you know at the time he didn't have to disclose gifts to family and whatnot. But paying for your daughter's what — you know that was the loophole — paying for that was a gift to his daughter. Well Johnny Williams had met his daughter maybe one time, and there were loans to his businesses that were disclosed but they were listed as debts for medical services. And that's sort of a stretch but it was because Johnny Williams was in a, not pharmaceutical but a supplement business. So what's your feeling on — did he ... I know you chaired his campaign. I'm sure you're personal friends. But was he wrong? I felt watching that show he was saying he wouldn't do it again but he wasn't particularly remorseful about taking the gifts.

Ed Gillespie: You know what I saw him say was that he complied with the laws of the Commonwealth at the time. I think that the Supreme Court seemed to at the end of the day side with him.

Laura Vozzella: Right.

Ed Gillespie: In that regard we've passed some policies in response to that since, but I believe there's much more we need to do and I've unveiled a 15-point plan. I call it my "FAITH in Government for All Virginians" plan, and FAITH stands for fairness, accountability, integrity, transparency, and honesty. And the first thing I will do if elected governor of the Commonwealth we love is sign an executive order that is a zero-gift ban. No gifts at all for me, for my immediate family, for my appointees. I will also make sure that our state legislators — and I'm proud that they have joined me in calling for this — that no personal use of campaign funds. And also put an end to the bait and switch practice that elected officials have been able to use here in the Commonwealth where they raise money to run for one office and then use it to run for another office. That's unfair to people who don't hold elected office, makes it very difficult for them to run for office. You know they start at it at an inherent disadvantage, and we need to open up that process and make it more fair. I also have greater transparency, and I'll have you know our departments and agencies and boards stream, live-stream meeting so that Virginians can hold us accountable, can watch. I'm going to have cabinet meetings all around the Commonwealth, just not in Richmond, so that it's easier for people to come in and see members of my administration and hear from us and also require public comment for things like our boards of visitors for our public colleges and universities, where if they're going to be considering raising tuition or increasing fees that they hear from students and parents and others who are affected by that. And more transparency I think will make it easier to hold us accountable. I also double the length of the lobby ban or for the duration of my administration for people who serve in my administration and I will be an honest, ethical, hardworking, principled, faithful servant leader worthy of Virginia. If I am entrusted with our governorship and these policies will help ensure that our assembly and the administration are held accountable and there is greater transparency and that people can have faith that we're doing the people's business.

Laura Vozzella: Now, when you unveiled that there was some pushback from folks who said, "Oh my gosh, Ed Gillespie. He's been in government. He's been a lobbyist back and forth. He's been in the revolving door." Does that mean that this is chutzpah to propose this or is that you've seen up close and you know what needs to be done?

Ed Gillespie: You know I think my experience working at the highest levels of government as counselor to the president of the United States in the White House and the Capitol and helping to draft the contract with America and implement it. Helping to get the first balanced federal budget that we had in 25 years, my private sector experience. I have started three successful small businesses. Kathy and I know what it's like to put your house down as the collateral on a loan that you used to pay rent and meet payroll for the first year you open your doors, and I think all those experiences and insights that I've gained in my professional life help inform me and would help make me an effective governor. I think it's important to have a governor — in particular given how dependent we remain on federal policies and federal spending — who knows how to get things done in Washington, D.C. for our fellow Virginians, who can work with a Republican majority in the House and the Senate and a Republican president and administration for policies that affect us very directly here in the Commonwealth. You know we need to make sure Norfolk remains the largest naval base in the world. I'm glad the president has made a priority of building more ships in Newport News. We need to dredge our channel. That's an Army Corps project in the port of Virginia. We need to stop the assault on our coal sector. We need to get more of our own transportation dollars back into Virginia and spend them as we see fit. We need to have more policies that allow for more federal contracting in the private sector rather than what we've seen over the past eight years of insourcing and bringing everything inside government. These are policies that directly affect us and where I can be effective given my experience in the private sector. That said, Laura, one of the things we have to do in Virginia is become less dependent on federal spending and federal programs and federal policies. And that's why I'm putting forward a plan that will allow us to diversify our economy and make it easier for start-ups and scale-ups to flourish here in Virginia. Because innovators and entrepreneurs and small businesses, they are going to show us the way for the new technologies and sectors and services that will help us diversify our economy in Virginia and we need to do that. But in the meantime I think it's helpful to have someone who has my experience in the private sector, on Capitol Hill, and the executive branch be able to make sure that when it comes to those federal policies that so directly affect us in Virginia, that we get them right.

Laura Vozzella: Now on immigration, Corey Stewart and some others have tried to suggest that you, in advocating for the Gang of Eight compromise, that you were, while not necessarily saying you liked every aspect of that deal, were saying, "Hey I think I think the deal is a good one." And the deal did include a pathway to citizenship, even though I think you personally have always advocated for pathway to legal status or something, a little distinction. But I think we're in an era where any kind of compromise is viewed with great suspicion. So, I guess I'm asking two things. Is that that a fair characterization of your stance? And is that something that you have to explain in this era when people don't necessarily want nuance or giving anything to the other side?

Ed Gillespie: Yeah, I've always opposed amnesty for people who have come here illegally. My father came to this country as a boy from Ireland because my grandfather found work in America as a janitor. And my parents — my father and his father, they came here legally through Ellis Island and they played by the rules and we have a lot of Virginians who have come here legally and played by the rules. And we need to respect those rules. You know even with President Bush in the White House, when he was advocating a path to citizenship, as you may know, I opposed that. Wrote an op-ed in the Wall Street Journal saying that that's a bridge too far and we shouldn't reward people who have come here illegally with one of the greatest things that we can confer in the world, which is American citizenship. And so I do oppose citizenship because I do consider that to be amnesty. I do think — and I ran in my Senate race on what I think were commonsense reforms that would have been helpful at the federal level. You know on a state level we have some policies — although immigration is federal policy — but there are some things I think that are important here we had. For example Ralph Northam cast a tie-breaking vote and in support of allowing for sanctuary cities to be established in the Commonwealth of Virginia. I don't think that's a good idea for us. I don't think that will make Virginia safer to allow for sanctuary cities to be created here in Virginia. So I do oppose that, and I support legislation that would not allow for our cities and counties to become sanctuaries for those here illegally. I also believe that we should not issue state issued legal identification driver's licenses to people who are here illegally. And you know we have a challenge for Virginia's students being able to get into our great public colleges and universities. And we need to make sure that people who are playing by the rules are first in line in that regard. And I know that young people who were brought here by their parents illegally through no fault of their own — I appreciate that. But you know we can't ask our taxpayers to subsidize their tuition and deny it to people, to Virginians, who are here legally and are citizens of the Commonwealth. And yet both Tom Perriello and Ralph Northam support subsidized in-state tuition for people who are here illegally. So we do have some policies, relative to this in our state elections this year, and those are my views.

Laura Vozzella: Okay, and more that is — this is along the lines of the strange bedfellows of the populist era we're in now. But Corey Stewart and Public Citizen both criticize you. Public Citizen — this was back in the Senate race over something and goes back to 2002 so you may not remember it. But they both said that you had lobbied for Tyson Foods when they were in the midst of a — there was a criminal case against them related to their use of illegal immigrant labor. And I think in the end there were the higher-ups who were acquitted although there was use of that labor. But the question was, were the company higher-ups in cahoots with it or not. But do you recall that and does that cast your immigration stance in a different light?

Ed Gillespie: You know it's interesting. I saw there's actually a story out today about it, where somebody from Tyson said had never worked on — on that we did retain their firm.

Laura Vozzella: Okay.

Laura Vozzella: And so my firm was retained. I'm not sure it was even relative to that issue, to be honest with you.

Laura Vozzella: Okay.

Ed Gillespie: Because I don't recall having done any work and we had a pretty big firm. And you know at our firm we pretty much had, as is often the case, we were just, you know, list everybody under every client just because that's the safest thing to do. You know in terms of being inside all of the lines and — but I didn't recall it and then I saw a quote from somebody from the company today saying we did have the firm but that Ed was not involved. I'm not even sure what the issue was. I've been trying to find out. But it was, as you noted, 15 years ago. We had a pretty big firm, happily, and a successful firm. But I don't remember the details of it.

Laura Vozzella: We haven't had too much on social issues so far with the exception of — there's been some talk of abortion. But I'm wondering where are you on gay marriage these days?

Ed Gillespie: Well you know as governor you enforce the laws and the Supreme Court has made clear that gay marriage is the law and I will enforce our laws. And you know, obviously gay marriage is the law. I don't seek to change it. That the — I'm happy to enforce our laws in that regard.

Laura Vozzella: And on abortion, would you like to roll back some of the things that Governor McAuliffe has done by executive order, that trap the regulations that have been passed by the General Assembly then his Board of Health, grandfathered existing clinics and — I'm sorry I can't remember there is another thing that he did to soften some of the abortion regulations that have come out of the General Assembly. Is there more to do on that front or not?

Ed Gillespie: I certainly would want to ensure the safety of women in the Commonwealth to make sure that that clinics meet health standards to reduce risk to women. As you know I'm pro-life and I do oppose abortion with exceptions for the life of the mother being in danger, rape or incest. In terms of a governorship, the authority that you have is rather limited to regulations and things like that. And I would want to make sure that we have health standards. By the way I should note I know I have a lot of friends who don't agree with all of my exceptions, you know, in terms of my pro-life positions. And I respect that. I have a lot of friends who don't agree with my pro-life position as a whole, and I accept that too. But I do believe there are some areas of consensus that that most Virginians would agree can be some common ground and we should look to find that.

Laura Vozzella: And going back to the gay marriage thing for just a minute. I think that the only area where we've seen some action on the state level post-Supreme Court is on religious freedom. And I wonder, it seems to be a difficult issue where people worry that if the government didn't — I think there was an executive order from McAuliffe saying that the state won't contract and use any group as a state contractor if they discriminate against people based on sexual orientation. And people come back and said, Well does that mean that Catholic Charities which you know doesn't — the Catholic Church doesn't recognize gay marriage. Can they then not provide services? And so how would you try to sort that out?

Ed Gillespie: Yeah. Well, first of all I believe we're all created in the image and likeness of God. And you know I would be a governor for all Virginians and I respect people for who they are and I hope that they'll respect me for who I am and I believe that we can guard against discrimination and at the same time protect religious freedoms. You know one of the things I think we have to be very careful about and guard against, for example, is for those religiously affiliated institutions, whether they be charities or health care providers or educational institutions, they should not be stripped of their tax-exempt status or accreditation because they are adhering to the tenets and teaching the tenets of their faith. And I worry that is going to be an effort to deny, for example, Liberty University or Christendom colleges, tax-exempt status or to deny charitable organizations that are affiliated with a church from their tax-exempt status. And I believe we can both be respectful of one another, protect against discrimination and respect people's religious beliefs, and the right to exercise those in the Commonwealth.

Laura Vozzella: One thing — shucks. Okay, well one thing in the book that you mentioned how Ken Mehlman at the time was someone who you spoke to — after your wife — the last person you talked to at night, first thing in the morning. And he came out as gay, you know, many, many years later. And I wondered if that shaped your thinking at all on issues of gay rights and obviously he worked for a long time within the party at a time when it wasn't too welcoming.

Ed Gillespie: You know I'm blessed by Ken's friendship for years now, for decades at this point. And I was happy to stand by him when he made this decision and to make clear that he was gay and he talked to me about it. You know beforehand — and he's a very good person and a very good friend. And not surprisingly, not the only gay friend I have. And so, like I said, I know that we can respect one another. We're all created in the image and likeness of God. And at the same time, make sure that religiously affiliated organizations, churches and others are not punished for it, adhering to the tenets of their faith.

Laura Vozzella: So I'm just squeezing in one more. What's your guilty pleasure, if you're not busy running for governor or whatever? What do you do to have some fun?

Ed Gillespie: Well, anytime I'm with my family that's as fun as it gets for me. But my guilty pleasure, I guess I would say, are ice cream stands, and I know the best ice cream stands all across Virginia. And there is some very, very good ones and that is kind of my weakness on the trail.

Laura Vozzella: What's your flavor? I'm sorry, excuse me.

Ed Gillespie: Well my flavors vary. You know if there's specials I like those. I was at Clines in Harrisonburg a couple of weeks ago and their special was cherry nut and my friend Suzanne Obenshain strongly recommended it. And it was a good recommendation.

Laura Vozzella: Great, thank you very much.

Ed Gillespie: Thank you.

Laura Vozzella: Oh, oh I was supposed to ask you. Oh I don't think I asked that one last time. But these were fun. What did you want to be when you grow up when you were little?

Ed Gillespie: When I was little I wanted to be a veterinarian. And I loved animals, still do. I loved animals then. But as it turns out, there is a lot of science involved and not necessarily my aptitude.

Laura Vozzella: Funny, thank you so much.

Ed Gillespie: Thank you.

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**Judge in Katie Couric 'Under the Gun' libel case calls argument against background checks 'sophistry' ; But one thing the judge labels "sophistry" is the key theory behind many of the laws he himself enforces -- that bad behavior can be prevented to some extent by the threat of punishment.**

By Eugene Volokh

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Last year, Katie Couric's "Under the Gun" documentary was called out for highly misleading editing; let me quote The Post's own Erik Wemple on the facts:

It looks as though Katie Couric stunned her interviewees. Knocked them out with a bombshell inquiry: "Let me ask you another question: If there are no background checks for gun purchasers, how do you prevent felons or terrorists from purchasing a gun?" Now check out the blank stares:

Nearly 10 seconds of silence, as if no one has an answer to Couric's rather straightforward question. The scene comes from "Under the Gun," a film written, produced and directed by Stephanie Soechtig and narrated by Couric, the global anchor for Yahoo News; Couric also serves as executive producer. The session depicted in the video above features Couric and members of the Virginia Citizens Defense League, a group whose motto is "Defending Your Right to Defend Yourself."

And to hear the VCDL tell the story, those awkward seconds are a fabrication, a byproduct of deceptive editing. To prove the point, VCDL President Philip Van Cleave has released an audiotape of the session, which is available on the site of the Washington Free Beacon as part of a story by Stephen Gutowski. In that recording, the question from Couric is a bit different from the one in the video. She says, "If there are no background checks, how do you prevent — I know how you all are going to answer this, but I'm going to ask it anyway. If there are no background checks for gun purchasers, how do you prevent felons or terrorists from walking into, say, a licensed gun dealer and purchasing a gun?"

On the audiotape, a reply comes immediately from one of the VCDL members: "Well, one — if you're not in jail, you should still have your basic rights." More chatter follows.

In an interview with the Erik Wemple Blog, Van Cleave said, "My teeth fell out of my head when I saw that." The result of the editing, he says, is that folks who view the documentary are "going to say these people are idiots. It affects all the gun owners."

And here's the transcript from the audio of the response (by another interviewee, Daniel Hawes) that immediately follows the "if you're not in jail, you should still have your basic rights" response:

The fact is we do have statutes, both at the federal and state level that prohibit classes of people from being in possession of firearms. If you're under 18, in Virginia, you can't walk around with a gun. If you're an illegal immigrant, if you're a convicted felon, if you've been adjudicated insane, these things are already illegal. So, what we're really asking about is a question of prior restraint. How can we prevent future crime by identifying bad guys before they do anything bad? And, the simple answer is you can't. And, particularly, under the legal system we have in the United States, there are a lot of Supreme Court opinions that say, "No, prior restraint is something that the government does not have the authority to do." Until there is an overt act that allows us to say, "That's a bad guy," then you can't punish him.

The VCDL people sued for libel, claiming the deceptive editing was a knowing falsehood that damaged their reputations; I think that argument is legally insufficient — to be libel, a false statement has to "throw contumely, shame, or disgrace upon [its target], or … tend[] to hold him up to scorn, ridicule, or contempt, or [be] calculated to render him infamous, odious, or ridiculous." Falsely showing activists as being stumped by a question doesn't do that; the strongest argument for libel is that it holds them up to "ridicule," but in context "ridicule" in the legal sense seems to require more than just an "Oh, those people don't have a good answer to that" reaction. (Again, the editing is still dishonest; I just don't think it's libelous.)

On Wednesday, a federal judge dismissed the claim, partly on the ground I just mentioned, but also on a different ground — the editing, he said, was not dishonest:

The VCDL members, including Hawes and Webb, did not answer Couric's question. Instead, they articulated their opposition to any gun control, but never said how to keep guns out of the hands of felons and terrorists. One VCDL member said that felons should have the right to own a gun after serving their time. Hawes responded by discussing existing laws related to firearms. Webb responded by saying why she opposed background checks. While they offered views on gun control, they did not answer Couric's query about how to stop the wrong people from getting guns without background checks. …

The plaintiffs' defamation claims fail because the interview scene is not false. Under the Gun portrays members of the VCDL not answering the question posed by Couric. In reality, members of the VCDL did not answer the question posed by Couric. They talked about background checks and gun laws generally, but did not answer the question of how to prevent felons or terrorists from purchasing guns without background checks. The editing simply dramatizes the sophistry of the VCDL members.

I think this is just flat wrong. Hawes's response — that there are laws banning felons from possessing guns — is most certainly an "answer [to the] query about how to stop the wrong people from getting guns without background checks." In fact, it is the normal answer that our legal system usually gives. How do we stop people from robbing people? In large part, by having laws that punish robbery. How do we stop journalists from libeling people? In large part, by having laws that punish libel (though usually through civil liability rather than criminal liability).

These of course aren't perfect solutions, and they don't literally "stop" the misconduct by stopping 100 percent of it; but of course background checks wouldn't do that, either. But they are eminently plausible responses to the question "How do we stop people from doing something bad?" — "Make it a crime [or a tort] for them to do that bad thing." That's Deterrence 101, and deterrence is a deeply established (even if at times controversial) theory within the legal system. So Webb definitely did "sa[y] how to keep guns out of the hands of felons." (The discussion didn't focus on the terrorists, in part because even background checks won't keep the guns out of hands of terrorists who have no criminal record and who aren't identifiable as terrorists; and the calls for background checks that would block purchases by merely suspected terrorists is understandably controversial on other grounds.)

Likewise, there is no "sophistry" in either Hawes's response or the response about felons having the right to own a gun after serving their time. Hawes's response is simply that we should prevent misconduct by the threat of punishment, not by prescreening — of course, a controversial position, but hardly a sophistic one. The other response is a legitimate, and not at all sophistic, challenge to the premise of the question.

Consider a simple analogy. Say that, in an anti-illegal-immigration documentary, the host asks some activists:

Let me ask you another question: If we don't build a wall on the border with Mexico, how do you prevent aliens from entering the country illegally?

One activist responds, "Well, one — if you want to come to America, you should have the right to do that." Another says, "The fact is we do have statutes that prohibit people from entering the country illegally, or that impose liability on employers for hiring people who are in the country illegally. These things are already illegal." Yet instead of quoting this material, the documentary makers just replace it with eight seconds of blank stares and silence.

Would we think that this "is not false," because the activists "did not answer [the interviewer's] query about how to stop [people from coming into the country illegally]"? Would we say that the activists "did not answer the question posed by [the interviewer]"? Would we think that the responses are just "sophistry," so that replacing the responses with silencing was legitimate editing that "simply dramatizes the sophistry"?

I would think not — I would think that, though the editing may not be libelous (again, because it merely falsely portrays people as unprepared or lacking a good argument, not as contemptible or deserving of hatred), it would be dishonest. The resulting interview scene would indeed be false; to be true, it would have had to show the answers, and let the viewers decide for themselves whether the answers were adequate.

But here, the trial judge — who routinely enforces the laws that are precisely intended to "prevent" misconduct by making the misconduct illegal or punishable — concludes that a prevent-by-threat-of-punishment answer is somehow unresponsive and sophistic. Not the right way, I think, to deal with this libel case.

UPDATE: I slightly edited the discussion of what is required for libel, to go into a bit more detail; thanks to reader Serge Krimnus for an e-mail that prompted me to do that.

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**Full interview transcript: State Sen. Frank Wagner**

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State Sen. Frank Wagner: Okay, I'm ready.

Greg Schneider: You want me to start with sort of just kind of an intro?

Dalton Bennett: Yeah.

Greg Schneider: Okay. We're here with Sen. Frank Wagner, state senator from Virginia Beach, a longtime legislator. He actually served in the House of Delegates in the early '90s. Maybe you can tell us a little bit about your career in the General Assembly.

Sen. Frank Wagner: Sure. After I sold my first company, I had a non-compete [agreement] on me for four years, and I think, like most everybody, I was very concerned about what I saw going on in government and said I really have the opportunity to run for office. When will I take that opportunity? That was 1991, and I won that election and I've been in the legislature ever since.

Greg Schneider: Of course, you're a Republican, and you've been in the state senate since 2003. Is that —

Sen. Frank Wagner: I've been in the senate since 2001.

Greg Schneider: That's right. And in that time you see a lot of changes in Richmond, I guess.

Sen. Frank Wagner: When I first started serving, it was 25 years ago. Governor Wilder was the governor. I've been through Democrat governors, Republican governors, Democrat-controlled legislature with Democrat governor, Republican-controlled legislature. So virtually every combination that you could possibly come up with — Republican control with a Republican governor — and it's been just tremendous opportunity to work all sides. But I've tried to focus on issues that I believe my constituents and really all of Virginia does based on my background, which is going to the Naval Academy, heavily involved in Navy engineering plants. I was a hardhat diver in the Navy, but I was also an engineer and duty officer. So I try to bring the expertise and the skill sets that I learned in the Navy along with my private-sector business experience to bear as I take a look at issues up in Richmond and try to move forward on those issues that actually help promote the economy, grow the economy and diversify the economy in Virginia.

Greg Schneider: And tell us about your business background. You're in ship-building, right?

Sen. Frank Wagner: Ship repair. When I left naval service, it was 1982. I worked for [a shipyard] for one year and decided this is a great opportunity; why don't I get into business myself? So I started up a business by myself, worked primarily as a consultant. I was then able to start get industrial work and started hiring some of the people that I work with — welders, shipfitters, pipefitters, really the people that make Virginia run. Brought a crew around that had worked for me in a previous yard and we built that company from scratch up to 100 people and sold that in 1989. Again, I mentioned the non-compete — ran for office, a non-compete came off, I bought another business. Was a small, little ship-repair operation, had about 25 people. I grew that to 140 people. Then, again, electricians, machinists, shipfitters, pipefitters. I've worn a hard hat all my life — and not for photo ops … that's what you wear in shipyards — and worked around some of the finest people that Virginia has to offer, and it really it draws on my experience. But I think more importantly it draws on a lot of what I want to talk about during the campaign.

Greg Schneider: Of course, you've got deep roots in Hampton Roads. You're very well known in that area, and you also have roots in the northern region.

Sen. Frank Wagner: Absolutely. I went to Woodmont Elementary in Arlington. Stratford junior high. I graduated from Washington and Lee High School, so I grew up in Northern Virginia, with the exception of my dad's one-year military service out in Fort Hood, Tex., before he retired. I've been in Virginia all my life.

Greg Schneider: In your work at the shipyard, do you get government work at all, or is it all private sector?

Sen. Frank Wagner: In the last yard that I own, probably 75 percent of it was government-related, either Coast Guard or Army. It has a lot of boats, and the rest of it was private-sector or commercial tugboats, commercial fishing trawlers — those type of vessels.

Greg Schneider: So what's your window into how the economy is doing these days. Virginia, of course, is very dependent on government spending and defense contracting in particular.

Sen. Frank Wagner: Having been in the legislature as long as I have, I've seen the good times, I've seen the bad times. We work through those times in the legislature. Obviously, we have a balanced budget. We have to produce a balanced budget, so revenues are very much driven in our commonwealth by sales taxes and income taxes, which is directly relevant to the state of the economy, really shows up. And government spending is a huge part of Virginia's economy. Obviously, in my area, defense spending is very, very important. Sixty-five percent of the entire Hampton Roads economy is based around defense spending, where there's need for new ship-building or the Navy itself, or the Air Force has a huge contingency at Langley. Army has [U.S. Army Training and Doctrine Command] down at Fort Eustis, a huge military complex down there, both as contractors as well as active-duty military and the civilian support force. Obviously, Northern Virginia shares much of the same with the Pentagon, Fort Belvoir, all the institutions. And then, of course, the other federal government spending. So we're very sensitive to federal government spending. The thing that's concerned me in the entire time that I've been there, 25 years, we've never taken advantage of the good times. We just kind of relax, and that's not the time to relax. That's the time we should have focused on diversifying Virginia's economy, because the more diverse your economy is, the better you're able to weather these turndowns and recessions when they come or a Washington-developed recession, if you will, by curtailing government spending. So we have got to build up our industrial base in Virginia, diversify our economy, build up our manufacturing base, and attract more and more high-tech industry, not use what the high tech brings us from the government, to be able to commercialize a lot of that high tech, capture that business in Virginia, continue to grow our economy.

Greg Schneider: It's interesting that the economy is an issue in this campaign. Governor McAuliffe would argue the unemployment rate is coming down — 3.9 percent. Why is the economy an issue in Virginia when on the surface it appears to be doing pretty well?

Sen. Frank Wagner: Numbers don't lie, okay. And remember what I just told you: Our revenues are based on income taxes and sales taxes. We walked into this session with a $1.2 billion deficit directly related to income taxes and sales-tax collections in Virginia. The economy is sputtering. In Virginia, at best, you can say, yes, we're at 3.9 percent. That leaves out the fact that a lot of people gave up looking for work and a lot of people are working at low-paying jobs and those type of skills. So it leaves out that fact, but those numbers, those revenue collections, don't lie. The $1.2 billion deficit was very, very real, and that's a reflection of the economy. I think those are gauge statistics. I think we're [number] 48, 49, in economic growth of any state. . . . That's not a number that Virginia wants to be at. We continue to look at that, and that's driven a lot of my campaign, and I'll talk a little bit about that. I asked Virginians, I asked myself, do we have a transportation system inadequate for the economy we have today? And I walk away saying no, and that applies to all parts of the state, and I'll get into that in just a second. We do not have a transportation system adequate for the economy today. So how can one talk about growing the economy or diversify an economy without an investment in transportation? Now those in Northern Virginia, in my neck of the woods, we feel it every day with congestion, so they will. What's going on in Southside Virginia? You know there's no traffic there. Why do they have a transportation problem? Well they do, because the economy is not sputtering; if you drive down through there, basically it looks like a recession, perhaps depression. Yet you cross the border in North Carolina in Winston-Salem and Greensboro and the economy is on fire. Just 30, 40 miles away, and you ask yourself why? Why is that going on? Well, North Carolina has made the investment in an interstate highway system, and North Carolina has made an investment in broadband and, consequently, their economies. It's the same people, 30, 40 miles apart. Their economy is on fire. Ours is not. That's just a classic example. If we looked at Route 58, for instance, which should be I-58, it runs parallel the entire southern border of Virginia, and North Carolina is proposing an interstate parallel to it in North Carolina to come up to the Port of Virginia. Everybody wants access to the Port of Virginia. Now where do you think the economic development will be? It won't be in Virginia. It will be along that interstate highway system in North Carolina. Route 58 we can turn into interstate quality and capture all that business and keep it in Virginia if we're prepared and if we have the money to make that investment to diversify the economy. Now, why should people in Northern Virginia care? I'll tell you why. Eight hundred dollars for every man, woman and child in Fairfax County goes to Richmond and doesn't come back to Northern Virginia. It goes to treat symptoms of a bad economy. More social programs, more money for education because it reduces class sizes because people are leaving the area. More money that would otherwise be coming to Northern Virginia, it's going down there to treat symptoms, not the cause of the disease, but the symptoms. I'm here to cure the disease. Let's make those investments in broadband, let's make those investments in an interstate highway and transportation network, and let's return Southside back to the manufacturing base that it was. It used to sustain Northern Virginia with textiles, with furniture, with tobacco. Well, those are gone.

Greg Schneider: Coal.

Sen. Frank Wagner: Yeah. Right in southwest Virginia. Those are gone now. And so let's recognize that they're gone and they're not coming back. So let's get that high-tech manufacturing. That's part of diversifying the economic base of Virginia. But I want all parts of Virginia hitting on all eight cylinders.

Greg Schneider: One of your rivals for the Republican nomination, Ed Gillespie, has put out a tax plan that calls for a 10 percent cut in the income tax. Can you talk about that? Do you have thoughts on the tax policy in Virginia?

Sen. Frank Wagner: Let's, first of all, just review what I just said. I think our tax policy is extremely competitive with the rest of the states. Go look and compare state by state by state. I pay a lot of taxes. I would love to have a tax cut. But the reality of what I just told you is we just closed a $1.2 billion deficit. We're not the federal government. We can't print money. We can't go out and borrow money. We have to have a balanced budget. And so that $1.2 billion, we can talk about an income tax cut, which I would love. Flies in the face of that. We have a $6 billion imbalance in our Virginia retirement system. I don't want us to be like Illinois. I don't want us to be like New Jersey. I want to make sure that we have the money available to fund that so we don't lay off a huge, huge problem on the next generation. We have cut funding to higher education, and that's part of the reason tuitions are going up. It's nice to say, but it's a cheap sell. But I'll tell you something, it's even more important, because when I read that and I saw some of the senior members that I deal with day in and day out respond to that, I sent them a little message and said, you know, what gives here? And they said, well, I support it for today. In all capital letters. But it hasn't gone through the legislative process . . . It's certainly nice, and it's certainly nice to say on the campaign trail. Now I went to the Naval Academy. I can't sit there and mislead people about what might happen. I've dealt with this for 25 years. I understand the structural balance of what goes on in the state government. I understand just how much that we have cut out of agencies, how much we cut, and it shows up in higher tuitions. It shows up in many things, shows up in the fact that we can't keep state police on the police force until we just address the pay issue there. These are real problems that we face day in and day out. I can't mislead people. Now, I think it either shows a lack of understanding of what's going on — which is to be expected — he doesn't know anything about what's going on in state government, or he understands, but he's going out there and saying, "Well, I'll say anything, do anything, to try to get elected." I can't do that. It's just not in my makeup to go out there and say anything or try anything to get elected. I want to talk about the real problems and my ideas for real solutions. And that's who Frank Wagner is. And I feel comfortable very comfortable in my skin. And it served me very, very well in my district and in Virginia Beach. My district voted twice for Barack Obama. And the makeup of the senate, as you know, is 21 Republicans, 19 Democrats. Lieutenant governor was a Democrat. They threw $2.5 million, almost $2.5 million dollars, at me trying to get me out of office in 2015 because they wanted control of the Senate. Two and a half million dollars. I mean, negative TV ads dominated the airwaves, as you might imagine, with that kind of expenditure. The mailboxes of my constituents were full of mail just basically trashing me, which unfortunately is what campaigning has come down to. But my positions and the fact that the constituents that I serve know who I am and know I deal off the top of the deck and tell them straight, I think, won the day because I beat the guy by 10 percentage points. And this was the president of Cox Communications for Virginia. This was not a lightweight candidate they threw against me. And in a very serious election. But I think that speaks miles about what I hope is integrity and honesty with folks, and I think they appreciate that understanding we're not going to agree and that's okay. We're not going to agree on all the issues, and we know I'll be upfront with you. I'll tell you why what I did and why I did it and let the chips fall where they may. But I can sit here and look at Virginia now and say if we're truly going to turn the economy around, I don't think a proposed tax cut on down the road — two, three years if it hits certain revenue, if you read the fine print of this thing — is going to achieve it. I do think making a bigger investment in transportation — I mean, look at this corridor. You had the Port of Virginia. You have Route 58. You're going to have a natural gas pipeline parallel to it. A new 1,500-megawatt power plant. Two competing railroads. My god, everything's there. Everything is there to start a whole huge manufacturing base so that Southside and southwest Virginia can take care of themselves, which is what they want to do. And then we can return more money to Northern Virginia. We have more money to spend around Virginia. That's economic diversification, that's economic growth in my area. And I'll tell you one more thing, and you see it every day, and the more I travel around the state and talk to people, this is a problem we have in our education system that I believe is nationwide. We have put together a system in Virginia called the Standards of Learning, which is wonderful if you want to go to college. And we've done it at the expense of career technical education. And so what I'm proposing and made a major part of my campaign is around sixth grade, seventh grade. We make parents and the students aware of the opportunities and career technical education and we provide the resources and the instructors. So if a student wants to pursue career technical education as opposed to a traditional college-bound [education], we have the groundwork, we have the basis for them to start down that road to pursue a career technical education. We make that fundamental change in education in Virginia. We're going to grow like you've never believe. We're going to turn out students. And I know many many, many of my friends that I would have to phrase as — it is not a knock; this is of respect, of admiration — I call them blue-collar millionaires. These are people that work with their hands that have started their own business because they had the technical skills to put together a business and grow a business and employ more and more Virginians. But I talked to folks right out here in Loudon County who cut the glass to hang the glass on these high-rise buildings. … He said, "I could double the work. I'm turning away work. I could double the employment of my company if I just had the trained people to do it." I hear that story; that's consistent everywhere I go, and it's not necessarily low tech. I mean, obviously, I worked in a shipyard, so I've worked around welders, shipfitters, pipefitters. I have the deepest respect for these people. They do things I cannot do. I'm pretty good at telling them when to start and stop, but they do things I can't do. We need a whole lot more of those people if we're going to rebuild Virginia's economy and grow Virginia's economy. And it's certainly not a dead end if you have an entrepreneurial spirit. Now you've got a skill set. But I'll tell you another secret: Those with a good career technical education are making more money than a college graduate is today. And one more thing. They have jobs, and a lot of college graduates can't find jobs right now, and they don't carry student loans that the college graduates have. And that's going to be a huge national problem. The amount of student loans on the books and the amount of nonperforming student loans is an issue that Washington, D.C., is going to have to deal with. But I want to see Virginia start making and recognizing where the jobs are. You talked about, well, there's unemployment at 3.9 percent, and I just said because people gave up looking for work. . . . That's how we turn it around, with a good career technical education. So I think that's a fundamental change in the approach that we look at things.

Greg Schneider: It seems like a centerpiece of your case for running for governor is your experience, 25 years in the legislature. You know how Richmond works. It seems a little at odds with what we saw last year, where there was this success of the outsider, both for Bernie Sanders and Donald Trump, who, of course, won. Do you feel that that's your case of experiences is out of step at all with what Virginia's for now? Is there groundswell of wanting to elect an outsider to come in and shake things up?

Sen. Frank Wagner: I'll compare this. I think, obviously, a whole lot of people around the country thought Washington, D.C., was heading in the wrong direction, okay? I think people in Virginia think Virginia is okay but needs to be set in the right direction. And let me say one more thing, my principal opponent, Ed Gillespie, is a D.C. lobbyist. I mean, he is the ultimate Washington insider — his record of lobbying for Enron and doing those things and using his power in relation with the White House to profit and make money on the outside. Donald Trump talked about draining the swamp. That is the swamp, and that's what a lot of people rebelled against. I'm sitting here looking at it, and I'm going — regardless of that, regardless of the inside-outside 3 I think most people are looking to recognize that we've got intrinsic problems in Virginia that are preventing us from going. And I think transportation is key, and one of those is, you follow me for the last three or four years, there has been no one who has fought harder to bring additional transportation dollars into Richmond. I brokered the transportation deal. I got Democrats and Republicans to agree. . . . We got them to agree; we created a billion dollars in new funding for transportation, and we set up a regional component. We enhanced the regional component in Northern Virginia and set up one in Hampton Roads because the rest of the state just is not going to go as far as we have to go in our two regions to support our transportation networks. So we took that on. We took that on prior to the election . . . so the citizens understand; they're ready to hear it. It comes down to a thing. Gillespie's proposal of more [public-private partnerships . . . and, look, they play a role, okay — but understand you're going to pay $2 for a dollar worth of road construction. You're going to pay a dollar to get the road built. You're going to pay a dollar to that private firm for financing, probably more than a dollar for financing and profit that that firm is going to make to build that same highway. Whatever happened to "Let's take a dollar out of the taxpayers' pocket and let's build a dollar's worth of the highway"? Whatever happened to that philosophy? Why are we laying and more and more debt on our children? And I looked at the folks here in Loudon County because we didn't put the money forward to build a highway network. They now pay $9 to go from Loudoun County and in the Beltway and $9 to go back home again in the evening. It's $20 now. For very wealthy people, it's a drop in the bucket. But for the average hard-working Virginian, that's $20 times 300 days a year. Before you know, that's $6,000 after taxes out of their income just to go back and forth to work. That's ridiculous. And that's got to end. If we just made the effort now — I tried to put the floors in, and it's difficult to explain in a video, but we put a floor in just in case gas prices fell on the statewide tax. Which, of course, everybody said, "No, gas prices will never fall." Well, certainly they did — dropped from four-something a gallon down to two-something we pay now. We didn't put floors in on the regional taxes. So what's happened is our regional tax in Hampton Roads has created a situation where we now have regionally enough to get the six projects we're looking at but no more new projects being planned. Had we put the floors in Northern Virginia, we would now be planning the next things we need in Hampton Roads with that regional money, and Northern Virginia would be amassing the capital to start to address the real problems going on here in Northern Virginia. And once we restructure WMATA, once we restructure the Metro system and the management, then you would have the money available to start on the maintenance. Let's make Metro safe again, first of all, and then start planning for the future to move people out of here in Northern Virginia. And nobody's talking about it. And you know the Democrats aren't talking about it; the Republicans aren't talking. I'm the only one out there saying, look, let's put the money together to do this. These problems aren't going away. You might try to dust them under . . . I want to talk about them during a campaign. But in my mind, that's what a campaign is all about. Let's talk about the hard issues. I'm willing to talk about it. I'm going to talk about, yes, we've got to do more effort. We've got to look at the fuels tax. And what I propose, and I put legislation in two years ago, is when we converted our tax mechanism — and I didn't agree with this, but everything is a compromise, and you never get the bill you want — we converted from a per-gallon tax to a percentage tax. And that's why we needed the floor, because the prices drop, the percentage drop, and the revenues collected would drop correspondingly. We failed to put that floor in on the regional taxes and it was just really an oversight on the part of those of us in conference. But I'm proposing let's go back to a per-gallon tax and while gas is cheap let's make that money that North Carolina is bringing in so we can compete with them and let's make the money that Maryland's bringing in so we can compete with them and get those taxes up. But it slides back down, so when prices, if they ever get back to $4 and $5 a gallon, you'll actually pay less tax when you can least afford to pay the tax because the scale per gallon will drop down, whereas a percentage tax, you'll pay more and more when you can least afford to pay it as the prices go up. So, yeah, it's a tax increase, but it's also a tax decrease. The bill I proposed, and it recognizes that fuel prices fluctuate, but the revenues will be able to create the type of revenues that I'm talking about to be able to do many of the fixes we talked about.

Greg Schneider: [00:24:00] Just quickly, your other opponent for the Republican nomination, Corey Stewart, said that the fate of Confederate statues in cities in Virginia is one of the central issues of the campaign. Do you agree with that?

Sen. Frank Wagner: [00:24:06] I think our heritage and our history is very important, and you can't rewrite history. In fact, you learn from history, and I think it was [George] Santayana said those who fail to learn from history are doomed to repeat the mistakes in the future. So I think our heritage is very important, and certainly Virginia has a heritage, and I think the more people learn, you know, we've had some great leaders. But like most great leaders, they have had flaws, and we need to learn from that. But I think an attempt to do away with these things to pretend they never happened to hide them is a mistake. I really truly believe that's a mistake. And I can understand the sensitivity of the issue. I understand the sensitivity, but if we learn from history, then maybe we won't make the same mistakes that were made before. And we have to recognize that great leaders have flaws. They have flaws.

Greg Schneider: Stewart, of course, was affiliated with the Trump in Virginia for much of the race last year. What's your feeling about the Trump administration and its start so far and what that means for Virginia. Would you be looking as governor to work with the Trump administration to further some things that have already started, such as the immigration tightening, looking at federal spending cuts and that kind of thing?

Sen. Frank Wagner: Let me just say a few things. First of all, jobs and the economy — let's focus on that. If the defense spending comes through, obviously, it will be a boon for my area down in Hampton Roads, but it'll be a boon for Northern Virginia as well. Will the boon be big enough to offset perhaps some of the layoffs in some of the other agencies that that represent many folks in Northern Virginia? Until Congress passes a budget, I don't think we'll have those answers. There are some things in there that he proposed [that] obviously I don't agree with him. I'm on the Chesapeake Bay Commission. We've made huge strides in cleaning up the bay. We need to keep the momentum going. We are really turning the corner in the Chesapeake Bay. I feel very strongly about the efforts we made. Virginia has contributed literally billions of dollars over the years in terms of upgrading our sewage-treatment plants. In terms of working with our farmers to keep livestock out of our streams and working with our farmers to put in buffer zones around the field so that the fields don't run right into the stream. Many things. And we're seeing the results of that. We need to keep that momentum going. So there's certainly things in every budget I can pick apart. Even a state budget, I can say, "Hey, I voted for it, but there's a lot of stuff in there I don't like." But it's part of the budget, and it's part of the compromise and part of the deal. In terms of the policy . . . look, those immigrants that commit crimes and they're here illegally need to go. Period. Okay? Illegal immigration means you're here illegally. Now I believe that a vibrant guest-worker program where we invite people — I'm not just talking guest Mexican, I'm talking guest Indian, guest Filipino, guest Korean, guests all over the world. Come to our country, do the things that perhaps Americans are not there. . . . We need your help to fill in that workload whether it's whether it's harvesting crops or finishing cement or so many of the things that the immigrants do. Make your money; go home. If you do that, you're welcome back, another trip to come back and do work. I think a vibrant guest-worker program would solve a lot of the problems of people wanting to come here illegally if they knew they could come here, work and go back home again and bring their money with them. It's the best foreign aid that I can ever think of. You know, if you're taking money back to a country that may be impoverished, and you're spending that money in your country, and we're getting work out of it, that's great foreign aid, as far as I can see and doing that, I think, is an immigration policy. I want the best and brightest, wherever you live in the world. I want the best and brightest to come and call America home. That's what's going to generate our economy and grow our economy. Now if you're a criminal, you're out of here. You're gone. And if you're part of a gang, you're out of here, you're gone. And we need control of our borders, absolutely. And so I support him, and I think a lot of what I see in the media probably overhyped what's really going on in terms of that, and I think the Trump administration understands that there's a lot of law-abiding immigrants here that perhaps might be here illegally, and we need to address those in some way. Perhaps come out, try it again under a guest-worker program, or perhaps we put a guest-worker program and come join the guest-worker program. But you're going to go back home for a month, two months, and then you come back in and work some more and do that and have a program. . . . But unfortunately polarized media tends to polarize it even further. But there's a happy medium in there, I think, we can go, but you know illegal is illegal, and I will tell you that within the past eight years, there was a Democrat president and a Democrat House and a Democrat Senate. That never changed what an illegal immigrant was. So clearly that's the law of the land, and I think it needs to be enforced.

Greg Schneider: Before we wrap up, let me just throw out a couple off-speed pitches.

Sen. Frank Wagner: Sure.

Greg Schneider: When you were growing up, other than become governor one day, what was your dream job?

Sen. Frank Wagner: I had my dream job. I was a Navy hardhat diver. It was fascinating. I got a chance to go underwater, some not so nice. A lot of work underneath ships, a lot of cold water, a lot of dirty water. Naples harbor, a few other places that strike my mind. But just the opportunity to go underwater, serve your country, but work around some of the best professionals I've ever worked around, the other divers I worked around. I was an officer. We had on our salvage ship probably 18 divers. We had two officers and 16 enlisted divers and just the salt of the earth. True professionals in every stretch of the imagination. There was no margin for error in Navy Diving, none whatsoever.

Greg Schneider: Do you still dive today?

Sen. Frank Wagner: I still dive today. Yes, my wife and I are both certified scuba divers. Now I'm done with cold water. I'm done with dirty water, but I love the reefs. I love the warm water and still fascinated, and to me, it's a giant sense of calm to go underwater, where nobody can talk to you and you're literally weightless in that environment. And you know the fish, the fascination, the nature around you is to me one of the most calming aspects, and I can just sit there and float around until I burn up a tank of air.

Greg Schneider: Is that your preferred way to unwind when you're not in Richmond?

Sen. Frank Wagner: Oh, my preferred way of unwinding is playing golf. I mean I'm not sure I unwind when I play it. I certainly am frustrated, but every once in a while you make that good shot and you think, I'll be on the Seniors golf tour. You know they're going to be calling me any minute now to put me on the Seniors. And then back to reality on the next hole. But it's fun, and I enjoy the camaraderie with the other golfers, and it's a chance to not feel like you're on stage as a senator but it's a chance to relax. And I think, certainly, President Trump enjoys golfing, and I know President Obama also set some standard, a record, and as far as I know, I could remember my parents are members of Army Navy Country Club in Arlington, and I can remember going in there and seeing Gen. Dwight D. Eisenhower's golf bag in there. And so, so clearly something that presidents have enjoyed. I'm not suggesting I'm a president by any stretch of the imagination, but I share the same enjoyment and relaxation.

Greg Schneider: Well thank you very much for talking with us today. Really appreciate.

Sen. Frank Wagner: It's been wonderful. Thank you so much.

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Metro

**Stewart blasts Gillespie's work with Tyson Foods**

Laura Vozzella

872 words

31 May 2017

The Washington Post

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English

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Virginia gubernatorial hopeful Corey Stewart on Tuesday accused one of his rivals of participating in "human trafficking," a claim he based on work Ed Gillespie's lobbying firm did for Tyson Foods when the poultry giant was charged with smuggling Mexicans across the border to work in its U.S. plants.

"In essence, Ed Gillespie is complicit in smuggling illegal aliens into this country," Stewart said. "He's complicit in human trafficking."

Stewart, who faces Gillespie and state Sen. Frank W. Wagner (Virginia Beach) in the June 13 GOP primary, made the claim one day after The Washington Post reported that Tyson paid Quinn Gillespie & Associates more than $1 million for help on several issues, including the criminal case, which ended in acquittal.

Gillespie's campaign dismissed Stewart's claim - which came exactly two weeks before the primary - as a baseless attack.

"Corey Stewart's campaign has been a constant stream of fabrication and falsehoods," Gillespie spokeswoman Abbi Sigler wrote in an email. "Tyson Foods retained Quinn Gillespie in 2001 to provide public relations services dealing with charges for which a jury later found the company not guilty. As The Washington Post reported, Tyson's made clear the firm was not retained to lobby on the issue and Ed was not involved in the day-to-day work for them."

Polls show Gillespie, a former Republican National Committee chairman and onetime adviser to President George W. Bush, with a double-digit lead over Stewart, who is chairman of the Prince William Board of County Supervisors, and Wagner heading into the homestretch. Gillespie left the lobbying firm in 2007. Many political analysts think Stewart marginalized himself months ago by making the preservation of the state's Confederate monuments the central issue of his campaign.

But Stewart sees an opportunity to reset the race by playing up Gillespie's ties to Tyson, noting that a sizable chunk of the electorate is undecided or even unaware of the race.

"Now people are tuning in," he said, suggesting that voters will turn away from Gillespie "when people find out that Ed Gillespie has been complicit in human trafficking of illegal immigrants into this country, illegal immigrants who are murdering and battering and raping American citizens."

Tyson hired Quinn Gillespie & Associates in December 2001, just days before the U.S. Justice Department charged the poultry giant with illegally smuggling Mexicans into the country to work at processing plants in Virginia and elsewhere. Tyson acknowledged some smuggling at the time but maintained that it had been the work of rogue employees and was not sanctioned by corporate leaders. The company was acquitted.

Tyson paid Gillespie's firm more than $1.1 million from 2001 to 2007 to lobby Bush's White House, the Senate and the House on many issues, according to federal lobbying disclosures. Gillespie was listed as a Tyson lobbyist for several of those years. He was registered to handle issues that included "amnesty proposals," "immigration reform," "country of origin labeling," and "labor and workforce issues," according to those forms.

Gary Mickelson, a Tyson spokesman, told The Post that the company hired Gillespie's firm "for public affairs consulting, not lobbying, when our company was facing immigration charges. . . . Most of the work done by Quinn Gillespie for our company did not involve Mr. Gillespie."

Even without this latest development, immigration has been a tricky issue for Gillespie, who hails from the party's establishment wing and supported the 2013 "Gang of Eight" immigration initiative in the U.S. Senate that called for tighter border security as well as a pathway to citizenship for an estimated 12 million undocumented immigrants. Gillespie now says he never supported the amnesty aspect of the proposal; he says he wanted a pathway to legal status, not citizenship.

Gillespie has struck a "big tent" tone in TV commercials, which have him promising to be a "governor for all Virginians," while his Facebook ads show images of a massive border wall and a handcuffed illegal immigrant.

Stewart also tried to appeal to various GOP constituencies as he blasted Gillespie's work for Tyson, by turns describing the illegal Tyson workers as murderous and exploited.

He spoke at a morning conference at a county office building, surrounded by photos of Virginians who he said had been killed by illegal immigrants.

"If it weren't for the efforts of Ed Gillespie and Tyson, some of these people would still be alive today," Stewart said.

Asked whether he had any evidence that illegal immigrants who had worked at Tyson plants had killed anyone, Stewart said, "No, but I know a significant portion of those who come here illegally, they have criminal backgrounds and commit crimes."

At the same time, Stewart suggested that Gillespie had helped to exploit the immigrants, saying that they were smuggled into the country to work for wages and under conditions that no American would accept.

"There's another victim, too, and that is the illegal immigrants themselves," Stewart said. "They're paid next to nothing, and they're forced to work in conditions that no American would work in. . . . And he's been making a million dollars."

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Local-Politics

**In Va. governor's race, Gillespie in a tight spot on immigration in Trump era**

By Laura Vozzella

1,571 words

30 May 2017

Washington Post.com

WPCOM

English

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RICHMOND — With about three weeks to go before Virginia Republicans pick their nominee for governor, front-runner Ed Gillespie is engaged in an awkward two-step as he tries to appeal to Donald Trump voters as well as more mainstream "big tent" Republicans.

In TV ads, Gillespie sells himself as a twofer — a seasoned government hand and an advocate for change, a Washington insider itching to go to bat for the average Joe.

In Facebook ads targeted to the kinds of voters who swept Trump into the White House, the Republican strikes a harder tone, with images of federal immigration agents taking someone away in handcuffs, a massive border wall and piles of driver's licenses presumably issued to undocumented immigrants.

But even there, Gillespie hedges — his lobbying firm earned more than $1 million helping Tyson Foods with matters including "amnesty proposals" and criminal charges related to illegal-immigrant employees. Gillespie takes pains to criticize Democrats inclined to shield undocumented immigrants from deportation, not the immigrants themselves.

"He's having to play the hokey pokey a little bit here, one foot in, one foot out," said Benjamin Melusky, a political scientist at Old Dominion University. "If he goes too far to the right to pick up the far-right primary electorate, that's going to be a little bit of a chain around his neck going into November."

Gillespie has tried to steer clear of issues roiling Washington and skipped so many candidate forums that his most vocal GOP rival in the June 13 primary has dubbed him "No-Show Ed." It is a strategy that has kept Gillespie on message and out of controversy, but also has exposed him to criticism from the left and the right.

Polls suggest that Gillespie, whose campaign declined to comment on its strategy, has little to worry about in the primary, with Prince William County Supervisor Corey Stewart and state Sen. Frank Wagner (Virginia Beach) trailing by double digits.

But if Gillespie wins the nomination, his challenge in the race for the Nov. 7 general election will only get trickier.

A recent Washington Post-Schar School poll found that Trump's widespread unpopularity in Virginia, and voter anger about the Republican plan to replace the Affordable Care Act, threaten to drag down Gillespie behind either of the two Democrats competing for their party's nomination.

In head-to-head matchups, Gillespie trails both Democrats by almost identical margins: former congressman Tom Perriello by 50 percent to 37 percent, and Lt. Gov. Ralph Northam by 49 percent to 38 percent among registered voters.

Gillespie must figure out how to excite his party's conservative base without turning off the moderate Republicans and independents essential to winning the swing state.

That has meant doing his best to ignore Trump's most polarizing actions, such as banning travelers from seven Muslim-majority countries in January and firing FBI Director James B. Comey .

The strategy can backfire. Gillespie was mocked for tweeting about a mundane campaign event — ".@CathyGillespie & I were at the historic @HanoverTavern today" — while the rest of Twitter was on fire about the immigration ban. When he finally released a statement about Comey's ouster, it came down studiously on neither side.

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"I know firsthand how the system works, and I know when it's not working for middle-class families," Gillespie says in his TV ad, which features a photo of him with George W. Bush as well as pictures of his parents, who owned a small New Jersey grocery store. "As governor, I'll stand up to special interests, eliminate tax breaks for big businesses, simplify our tax code, and cut taxes for families and small businesses. I'll be a governor for all Virginians."

Gillespie's dance might be especially difficult when it comes to immigration, an issue that keeps rearing its head as Trump's travel ban and deportation policies reverberate in the commonwealth.

The most recent instance came Wednesday, when outgoing Gov. Terry McAuliffe (D) pardoned Liliana Cruz Mendez of Falls Church who had a 2014 misdemeanor conviction for driving without a license. She came to the United States illegally from El Salvador a decade ago and first drew notice from police with a broken taillight. Two stays of deportation were granted by the Obama administration but have since expired. U.S. Immigration and Customs Enforcement agents detained her May 18 after she arrived for a routine check-in. Despite McAuliffe's pardon, she still faces deportation.

"Taking Liliana away from her kids & husband won't make VA safer," the governor tweeted. "Feds need to focus on public safety threats & real immigration reform."

One Republican running for governor had a lot to say about McAuliffe's action. That Republican was not Gillespie. As Stewart and the state GOP blasted McAuliffe's "fake pardon" and "disregard for the rule of law," Gillespie initially declined to comment.

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Stewart skewered Gillespie for his ties to Tyson in a Facebook video posted last week. As the chairman of the Prince William board, Stewart led a crackdown on undocumented immigrants a decade ago and has taken a hard-line stance on the issue during this race.

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In the Trump era, the GOP mantra on immigration is much changed. Gillespie, who has kept Trump at a distance, has mostly aimed to soften the edges. He often notes that his father and grandfather were immigrants from Ireland. In the spring, he met with a large group of Indian American professionals in the Richmond suburbs.

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Metro

**Immigration puts Va. GOP front-runner Gillespie in tight spot**

Laura Vozzella

1,573 words

30 May 2017

The Washington Post

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B02

English

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the-fix

**A Texas Republican is accused of threatening to 'put a bullet in one of my colleagues' heads' ; Texas Rep. Matt Rinaldi called ICE agents on protesters, then a scuffle ensued – on the floor of the state legislature.**

By Peter W. Stevenson

759 words

30 May 2017

Washington Post.com

WPCOM

English

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UPDATE: Texas Rep. Cesar Blanco (D) posted audio of a phone call to his Twitter account late Monday night, in which a man is heard making racist remarks and saying he "stands with" Rinaldi.

WARNING: This video contains foul language.

Full audio #txlege @TexasHouse pic.twitter.com/NWB4GrDa0d

— Cesar Blanco (@CesarJBlanco) May 30, 2017

"My office is now receiving these calls. @MattRinaldiTX comments incite hate and racism," Blanco said in a separate tweet.

The phone calls – and Blanco's decision to post the audio online – show how angry both sides are in this debate. Our original post is below.

Lawmakers scuffled on the floor of the Texas House of Representatives on Monday after a Dallas-area Republican told Democrats that he called Immigration and Customs Enforcement officers on protesters in the House gallery.

"We were just on the floor talking about the SB4 protests, and [state Rep.] Matt Rinaldi came up to us and made it a point to say, 'I called (ICE) on all of them,' " state Rep. Philip Cortez (D) said. "And this is completely unacceptable. We will not be intimidated. We will not be disrespected."

The protesters were apparently chanting and waving signs against Senate Bill 4, the controversial Texas legislation that Gov. Greg Abbott (R) signed into law this month. It bans sanctuary cities, allows police to question anyone they detain about their immigration status, and compels local officials to comply with federal requests to detain individuals in state and local law enforcement facilities. The law was passed amid a national conversation about immigration enforcement priorities and promises from the Trump administration to aggressively pursue and deport undocumented immigrants.

Signing SB4 into law was seen as a big victory for Texas Republicans, who had tried unsuccessfully to pass a ban on sanctuary cities in each legislative session since 2011. Texas Democrats reacted to the bill's passage with alarm; one lawmaker went on a hunger strike.

Video of the scuffle shows lawmakers pushing one another, yelling and gesticulating. Later, Democrats said, Rinaldi repeatedly got in their faces and cursed at them.

VIDEO: Lawmakers in Texas House scuffle during #SINEDIE on Monday. BACKGROUND: <https://t.co/q77vMguaXh> pic.twitter.com/zlAGEaL0pB

— KVUE News (@KVUE) May 29, 2017

Afterward, Democrats held a news conference, furious at what they called "disrespect."

"He saw the crowd, and he saw illegals," state Rep. Ramon Romero Jr. said. "He saw people that, whether he likes to accept it or not, in his heart, he has hate for those people, and he wants to see them gone. He wants to see them gone so much, to the point that he called ICE."

At one point, some of the language between the two sides apparently turned violent.

"There was a threat made from Representative Rinaldi to put a bullet in one of my colleagues' heads," state Rep. Justin Rodriguez said during the news conference. "That kind of threatening language, he needs to be called out and held accountable for."

But Rinaldi said the threat went the other way — that state Rep. Poncho Nevárez (D) "threatened my life on the House floor."

"I called ICE on several illegal immigrants who held signs in the gallery that said, 'I am an illegal immigrant and here to stay,' " he said in a statement after the incident. Rinaldi went on to detail purported threats against him from Democratic lawmakers, saying he was assaulted and had sought the protection of law enforcement officials.

Rinaldi is reportedly under the protection of the Texas Department of Public Safety.

Without audio of the exchange on the Texas House floor, it's impossible to say who threatened whom. But scuffles in the legislature show how the issue of immigration enforcement can stir passions on both sides.

Rinaldi's decision to call ICE agents fits in with Texas Republicans' main argument on immigration: that laws on the books should be enforced more strictly, and undocumented immigrants should be processed for deportation. Democrats say Rinaldi crossed a huge line, accusing him of profiling Hispanics in the House gallery.

And the fight over sanctuary cities isn't over. In April, a federal judge said President Trump's executive order on sanctuary cities is unconstitutional, and a barrage of legal challenges to the new Texas law is expected soon.

Document WPCOM00020170529ed5t003pd



volokh-conspiracy

**Kentucky court rejects government attempt to punish printer for refusing to print 'Lexington [Gay] Pride Festival' T-shirt ; Say that the Westboro Baptist Church comes to a printer -- a printer who supports gay rights, or who is gay himself, or who just thinks the Westboro belief system is appalling -- and demands that he print a "Westboro Baptist Church Pride" T-shirt. Should the government be able to punish the printer for refusing, on the theory that this constituted impermissible religious discrimination in public accommodations?**

By Eugene Volokh

1,327 words

15 May 2017

Washington Post.com

WPCOM

English

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Blaine Adamson, the co-owner and manager of a printing business in Kentucky, has religious objections to printing various types of messages, such as those that promote "adult entertainment products and establishments," messages containing demeaning terms such as "bitches" and depictions of Jesus that he views as disrespectful (examples included "Jesus dressed as a pirate or selling fried chicken").

Because of this Adamson refused to print, for the local Gay and Lesbian Services Organization, T-shirts that promoted the fifth annual Lexington Gay Pride Festival. (The GLSO wanted T-shirts to bear the words "Lexington Pride Festival 2012," the number "5" and a series of rainbow-colored circles around the "5.") The Lexington Fayette Urban County Human Rights Commission ruled that this violated the Lexington County law banning sexual orientation discrimination in places of public accommodation.

In Friday's Lexington Fayette Urban County Human Rights Comm'n v. Hands On Originals, Inc. (Ky. Ct. App. May 12, 2017), a three-judge panel ruled, on a 2-1 vote, that Adamson's actions didn't violate the ordinance (and thus avoided having to decide whether he had a First Amendment right, under the "compelled speech" doctrine, not to be forced to print messages of which he disapproved).

1. First, the panel split on whether the refusal to print a gay pride message was sexual orientation discrimination against particular individuals. (All three judges agreed that the T-shirt store was, under the ordinance and under Kentucky law, a place of public accommodation.) The majority said no:

For example, a shopkeeper's refusal to serve a Jewish man, not because the man is Jewish, but because the shopkeeper disapproves of the fact that the man is wearing a yarmulke, would be the legal equivalent of religious discrimination. A shopkeeper's refusal to serve a homosexual, not because the person is homosexual, but because the shopkeeper disapproves of homosexual intercourse or same-sex marriage, would be the legal equivalent of sexual orientation discrimination.

The dissenting judge, Judge Jeff S. Taylor, disagreed:

HOO's conduct was discriminatory against GLSO and its members based upon sexual orientation or gender identity…. GLSO serves gays and lesbians and promotes an "alternative lifestyle" that is contrary to some religious beliefs. That lifestyle is based upon sexual orientation and gender identity that the United States Supreme Court has recently recognized. In Obergefell v. Hodges, the Supreme Court held that the fundamental right to marry [including in a same-sex marriage] is guaranteed to same sex couples under the Due Process Clause and the Equal Protection Clause. … Regardless of personal or religious beliefs, this is the law that courts are duty bound to follow.

2. Judge James H. Lambert appears to have joined the majority opinion on the question whether HOO's conduct was discriminatory (since he labeled that opinion "the majority opinion," which it could be only with his vote). But he also reasoned that the ordinance was preempted by the Kentucky Religious Freedom Restoration Statute, which is modeled on the federal Religious Freedom Restoration Act applied in Hobby Lobby and other recent cases. He concluded that the ordinance, as interpreted by the commission, burdened the HOO owners' religious practice, and thus the owners were entitled to an exemption unless denying the exemption was the least restrictive means of serving a compelling interests -- a showing the government could not make:

There is little doubt LFUCG has a compelling interest in preventing local businesses from discriminating against individuals based on their sexual orientation. LFUCG must be able to market itself as a place where all people can acquire the goods and services they need.

Taylor disagreed:

[As to the religious exemption claim,] the holding in Hobby Lobby was limited solely to the issue of whether a closely held corporation could raise a religious liberty defense to the insurance contraceptive coverage mandate of the Affordable Care Act. And, I do not believe [the Kentucky RFRA] is implicated in this case, as the statute does not prohibit a governmental entity from enforcing laws or ordinances that prohibit discrimination and protect a citizen's fundamental rights. Moreover, the United States Supreme Court has held that religious beliefs or conduct may be burdened or limited where the compelling government interest is to eradicate discrimination. See Bob Jones Univ. v. U.S. (1983) (holding that the government has an overriding interest in eradicating racial discrimination in education).

3. Here's my view, which was expressed in this amicus brief that my student Ashley Phillips and I filed on behalf of the Cato Institute: Whether or not the ordinance bars discrimination against messages supporting pro-gay-rights events, a printer has a First Amendment right to refuse to print messages of which he disapproves. As the amicus brief argued,

The government may not require Americans to help distribute speech of which they disapprove. The Supreme Court so held in Wooley v. Maynard, 430 U.S. 705 (1977), when it upheld drivers' First Amendment right not to display on their license plates a message with which they disagree. The logic of Wooley applies equally to printers' right not to print such messages.

Moreover, the dissenting judge's argument about the free speech protections offered to the Lexington Pride Festival strikes me as entirely beside the point: The T-shirt would certainly have been constitutionally protected against government suppression, just as the motto "Live Free or Die" would be so protected. But people also have a First Amendment right not to display the message (as in Wooley) or to print the message.

Likewise, the dissenting judge's argument that requiring HOO to print the T-shirt wouldn't suggest "that HOO … endorses the Festival" is also beside the point. That was precisely the argument the dissenting justices made in Wooley (quoting the New Hampshire Supreme Court): "The defendants' … [having] to display plates bearing the State motto carries no implication … that they endorse that motto or profess to adopt it as matter of belief." But the Wooley majority was unswayed by that: The Maynards, the court held, had a First Amendment right to "refuse to foster … an idea they find morally objectionable," and thus could not be forced to display the motto even in a context where no one would think that they were endorsing the motto. The same is true of people who don't want to foster an idea by participating in the creation (rather than display) of messages expressing that idea.

You can read the whole brief here, but let me close with these hypotheticals:

Say members of the Westboro Baptist Church come to a printer -- a printer who supports gay rights or who is gay himself or who just thinks the Westboro belief system is appalling -- and demand that he print a "Westboro Baptist Church Pride" T-shirt.

Or say that an anti-illegal-immigrant group comes to a printer in Seattle and demands that he print a "Build a Wall / Deport Them All" T-shirt. (Seattle bans public accommodation discrimination based not just on race, religion, sexual orientation and the like but also "political ideology," defined as "any idea or belief … relating to the purpose, conduct, organization, function or basis of government and related institutions and activities, whether or not characteristic of any political party or group.")

Should the government be able to punish the printer for refusing, on the theory that this constituted impermissible religious or political ideology discrimination in public accommodations?

Document WPCOM00020170515ed5f0008e



right-turn

**The jig is up: Hysteria over illegal immigration is baseless**

By Jennifer Rubin

785 words

26 April 2017

Washington Post.com

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English

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The anti-immigrant hysteria that became a mainstay of President Trump's agenda and the hymnal of the GOP rests on the assumption that we are awash with illegal immigrants. It's illegal immigrants who are responsible for a crime wave. (There isn't a wave, but stick with this for a moment.) It's illegal immigrants, they say, who are responsible for the economic suffering in the Rust Belt. (If we just got rid of them, jobs and wages would go up!) Hillary Clinton was going to continue the Obama administration's policy: open borders!

Well, it's all fake. There was a dramatic downturn in illegal immigrants under President Barack Obama, who deported record number of people. As many of us argued, the economic recession reversed the flow of immigrants so on net more are now leaving for Mexico than coming from there. Alex Nowrasteh of the Cato Institute observes, "President Trump can't take credit for the unprecedented collapse in illegal immigration since 2007 but the Great Recession, growing Mexican economy, and Mexican demographics can. "

The Pew Research Center tells us:

There were 11 million unauthorized immigrants living in the U.S. in 2015, a small but statistically significant decline from the Center's estimate of 11.3 million for 2009, the last year of the Great Recession. The Center's preliminary estimate of the unauthorized immigrant population in 2016 is 11.3 million, which is statistically no different from the 2009 or 2015 estimates and comes from a different data source with a smaller sample size and a larger margin of error. This more recent preliminary data for 2016 are inconclusive as to whether the total unauthorized immigrant population continued to decrease, held steady or increased.

Oops. You mean getting rid of all those illegal immigrants didn't create job openings for unemployed factory workers in the heartland or boost wages or prevent Chicago's crime increase in the past two years? Nope. It seems the anti-immigration crowd will need to find new scapegoats to blame and new ideas for solving our systemic economic problems.

In particular, Trump's obsession with the Mexican border appears to be entirely misplaced:

Mexicans have long been the largest origin group among unauthorized immigrants — and the majority for at least a decade — but their numbers have been shrinking since peaking at 6.9 million, or 57% of the total, in 2007. In 2014, they numbered 5.8 million (52% of the total). In 2015, according to the Center's new estimate, they declined to 5.6 million, or 51% of the total. And in 2016, according to the Center's preliminary estimate, the number of unauthorized immigrants from Mexico was the same, but their share fell to 50% of the total, marking the first time since at least 2005 that Mexicans did not account for a majority of the unauthorized immigrant population.

Why, then, do you suppose the Trump team is so fixated on illegal immigrants and the southern border? Well, immigration exclusionists have been ignoring readily available facts for some time. There is no illegal immigrant crime wave. The border is much more secure.

We're hard-pressed to come up with any other explanation than the obvious one: As in France, fear and hatred of immigrants are a convenient excuse for voters and policymakers who cannot grapple with messy truths. Trump has no policy agenda to help the working and middle class, so he sells xenophobia. Get rid of illegals and you'll all have $30-per-hour jobs! You can't make a middle-class living as a manual laborer? blame the immigrants! Scared of terrorism and don't want to think about the problem of radicalization of Westerners? Blame the refugees, the most thoroughly vetted immigrants there are.

It's time to put an end to the nonsense, stop turning our cities and communities upside-down, alienating our ally Mexico over an unneeded wall, wasting money on building a wall and vilifying outsiders. Right-wingers should stop pushing the comforting fantasy to displaced workers that nothing they have done (e.g., not gone to college, not developed computer skills, stayed in locales with no jobs) and nothing they have to do (e.g., go back to school, develop new skills, move to where the jobs are) matter so long as all those illegal immigrants are "stealing" their jobs. That sort of fatalism is wrongheaded and ultimately does a huge disservice to those who need to catch up to the globalized economy. And now we now have plenty of evidence that the immigration scaremongering is fraudulent.

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right-turn

**Thanks to the exclusionists, immigration has never had more support**

By Jennifer Rubin

512 words

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English

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If you watch only Fox News or take Attorney General Jeff Sessions seriously, you'd think we're being swamped by illegal immigrants who are setting off a crime pandemic and stealing Americans' jobs. None of that is factually correct, but it is deeply believed by the right wing of the GOP.

It therefore should come as an unpleasant surprise to those anti-immigrant voices that the more visibility they get, the less the public agrees with them. The Wall Street Journal reports on the latest NBC-Wall Street Journal poll:

Six in 10 Americans said immigration helps the nation more than it hurts—up 6 points since the last sounding, in September 2016. One-third of people in the survey said immigration hurts more than it helps. . . .

This goes hand in hand with polling showing that the wall is unpopular and that 90 percent of voters favor of a path to citizenship if the immigrant learns English, pays taxes and a fine, and is working. In other words, "amnesty" has never been more popular.

Perhaps Donald Trump shouldn't have made opposition to illegal immigrant the cornerstone of his presidential campaign. His administration's over-the-top assertions about illegal immigration, obsession with a useless and expensive wall and increased deportation of noncriminal illegal immigrants turns out to be wildly unpopular.

Perhaps voters now realize the logical conclusion of Trump's tirades (economic disruption, loss of civil liberties, human suffering). It may be that seeing the faces of actual Deferred Action for Childhood Arrivals (DACA) beneficiaries who live in fear of being booted out of the country has disturbed them. Maybe by raising the visibility of the issue, Trump has also reminded voters of immigrants' contributions.

Ilya Somin writes:

Immigration restrictions interfere with the free market more than almost any other U.S. government policy. They literally prevent millions of people from freely seeking jobs and engaging in other market transactions. Free migration throughout the world could potentially double world gross domestic product and grow the economy more than almost any other policy change.

We'd like to think that Americans, at least in general, recognize how critical immigration is to our prosperity. ("On average, immigrants are more likely to start businesses than native-born citizens, which creates many potential benefits for the latter. Over 80 percent of the highest-achieving high school science students in the U.S. are immigrants or children of immigrants — many of whose parents came to the U.S. on H1B visas that Trump seeks to curb.") Trump and right-wingers who have never heard of the lump-of-labor fallacy seek to construct a false narrative to explain real hardship caused by a whole variety of issues, including automation, a skills mismatch and education inadequacy. We would hope the poll is a positive sign that Americans grasp that "the world is not a zero-sum game where natives must lose out in order for immigrants to gain — or vice versa."

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A-Section

**Democratic newcomers gear up for 2018 fight**

Ed O'Keefe Mike DeBonis

1,730 words

23 April 2017

The Washington Post

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English

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A wave of first-time candidates eager to fight President Trump and his young administration plan to challenge House Republican incumbents, giving Democratic Party leaders hope that they can capitalize on the anger and intensity at grass-roots protests and town hall meetings across the country this year.

At least 15 declared candidates or contenders on the verge of announcing have emerged in districts that Democrats must win to take back the House, including in several districts where the party did not seriously compete in 2014 or 2016, according to party officials.

Democrats need 24 new seats to retake control of the House - a tall order that no party leader publicly says is possible, at least not yet.

Still, less than 100 days into Trump's presidency, the early interest gives Democrats a chance to compete more aggressively in districts where they haven't fielded challengers in recent cycles - and perhaps chip away at the GOP's seven-year control of the House.

"This is unprecedented," said Stephanie Schriock, president of Emily's List, the progressive organization that trains and recruits women to run for political office. During the 2016 cycle, her group spoke with about 900 women interested in running for school board, state legislature or Congress. This year, they've heard from more than 11,000 women in all 50 states - with a few dozen seriously considering House races, she said.

Democratic strategists are trying to take advantage of the groundswell of engagement. They have moved initial staff to key districts they are targeting, including several in California, Virginia and Texas.

In a bid to pick up as many as five more seats from Republican incumbents in California, the Democratic Congressional Campaign Committee has moved its eight-member western regional political team to offices in Irvine, Calif. - the first time the group has been permanently stationed outside of Washington since 2000. The goal is to defeat Reps. Mimi Walters, Edward R. Royce, Dana Rohrabacher, Steve Knight and Darrell Issa , all of whom won reelection last year in districts that Hillary Clinton won.

And they are actively recruiting candidates in the most competitive districts. Staff at the DCCC - responsible for electing more Democrats to the House - say they've spoken with more than 300 potential candidates in 70 districts nationwide, a figure that they say they believe will allow the party to compete in several long-held Republican districts such as the one in Georgia where the first round of a special election this week earned outsize national attention.

Congressional Republicans cautioned that the Democrats' activity includes no evidence of an advantage in next year's midterm elections. They noted that Democrats have to focus more on recruiting because they control less of the map and need to make gains. And they caution that early recruits might not line up with the demands of Democratic voters.

Democrats "are getting a bit out front of themselves in not recognizing that their candidates are going to have difficulty getting through primaries," said Jesse Hunt, national press secretary for the National Republican Congressional Committee. "Their base is demanding all-out destruction and candidates with rigid ideology whose sole purpose is to oppose Donald Trump and the Republican agenda. That's going to run up against some of what Washington Democrats want to do."

NRCC officials said they have spoken with more than 100 potential candidates about challenging Democrats, especially in a handful of Midwestern districts that could become vacant as Democratic incumbents retire or seek higher office. And so far, Republicans retain a financial advantage in this election cycle despite Democrats' apparent enthusiasm advantage: While the DCCC raised $31 million in the first quarter - including 120,000 online donations from first-time givers - the House GOP's campaign arm raised $36 million.

Liberal activists and Democratic organizers said the key ingredient this year is the grass-roots urgency, but the hope is to combine that with organizing heft.

In the fierce battleground of Northern Virginia, Democratic state Sen. Jennifer T. Wexton is a prime example. A former prosecutor, Wexton was wooed by Democrats in 2016 to challenge Rep. Barbara Comstock (R-Va.), but she declined - and the two-term incumbent prevailed in one of the most expensive and competitive House races last year.

On Friday, the nonpartisan Cook Political Report declared Comstock's seat a "toss up" after Wexton decided to jump in - a decision that resulted partly from conversations with fellow Democrats and partly from attending the Women's March on Washington and other protests that opened her eyes to the extent of the outrage spurred by Trump's election.

"I've never seen anything like that it my life, it was amazing and very inspiring," Wexton said. "I went to Dulles Airport during the Muslim ban and same thing there. All the people who had come out to protest in solidarity with immigrants and the volunteer attorneys who were there. I mean that was amazing."

A scientist in California, military veterans in Colorado and Virginia, Latino activists in Florida and Texas, and female business executives in several states are making similar decisions.

Cristobal Alex, president of the Latino Victory Fund, which trains Latino Democratic candidates up and down the ballot, said that at this same point two years ago, the group had held "just a handful" of conversations with potential congressional candidates. This year, he's talked to 12 potential candidates about challenging Republican congressmen in Texas, Florida and Virginia.

Thanks to his anti-illegal-immigrant rhetoric and plans to build a border wall, "Donald Trump is the best Latino political organizer in history," Alex said.

"I've never seen anything like it," added physicist Rush Holt , chief executive of the American Association for the Advancement of Science and a former Democratic congressman from New Jersey. Holt said he used to get one or two inquiries a year from fellow scientists interested in entering politics. But in the past five months, more than a dozen people have reached out.

"There's a widespread and deep concern that there is an eroding appreciation of science," Holt said. "That didn't start in November, but now it's reached a crescendo."

The landscape is different in the Senate.

Republicans have a distinct advantage in 2018, when 25 Democrats will be defending Senate seats, including 10 in states that Trump won last year. But Republicans are struggling to find candidates to challenge Democrats next year. Several prominent, well-funded contenders in Pennsylvania, Wisconsin, Montana, Indiana and elsewhere have declined to launch Senate campaigns. Democrats, hoping to win Senate races in Arizona and Nevada, also have yet to find recruits.

The National Republican Senatorial Committee declined to comment on its recruiting plan. But one national GOP strategist, who like many contacted declined to be named publicly for fear of retribution from the White House or congressional leaders, said that concerns with Trump's sagging popularity are a leading factor for wary Republican candidates.

"Presumably, if you're running as a Republican in 2018, you're running to implement his agenda," said the operative. "There are a lot of Republicans who are uneasy with big elements of Trump's agenda, and you're seeing that reflected in challenges with candidate recruitment."

In the House, the recent focus by Democrats on Georgia's 6th Congressional District, an Atlanta-area seat until recently held by Health and Human Services Secretary Tom Price, is part of a plan to more actively support candidates in Republican-held districts that last year voted for Democratic presidential candidate Hillary Clinton and had never voted to elect former president Barack Obama .

Beginning in February, the DCCC began hiring field staffers in 20 districts - a mix of perennial swing districts in Florida, Colorado, Iowa, New York and Pennsylvania, plus GOP-held districts that voted for Clinton in California, Texas and Kansas. While staffers are usually hired or deployed in these areas, the party started doing it two weeks after Trump's inauguration in response to the grass-roots-level organizing that sparked large marches, airport protests and rowdy town hall meetings.

Several of these fresh Democratic recruits will face battle-tested, well-funded GOP incumbents who can rely on national Republicans or well-funded super PACs for financial support. Such backing has helped suppress support for previous Democratic opponents, who may have earned early buzz and support but fizzled closer to Election Day.

Potential recruits say that the DCCC is cautioning potential candidates that competing in dozens of new Republican-friendly districts will be expensive and could stretch resources.

"They were realistic. They're not selling a false bill of goods," said Miguel Solis, a Dallas school board member who had considered running against Rep. Pete Sessions (R-Tex.) but declined because of family commitments. He said he had nearly a dozen conversations with senior Democratic lawmakers about the race.

"The numbers suggest it can be done, but it's going to take a significant coalition of independents, moderate Republicans and a significant turnout of Democrats to win it," Solis said.

In some cases, it also requires getting past primaries in expensive media markets. At least two other Democrats who are expected to run against Sessions, a former NFL player and former State Department official, will face just that.

That isn't stopping many Democrats from jumping in. In Colorado, the DCCC is working with Jason Crow, an attorney and former Army Ranger who has decided to challenge Rep. Mike Coffman, a perennial Democratic target. Crow said the decision was clear for him.

"If we're not okay with the state of affairs in D.C., and if we're not okay with the direction of our country," he said, "we're not going to fix it by electing the same kind of people with the same way of thinking than we've had in the past."

In addition to Crow, several military veterans are planning to run as Democrats. In the San Diego area, Josh Butner, a former Navy SEAL, is challenging Rep. Duncan D. Hunter (R-Calif.), who is a Marine. In central Virginia, former Marine Roger Dean Huffstetler is running against Rep. Thomas Garrett (R-Va.).

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Sarah Kaplan and Jenna Portnoy contributed to this report.

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A-Section

**Democratic newcomers gear up for 2018 fight**

Ed O'Keefe Mike DeBonis

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right-turn

**Here's proof that Trump is ignorant and deluded about crime ; A few cities are the exception to the rule.**

By Jennifer Rubin

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President Trump would have us believe that crime has reached epidemic proportions and is related to so-called sanctuary cities (a term that has no definition and is therefore of limited value anyway). Neither view is right. Now, a substantial study on crime in the 30 biggest U.S. cities shows how wrong he is.

The Brennan Center for Justice at New York University School of Law, utilizing FBI crime statistics and city police records, found:

Crime has dropped precipitously in the last quarter-century. While crime may fall in some years and rise in others, annual variations are not indicative of long-term trends. While murder rates have increased in some cities, this report finds no evidence that the hard-won public safety gains of the last two and a half decades are being reversed.

The general trend for violent crime and for murder is similar. With regard to murder, however, here is the wrinkle:

From 1991 to 2016, the murder rate fell by roughly half, from 9.8 killings per 100,000 to 5.3. The murder rate rose last year by an estimated 7.8 percent. With violence at historic lows, modest increases in the murder rate may appear large in percentage terms. Similarly, murder rates in the 30 largest cities increased by 13.2 percent in 2015 and an estimated 14 percent in 2016. These increases were highly concentrated. More than half of the 2015 urban increase (51.8 percent) was caused by just three cities, Baltimore, Chicago, and Washington, D.C. And Chicago alone was responsible for 43.7 percent of the rise in urban murders in 2016. It is important to remember the relatively small base from which the percentage increases are calculated.

We don't know with certainty what has caused the 25-year drop in crime, although many researchers, including those at the Brennan Center, say it is related to better -- and more -- policing, an aging population and decreased alcohol consumption. But rather than paint the entire country and all cities as awash in murder and violence, policymakers and voters should look at several data points.

First, it is important to remember that crime rates can be volatile, bouncing up and down for reasons that are not readily discernible. The overall trend, however, remains the same. For example: "In Las Vegas, the violent crime rate has been especially volatile. The rate surged between 1990 and 1994, then steeply declined until 2000. Yet, from 2000 to 2007 crime followed a largely upward trajectory, reaching another peak in 2007. Then crime fell until 2011, and followed another largely upward trajectory until 2015. Yet, the estimated 2016 rate dropped nearly 13 percent from 2015, and now is roughly at the same rate as in 1998."

Second, the national murder rate is down -- by a lot. "After peaking in 1991 at 9.8 murders per 100,000, the national murder rate remains near the bottom of a 25-year trend. In 2016, the estimated murder rate was 5.3 per 100,000, a decline of 46 percent. The murder rate in the 30 largest cities has fallen faster than the national rate, declining by more than 60 percent since 1991, from 28.8 to 11.4 killings per 100,000 people."

Now, the president always talks about cities as scary, dangerous places where you get killed walking down the street. This may resonate with members of Trump's white, rural voting base, who view urban America with suspicion and resentment (and who may harbor more racist views than non-Trump voters), but actually, the recent trend in rural America is troubling. In fact, the Brennan study staff members tell me that in 2015, counties with populations of less than 10,000 people saw violent crime increase by 2 percent. Counties with 10,000 to 25,000 people saw increases of 3.4 percent, although both overall have seen a drop in violent crime in the past five years.

Third, several cities have a big crime problem and an even bigger murder problem. "In 2015 and 2016, several cities — especially Chicago — saw their murder rates increase significantly. … Baltimore, Chicago and Houston together account for around half of the increase in murder in major cities between 2014 and 2016."

Why some cities have done much worse than others and continue to see rising crimes rates is a matter of debate. In a separate study for 2015, the Brennan Center finds: "Only in a few cities are crime and murder projected to increase significantly together: Chicago, Louisville, Oklahoma City, and San Antonio. Other cities are projected to see murder rise while overall crime falls (San Diego), and others will see higher crime without any increase in murders (Charlotte). This indicates there may be a problem with murder in these specific cities, not that there is a national trend of rising crime."

When one looks at the five cities that had the highest murder rate increases in 2015 (Baltimore, Chicago, Charlotte, Houston and Washington), a few specific factors stand out. In Chicago, for example, a low rate of closing out murder cases raises the possibility of repeat offenders, and a dramatic decrease in the number of police officers may play a substantial role as well. In addition, "Chicago homicides are concentrated in the most segregated and poorest areas of the city, such as the South Side and the Austin vicinity. … The 'national' increase in murders identified by this report, in other words, may owe more to profound local problems in a few Chicago neighborhoods than national trends."

We know, however, that one factor had nothing to do with murder and crime rates: "sanctuary city" status. Arguably the biggest success story in crime and murder reduction, New York, is exceptionally protective of its illegal-immigrant population. Los Angeles falls into the same pattern (big reduction in crime, high level of protection for illegal immigrants). Blaming the illegal-immigrant population for crime is factually wrong, misleading and frankly designed to spur anger toward this population, thereby serving Trump's xenophobic views.

In sum, violent crime and murder rates have declined dramatically in 25 years. A few very problematic cities are responsible for a recent spike in murders, and it would seem logical to focus on the factors in those cities that may contribute to the problem. To portray all cities as crime-ridden hellholes and immigrants as responsible, in the face of overwhelming evidence to the contrary, can only be characterized as ignorant and prejudiced.

Document WPCOM00020170418ed4i002xl



Interactivity

**Style Conversational Week 1223: Iamb tal-KING like THIS from 'lik the bred'! ; The Style Invitational Empress discusses this week’s contest and results**

By Pat Myers

2,121 words

13 April 2017

Washington Post.com

WPCOM

English

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welle, welle, welle, we might just have a new recurring Style Invitational genre here for our Loserbards: our slight variation in Week 1219 of the faux-Chaucerian "i lik the bred" and other poems by Poem for Your Sprog, aka Sam Garland, on Reddit.

Four weeks ago, upon announcing this contest (typically focusing it on people in the news), I expanded the parameters of the Sproggian form: I allowed four lines of four iambs (ba-DAH) as well as his eight lines of two, and — fearing that the affected spelling 20 times over might become tedious to read — allowed modern English along with the fake-olde. That certainly helped me read the some 1,000 entries, and I didn't mind at all that some entrants sent their poems in both spelling forms.

And I found that some entries did work better in one form or the other: This week's winner, for instance, might have been impenetrable in ye-olde-speak; but on the other hand, bitter lines like "I sell their lie" are leavened out of screediness by the cute spelling. And "I grab the poose" is both funnier and more printable than the contemptibly vulgar actual quote.

Isn't that a nice graphic up there by Imperial Scion No. 2 Valerie Holt, who suggested this contest? I'll post it along with the plain ol' daily "social cards" on the Style Invitational Ink of the Day page on Facebook.

It's just the second blot of ink for David Lewis, of Indianapolis, who sent in his poem about Neil Gorsuch (as well as another good entry) several times over, improving it in small ways each time. I'd rather see just the final perfection, but obviously I didn't hold it against him. David got his one other Invite ink with a limerick in 2010, about Rush Limbaugh hiring Elton John to play at his wedding: As Rush Limbaugh's fourth wedding drew near,In a liberal show of good cheer,He shelled out a millionTo rock crocodilian — A choice that his listeners thought queer.

I hadn't talked to David until today, but the Loser Community did meet our First-Offending second-place winner, Graham King of Scotland, when he recently joined the Style Invitational Devotees Facebook group (which is just about to admit Member 1,300). Graham heard about the Invite from Eratosphere, a British-based online forum for poets (whence came many of our other Loserbards as well). Graham is a veteran of various British literary humor contests (aka "comps") and thought he'd try our lower-brow stateside version. Good plan there, Graham. (Graham also, just for the fun of it, wrote a delightful four-verse Lik the Bred about the genre itself; see the bottom of this column.)

But it's the 22nd blot for Brian Allgar, who's ubiquitous in light-verse journals both here and abroad. For a British expat who lives in France, Brian is clearly up on the day-to-day of American political face-slappers, like the Trump budget's plan to cut Meals on Wheels funding. And it's the sixth ink for rookie Elliott Shevin since his debut in Week 1202. Brian and Elliott get their choice of the new "Gotta Play to Lose" Loser mug, one of the last "This is your brain on mugs" mugs, or the "I Got a B in Punmanship" Grossery Bag.

What Doug Dug: Ace Copy Editor Doug Norwood agreed with me on the first- and second-place choices, and also Jesse Frankovich's "I spice the facts," Maria Zimmerman's Putin who doffs his shirt but "I wear the pants," and Duncan Stevens's and Scott Ableman's entries about the Invite itself.

LOSER HISTORY TOUR: Gettysburg, April 23

Once again — and at a much more seasonable time of year than the past midsummers — Losers and Gettysburg residents Roger Dalrymple and Marty McCullen will host a Loser brunch followed by a tour of the Gettysburg battlefield and other historic sites. It starts at noon on Sunday, April 23, with lunch at the Appalachian Brewing Company pub, and then Roger, who's an experienced and delightful tour guide, will take the Loser delegation around and point out the fascinating fictoids. I can't make it this year, but I've gone several times and really recommend it, especially if you enjoy walking. Our usual brunch coordinator, Elden Carnahan, is in Europe right now, so it's best to contact Roger directly at rogerandpam (at) comcast (dot) net if you'd like to come.

BOGUS ROYAL OFFERS TO SEND ICONIC AMERICAN STATUE ABROAD: This week's contest

The examples should explain it all for Week 1223. We last did a contest for comically sensational headlines in December 2003, right after I started Empressing. Indeed, it was just my second contest when I started ripping off my predecessor's oeuvre; Week 537 was a reprise of the Czar's Week 152, in 1996.

As I mention in this week's introduction, it's going to be important to sum up the actual story concisely, either by paraphrasing it or by quoting the headline. (Including a link to the story would help me out as well, but remember that print-paper readers won't be able to see it.)

As I look at the results of the two contests below, I think the explanatory lines work better in Week 537, probably because the Week 152 explainers went, unnecessarily, for consistency.

From January 2004: Report from Week 537, in which we asked you to write irresponsibly sensationalistic headlines for actual Washington Post stories:

Third runner-up: KNIFE-WIELDING MAN ON WEST BANK GOES AFTER TOURISTS!Real headline: "Struggle of Family Nativity Carving Business Reflects Bethlehem's Woes" (Jane Auerbach, Los Angeles)

Second runner-up: ANOTHER D.C. MAYOR SEEN LIGHTING UP! "At a ceremony last night, D.C. Mayor Anthony A. Williams switched on the newly restored, historic street lights" (Paul Kocak, Syracuse, N.Y.)

First runner-up, the winner of the remote-control fart machine:MALVO WON'T DIE LIKE A MAN! Lee Boyd Malvo gets a life sentence; his youth is cited as a factor. (Kevin Mellema, Falls Church, Va.)

And the winner of the Inker:

WASHINGTON INFERNO TERROR LINKED TO FRANCE!"French Fry Fire Damages Kitchen" (Milo Sauer, Fairfax, Va.)

Honorable Mentions:

J. LOPEZ'S IMPRESSIVE BOOTY FLASHED IN BALTO!"The Baltimore Orioles agreed to terms Sunday night with catcher Javy Lopez on a three-year contract believed to be worth $23 million" (Heather Abelson, New York; Chris Doyle, Forsyth, Mo.)

MICHAEL JACKSON UNABLE EVEN TO DRESS SELF, EXPERT ATTESTS!Fashion columnist Robin Givhan laments Jackson's courtroom attire. (Russell Beland, Springfield, Va.)

DEATH TOLL HITS 152 AT AREA PARKS!Howard County sponsored a deer hunt. (Tom Witte, Gaithersburg, Md.)

LADY JUDGE IN THREE-WAY WITH D.A., LAWYER!"Judge Faces Three-Way Contest in St. Mary's [County]" (Chris Doyle, Forsyth, Mo.)

FAVRE RETURNS FROM DEAD, THROWS 4 TD PASSES!Packers quarterback Brett Favre played the Monday after his father died. (Jeff Brechlin, Potomac Falls, Va.)

WOMANIZING EX-PREZ FOUND GUILTY IN LAND DEAL!"Jefferson Convicted in Mock Trial on La. Purchase" (Danny Bravman, Potomac, Md.)

SENATE LEADER ADMITS INVOLVEMENT IN MONKEY BUSINESS!Sen. Bill Frist, a physician, tells of performing surgery on an orangutan at the National Zoo. (Robin D. Grove, Chevy Chase, Md.)

TIPSY VIRGIN EMPLOYEE PINCHED IN BUST!"Pilot Pulled From Dulles Flight Faces Charges Over Drinking" (Milo Sauer)

PROMISING 'A PARTY,' ADULTS LURE YOUNG CHILDREN FROM HOMES!Kids were given free-admission buttons to the First Night Annapolis festival. (Dave Prevar, Annapolis, Md.)

BUSH TO ALIENS: COME ON DOWN!"Immigration Reform on Bush Agenda" (Paul Kocak, Syracuse, N.Y.)

JETS INTERCEPTED NEAR NYC FIVE TIMES THIS WEEK!New England 21, New York 17 (Russell Beland, Springfield, Va.)

COUPLE CHARGED $76 FOR FOOD AT McDONALD'S RESTAURANT!Story on Wall Street bonuses quoted Lever House restaurant owner John McDonald. (Russell Beland)

GOVERNOR LINKED TO DRUG TRADE!Illinois' Rod Blagojevich is seeking federal permission to import pharmaceuticals from Canada. (Bill Spencer, Exeter, N.H.)

VOYEURS FLOCK TO RED-LIGHT DISTRICT PEEP SHOW!Three landers are scheduled to visit Mars. (Bob Dalton, Arlington, Va.)

ED BRADLEY TO GET IN BED WITH JACKO FOR "SPECIAL" EVENING!"CBS Gets Interview, Jackson Gets Special" (Jeff Brechlin; Beth Benson, Lanham, Md.)

PENTAGON: U.S. TROOPS SHOULD BE SHOT!"General Defends Anthrax Shots for Troops" (Chris Doyle, Forsyth, Mo.)

WEALTHY MAN TREATED LIKE ILLEGAL IMMIGRANT!The Orioles' $22.5 million contract with Javy Lopez is contingent on his passing a physical. (Bill Spencer, Exeter, N.H.)

ZOMBIES FOUND IN BALTIMORE HOSPITAL!Johns Hopkins has cut back on medical residents' 90-hour workweeks. (Jane Auerbach, Los Angeles)

CAPTIVES UNDER TORTURE BEG FOR LIFE!"Tormented Jurors Argued, Cried and Wavered" before agreeing on a life sentence for Malvo. (Elden Carnahan, Laurel, Md.)

60 KILOTONS OVER PYONGYANG!"U.S. Sending 60,000 Tons of Food to N. Korea" (Elden Carnahan)

EAGER TO SCORE, VA. TECH MEN DRIVE MILES TO GET SOME TROJANS!"Hokies to Face USC in '04 Season Opener" (Brendan Beary, Great Mills, Md.)

IV BRINGS DEAD ROYAL BACK TO LIFE!Several exciting new productions of Shakespeare's "Henry IV" have been staged. (Bill Spencer)

FAMILIES KILL CATS DURING XMAS FEAST!"Holiday Treats and Trimmings Can Be Deadly to Curious Pets" (Tom Madison, Alexandria, Va.)

And Last:

MD. MAN RUINS WIFE'S XMAS BY REVEALING ALL IN POST!"Earlier this month, Jay Ireland of Bethesda bought his wife a digital camera," Dec. 21 (Jane Auerbach)

And from 1996: Report from Week 151, in which we asked you to play tabloid journalist, submitting new, lurid headlines for real stories in that Sunday's Post.

Fourth Runner-Up: CLINTON LEAVES WIFE (Rodney and Joyce Small, Herndon)Story reported president's departure from Washington with aides for a quick campaign appearance.

Third Runner-Up: Texans Watch Killing, Do Nothing (Fred Dawson, Beltsville)Story described an execution.

Second Runner-Up: Californian Shoots 201 During 3-Day Spree in Buick, Continues to Elude Pursuers (Michael J. Hammer, Washington)Sports story reported that golfer Lennie Clements held on to the lead after three days at the Buick Open.

First Runner-Up: Baboon-Man Escapes! (John Kammer, Herndon; Bruce Johnson, Annapolis)Story reported that the recipient of an ape's immune cells was feeling so good he had resumed an active lifestyle, even going boating.

And the Winner of the Tabloid Teasers board game:

College Men, Coeds Streak to 7-Eleven (Dave Zarrow, Herndon)Story reported on consecutive victories by George Washington University's men's (seven games) and women's (11 games) basketball teams.

Honorable Mentions:

Aliens Captured Alive Near Nation's Capital! (Russell Beland, Springfield; Tommy Litz, Bowie)Story reported an Immigration and Naturalization Service raid at a Bethesda restaurant.

30,000 Wet T-Shirts! (Sue Lin Chong, Washington)Story reported flooding in the Northwest.

Populace to Submit to Sailors' Base Desires (Jim Proctor, Bethesda; Tom Witte, Gaithersburg)Story reported the community's uneasy acceptance of expanded Navy bases in Maryland.

$400,000 Poured Into C&O Canal (Michael J. Hammer, Washington)Story reported on the status of a donation drive to repair the canal.

Machine Crushes Man Before Mate! (Phil John, Arlington)Story reported that Garry Kasparov conceded defeat in his first game against a computer.

MA TAKES AX TO COMPOSER! (Fred Dawson, Beltsville, R. Gregory Capaldini, Arlington)Story reported that cellist Yo-Yo Ma had persuaded pianist Emanuel Ax to accompany him in a Schubert concert.

Buchanan Strains for a Number 2 (Jean Sorensen, Herndon)Story reported on the race for the second-place finish in Iowa.

And last: Replace The Washington Post with The New York Post (Russell Beland, Springfield).

LAST LIKS: A Cow-rumination by Graham King To wryte in verse, I ape the formThat lik-bred Cow defyned as norm.Som pieces mayd, I doe affyrm;Yet som evayd. Insyde I squhyrm.

Itte seemeth sympel form: not so!Som lynes fyt wel; som awrye goe.Itt gybes insyde: am I stille sayne?I've tryed and tryed. I racke myne brayne.

'Tis fun to sette one's wyttes at play -But vexes mynde, at end of day:Ys ther ane more sich verse to wryte?Am I donne yet? I thynk: notte quhyte.

And so and on I goe arownd,Myne tonge pokd forth and myne browe frownd.If I a verie goosecap seeme,'Tis all Pat's fault! I lyke this meme.

pat.myers@washpost.com

Document WPCOM00020170413ed4d005k9



post-nation

**A 13-year-old sobbed on camera when ICE took her father away. Now she has a plan.**

By Lindsey Bever;Ed O'Keefe

1,073 words

30 March 2017

Washington Post.com

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English

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The sobbing 13-year-old girl had captured a gut-wrenching moment on video: the moment her father, who was driving her to school, was pulled over and taken into custody by U.S. immigration agents.

As Romulo Avelica-Gonzalez stepped out of the vehicle on the morning of Feb. 28, he told his daughter, Fatima, "relax and be strong," according to CW affiliate KTLA. Then, the girl's mother told her to record his arrest.

On Tuesday, exactly one month later, the teen appeared at Sen. Charles E. Schumer's (D-N.Y.) news conference on President Trump's proposed border wall, speaking through tears about the scene she captured on film.

"My dad was detained in front of me on my way to school," Fatima told reporters. "It was the hardest thing to watch, but I still went to school because my father showed me the importance of education. I knew I'd have someone to support me there."

Fatima spoke from the podium in Washington, clutching a medal hanging from her neck.

"I finished the L.A. Marathon with the help of my dad," she said, explaining that her father would ride his bike alongside her during weekend practices, to make sure she did not give up.

"When I finish high school, I want to go to college so I can go to law school. I want to become an immigration lawyer," she added. "That's like a new marathon for me, and I know I can finish it, but I need my coach there; I need my dad. I never thought any of my life I would have to experience seeing my father taken away from me. He has always been right beside me to help me in any struggles I had."

Tuesday's event was organized by the National Council of La Raza and Democratic senators opposed to Trump's requests for hundreds of millions of dollars to begin construction on a U.S.-Mexico border wall and for more personnel at Immigration and Customs Enforcement.

With talks underway between Democrats and Republicans on a new spending agreement that has to be approved by late April, senior Democratic aides said their caucus will continue highlighting the personal stories of families affected by Trump's immigration policies in a bid to build up more public opposition to his border wall plans.

One woman, Rosa Escobar, whose husband, Jose, was deported back to Mexico, told reporters she is struggling to explain her husband's removal to her young children.

"My biggest fear today is getting a phone call saying that my husband has been murdered," she told a room packed with dozens of people and 11 television cameras. "How do I explain that to my two children? Why is my American Dream being crushed by my own country, because my own president doesn't understand that I'm in love with someone who is an illegal immigrant. However, I'm trying to do things the right way."

In the wake of President Trump's orders to crack down on illegal immigration, the arrest of Avelica-Gonzalez on Feb. 28 left teachers trying to console students — even as they began to prepare some for the possibility of their own parents' sudden deportation.

"You need to be ready. 'Have you talked to your parents? Do you have power of attorney?'" Ricardo Mireles, executive director of Academia Avance, told the Los Angeles Times.

U.S. Immigration and Customs Enforcement said in a statement to ABC affiliate KABC that Avelica-Gonzalez was "targeted for arrest because relevant databases indicate he has multiple prior criminal convictions, including a DUI in 2009, as well an outstanding order of removal dating back to 2014."

"We knew the day was going to come," Avelica-Gonzalez's 19-year-old daughter, Jocelyn, told KTLA after the arrest. "Especially with the election. We just weren't prepared."

Avelica-Gonzalez, a 48-year-old restaurant worker, was reportedly the sole source of income for his wife and four children, according to the Los Angeles Times.

"Now my family and I are living day by day to see what happens next," Fatima said at Tuesday's news conference.

Fatima said she visited Avelica-Gonzalez in custody late last week and noted that he appeared "way skinnier than he was, and I'm scared that, over time, he will change more."

Crying, Fatima said that her father told her "how much he wants to be home with us."

"My dad has lived here more than he has lived in Mexico," the 13-year-old said. "He knows life here. Me and my sisters are not willing to go back to Mexico. We're here to stay."

On Tuesday, Schumer blasted Trump's calls for border wall money and to expand the size of ICE, saying, "Instead of spending taxpayer dollars on a pointless wall, we should be investing in creating jobs, and fixing our infrastructure — not in separating American families, harming kids and local economies who are without workers who work so hard."

"Immigrants are an integral part of this country. Democrats will be vigilant and strong in our commitment to upholding the promise of America and shielding immigrants from President Trump's policies. Senate Democrats are prepared to fight this all the way," Schumer added.

Sen. Robert Menendez (D-N.J.), who has worked on immigration issues since coming to Congress in the 1990s, fought back tears after Fatima spoke, telling reporters that the latest stories from families affected by Trump's policies add to decades of "stories that we have been dealing with for some time."

"I believe that our caucus will do everything possible to make sure that U.S. taxpayer moneys do not go to build a wall. President Trump said Mexico is going to build that wall, I don't believe we need a wall," he said.

"At the end of the day, he should keep his word and make someone else pay for it — not the United States taxpayer," Menendez added. "And we will do everything possible."

Read more:

Border agents beat an undocumented immigrant to death. The U.S. is paying his family $1 million.

Trump supporter thought president would only deport 'bad hombres.' Instead, her husband is being deported.

Document WPCOM00020170329ed3t00462



A-Section

**White House putting a spotlight on immigrant crime**

David Nakamura

1,418 words

26 March 2017

The Washington Post

WP

FINAL

A04

English

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The Trump administration is launching a series of steps aimed at spotlighting the alleged dangers posed by illegal immigrants, as it seeks to bolster political support for the need for stricter enforcement.

Last week, the administration released a list of cities that have not fully cooperated with federal immigration authorities, and soon the Department of Homeland Security will unveil an office staffed by more than two dozen employees tasked with closely assisting families of Americans who were victims of violent crimes by undocumented foreigners.

DHS lawyers also are examining federal privacy laws to determine ways to more freely share potentially incriminating personal information on immigrants among government agencies and release it publicly, including the nationality, immigration status and criminal history of those swept up in enforcement raids.

And on Thursday, the Justice Department specifically highlighted immigration offenses and arrests during the release of its annual federal statistics report.

Administration officials said the strategy is intended to reframe the political debate over immigration reform from what they view as a misplaced emphasis on the well-being of the nation's estimated 11 million illegal immigrants to the negative impacts their presence can have on local communities.

At the White House, President Trump has on several occasions used the bully pulpit to highlight some of the most sensational crimes by immigrants, and he met in the Oval Office with family members of their victims.

"We are providing a voice to those who have been ignored," Trump said during his prime-time address to Congress last month before highlighting each of the families' stories.

"These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations," Trump said to two widows of law enforcement officials killed in the line of duty. "Should have never been in our country."

But critics, including civil rights advocates and immigration lawyers, said the Trump administration is purposely inflating the dangers and scapegoating a wide swath of immigrants to manipulate public fears and create more political support for its hard-line policies.

Although federal data are limited, two reports released this month - by the Sentencing Project and the libertarian Cato Institute - confirmed past studies that immigrants, including those here illegally, commit crimes at lower rates than do native-born Americans.

"The big-picture concern is that the administration's policies seem premised on the idea that immigration status is some kind of indicator for criminality, when in fact that is not at all the case," said Gregory Chen, advocacy director for the American Immigration Lawyers Association. "Why is this administration so hyper-focused on making the connection between crime and immigration?"

Trump has been making that connection from his first campaign speech in June 2015, when he referred to Mexican illegal immigrants as rapists, criminals and drug dealers. He appeared at campaign events with "angel moms" whose children had been killed by undocumented immigrants.

Beyond illegal immigration, Trump has characterized legal immigrants as potential terrorist threats in his attempts to enact a ban on refugees and travelers from several majority-Muslim nations. Although his two travel-ban orders have been blocked in federal court, the most recent one included a provision mandating that the government begin publicizing information about acts of "gender-based violence against women," including "honor killings," in the United States by foreign nationals.

In a visit to DHS in January, during which he signed a pair of executive orders to ramp up deportations in the United States, Trump said, "Pundits talk about how enforcing immigration laws can separate illegal immigrant families, but the families they don't talk about are the families of Americans."

Trump's focus on those families, through the new office called Victims of Immigration Crime Engagement (VOICE), represents a sharp break in rhetoric from his predecessor. President Barack Obama emphasized a balance between upholding the law and showing empathy toward immigrants who had not committed crimes, particularly those known "dreamers," who arrived in the country illegally as children and were often depicted as hard-working strivers.

Last week, White House press secretary Sean Spicer cited a rape case at a high school in Rockville, Md., in which the two alleged teenage perpetrators were in the country illegally, as rationale for Trump's hard-line policies.

"Part of the reason that the president has made illegal immigration and a crackdown such a big deal is because of tragedies like this," Spicer said, in response to a question about the case. "This is why he's passionate about this, because people are victims of these crimes. ... Immigration pays its toll on our people, if it's not done legally, and this is another example."

Trump's allies also have featured coverage of sensational crimes by immigrants. Breitbart, the conservative news site previously overseen by senior White House adviser Stephen K. Bannon, regularly devotes a section on its home page to such content.

Trump aims to shine a spotlight on his belief that "bad immigration policy has consequences for American families," said Mark Krikorian, executive director of the Center for Immigration Studies, which advocates for lower immigration levels. "When [the media] do sob stories about families that are separated because a drunk-driving father is deported, okay, but there are plenty of victim stories among Americans, too."

Inside DHS, career officials at Immigration and Customs Enforcement are said to be relieved by the Trump administration's new guidelines, said one career official who spoke on the condition of anonymity to discuss internal matters.

The official said the staff used to joke wryly that Obama's policies amounted to "prosecutorial discretion by news conference," meaning deportation proceedings against immigrants would be dropped based on the amount of negative publicity the cases got from advocacy groups.

"There was a great sense of frustration among agents and officers that even when we were clearly in the right we were not allowed to robustly defend ourselves at times we felt we should," the official said.

The number of deportations, which had peaked under Obama at the end of his first term, fell sharply during his second as the administration implemented policies targeting enforcement actions against hardened criminals and those who had recently arrived in the country.

Last week, DHS took the first step toward a more robust public-relations strategy as mandated by Trump's executive orders, publishing a list of 206 local jurisdictions - to be updated weekly - that refused to detain jailed immigrants beyond their release dates so that the federal government could take them into custody and try to deport them.

The move to name and shame the jurisdictions is aimed at putting public pressure on them to cooperate - especially sanctuary cities that do not want immigrants to fear the police or be deported for minor traffic offenses. Trump has threatened to withhold some federal funds from such cities.

John Sandweg, former acting director of ICE, rejected the notion that the Obama administration was lenient on criminal immigrants. Rather, he said, the number that had committed serious offenses, such as murder, rape, being involved in drug deals or driving while intoxicated, was relatively small.

"When we had broader [enforcement] priorities, we were snatching up a lot of nonpublic safety threats but burning a lot of resources," Sandweg said. Trump is "trying to mislead the public into thinking that 11 million people are a threat. That's not true. It's a very small subset that are a threat. The way to enhance public safety the most is to keep ICE focused on that small percentage."

Instead, Trump's executive orders significantly expand the pool of immigrants that are considered priorities for removal, a strategy, critics said, to help the president more easily boost deportations and fulfill his campaign promises.

"We are going to get the bad ones out - the criminals and the drug dealers and gangs and gang members and cartel leaders," Trump said during his visit to DHS. But his critics predicted ICE will begin targeting those with outstanding removal orders based on relatively minor infractions or those checking in with parole officers.

"If the facts were aligned with what they say about the criminality of immigrants, they wouldn't have to play up these horrible anecdotes," said Alex Nowrasteh, a co-author of the Cato immigration crime report. "I see it as a political tactic to support a policy agenda. It's policymaking by fear, not fact."

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http://www.washingtonpost.com

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National-Politics

**Blame game: Trump casts immigrants as dangerous criminals, but the evidence shows otherwise**

By David Nakamura

1,423 words

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Washington Post.com

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English

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This week the administration released a list of cities that have not fully cooperated with federal immigration authorities, and soon the Department of Homeland Security will unveil an office staffed by more than two dozen employees tasked with closely assisting families of Americans who were victims of violent crimes by undocumented foreigners.

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Trump's focus on those families, through the new office called Victims of Immigration Crime Engagement (VOICE), represents a sharp break in rhetoric from his predecessor. President Barack Obama emphasized a balance between upholding the law and showing empathy toward immigrants who had not committed crimes, particularly those known "dreamers" who arrived in the country illegally as children and were often depicted as hard-working strivers.

This week, White House press secretary Sean Spicer cited a rape case at a high school in Rockville, Md., in which the two alleged teenage perpetrators were in the country illegally as rationale for Trump's hard-line policies.

"Part of the reason that the president has made illegal immigration and a crackdown such a big deal is because of tragedies like this," Spicer said, in response to a question about the case. "This is why he's passionate about this, because people are victims of these crimes. . . . Immigration pays its toll on our people, if it's not done legally, and this is another example."

Trump's allies also have featured coverage of sensational crimes by immigrants. Breitbart, the conservative news site previously overseen by senior White House adviser Stephen K. Bannon, regularly devotes a section on its home page to such content.

Trump aims to shine the spotlight on the fact that "bad immigration policy has consequences for American families," said Mark Krikorian, executive director of the Center for Immigration Studies, which advocates for lower immigration levels. "When [the media] do sob stories about families that are separated because a drunk-driving father is deported, okay, but there are plenty of victim stories among Americans, too."

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The official said the staff used to joke wryly that Obama's policies amounted to "prosecutorial discretion by news conference," meaning deportation proceedings against immigrants would be dropped based on the amount of negative publicity the cases got from advocacy groups.

"There was a great sense of frustration among agents and officers that even when we were clearly in the right we were not allowed to robustly defend ourselves at times we felt we should," the official said.

The number of deportations, which had peaked under Obama at the end of his first term, fell sharply during his second as the administration implemented policies targeting enforcement actions against hardened criminals and those who had recently arrived in the country.

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The move to name and shame the jurisdictions is aimed at putting public pressure on them to cooperate — especially sanctuary cities that do not want immigrants to fear the police or be deported for minor traffic offenses. Trump has threatened to withhold some federal funds from such cities.

John Sandweg, former acting director of ICE, rejected the notion that the Obama administration was lenient on criminal immigrants. Rather, he said, the number that had committed serious offenses, such as murder, rape, being involved in drug deals or driving while intoxicated, was relatively small.

"When we had broader [enforcement] priorities, we were snatching up a lot of nonpublic safety threats but burning a lot of resources," Sandweg said. Trump is "trying to mislead the public into thinking that 11 million people are a threat. That's not true. It's a very small subset that are a threat. The way to enhance public safety the most is to keep ICE focused on that small percentage."

Instead, Trump's executive orders significantly expand the pool of immigrants that are considered priorities for removal, a strategy, critics said, to help the president more easily boost deportations and fulfill his campaign promises.

"We are going to get the bad ones out — the criminals and the drug dealers and gangs and gang members and cartel leaders," Trump said during his visit to DHS. But his critics predicted ICE will begin targeting those with outstanding removal orders based on relatively minor infractions or those checking in with parole officers.

"If the facts were aligned with what they say about the criminality of immigrants, they wouldn't have to play up these horrible anecdotes," said Alex Nowrasteh, a co-author of the Cato immigration crime report. "I see it as a political tactic to support a policy agenda. It's policymaking by fear, not fact."

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National-Politics

**Blame game: Trump casts immigrants as dangerous criminals, the evidence shows otherwise**

By David Nakamura

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The Trump administration is launching a series of steps aimed at publicly spotlighting the alleged dangers posed by illegal immigrants, as it seeks to bolster political support for the need for stricter enforcement.

This week the administration released a list of cities that have not fully cooperated with federal immigration authorities and soon the Department of Homeland Security will unveil a new office staffed by more than two dozen employees tasked with closely assisting families of Americans who were victims of violent crimes by undocumented foreigners.

DHS lawyers also are examining federal privacy laws to determine ways to more freely share potentially incriminating personal information on immigrants between government agencies and release it publicly, including the nationality, immigration status and criminal history of those swept up in enforcement raids.

And on Thursday, the Department of Justice specifically highlighted immigration offenses and arrests during the release of its annual federal statistics report.

Administration officials said the strategy is intended to reframe the political debate over immigration reform from what they view as a misplaced emphasis on the well-being of the nation's estimated 11 million illegal immigrants to the negative impacts their presence can have on local communities.

At the White House, President Trump has on several occasions used the bully pulpit to highlight some of the most sensational crimes by immigrants, and he met in the Oval Office with family members of their victims.

"We are providing a voice to those who have been ignored," Trump said during his prime-time address to Congress last month before highlighting each of the families' stories.

"These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations," Trump said to two widows of law enforcement officials killed in the line of duty. "Should have never been in our country."

But critics, including civil rights advocates and immigration lawyers, said the Trump administration is purposely inflating the dangers and scapegoating a wide swath of immigrants to manipulate public fears and create more political support for its hard line policies.

Though federal data are limited, two reports released this month — by The Sentencing Project and the libertarian Cato Institute — confirmed past studies that immigrants, including those here illegally, commit crimes at lower rates than do native-born Americans.

"The big picture concern is that the administration's policies seem premised on the idea that immigration status is some kind of indicator for criminality, when in fact that is not at all the case," said Gregory Chen, advocacy director for the American Immigration Lawyers Association. "Why is this administration so hyper-focused on making the connection between crime and immigration?"

Trump has made that connection from his first campaign speech in June 2015 when he referred to Mexican immigrants as rapists, criminals and drug dealers. He appeared at campaign events with "angel moms" whose children had been killed by undocumented immigrants.

Beyond illegal immigration, Trump has characterized legal immigrants as potential terrorist threats in his attempts to enact a ban on refugees and travelers from several majority-Muslim nations. Though his two travel ban orders have been blocked in federal court, the most recent order included a provision mandating the government begin publicizing information about acts of "gender-based violence against women," including "honor killings," in the United States by foreign nationals.

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National-Politics

**How Gorsuch's judicial experience compares with his Supreme Court predecessors ; To show how nominee Neil Gorsuch’s experience measures up, The Washington Post compared how often the judges published precedent-setting opinions on topics at the appeals level with how frequently cases on the same topics are heard at the highest court.**

By Darla Cameron

1,121 words

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Seven of the eight current Supreme Court justices joined the highest court after holding a seat on an appeals court. To show how nominee Neil Gorsuch's experience measures up, The Washington Post compared how often the judges published precedent-setting opinions on topics at the appeals level with how frequently cases on the same topics are heard at the highest court. Gorsuch's tenure on the U.S. Court of Appeals for the 10th Circuit reveals how relevant his decade of experience on the bench really is for the topics the Supreme Court tackles most often.

Relative exposure to frequent Supreme Court legal topics

In his decade on the 10th Circuit, Gorsuch heard and wrote opinions on hundreds of cases that set legal precedent. Judges on appeals courts face a "vastly larger" volume of cases than those on the highest court, and there isn't as much information available about each case, said Adam Feldman, a scholar of the court who created the blog Empirical SCOTUS blog.

Feldman provided data from the legal research service Westlaw, which categorizes judges' published, precedent-setting opinions by topic. By comparing how frequently a judge saw one of 23 legal topics on the appeals court with how frequently the same topics reached the Supreme Court in the last three years, The Washington Post created a relative exposure index that measures how prepared a justice might be for the job.

The distinct focus of each appeals court circuit accounts for some of the differences in each judge's record. Generally, the 10th Circuit hears more standard cases in criminal law and private civil litigation than the D.C appeals court, which handles more administrative agency appeals. A Congressional Research Service report on Gorsuch's experience said "the Tenth Circuit rarely has the opportunity to address certain topics, such as international law and foreign affairs, terrorism and national security, and major agency actions in the field of environmental law."

Here's how the cases that the nominee and the justices heard in various areas of law compare. The topics are sorted in order of how frequently they are heard on the Supreme Court.

Criminal

According to the CRS report, more than 40 percent of the cases on the 10th Circuit's docket each year involve criminal law or petitions from federal or state prisoners. Judges don't write opinions for most of these. When he did write opinions in criminal cases, Gorsuch tended to side with the state and thus gained a reputation as a tough-on-crime judge, Feldman said.

Criminal cases that reach the Supreme Court are typically more complex, and the justices there must decide how the Constitution sets the rules of criminal procedure. Gorsuch has ruled on these larger issues, though. In one case on the 10th Circuit, the majority of judges decided "No Trespassing" signs at a house where the defendant was staying did not prevent federal agents from knocking on the door to try to find him. Gorsuch dissented. "State officials no less than private visitors could be liable for trespass when entering without the homeowner's consent," Gorsuch wrote.

Intellectual property

Intellectual property law covers copyrights, trademarks and patents. Judges on appeals courts don't see a lot of precedent-setting cases in this area because their decisions often only apply to specific companies at the local and regional level.

Corporate governance

Gorsuch's experience with corporate governance law, which deals with how companies are organized and who has major stakes in them, is a good example of his textualist approach to judicial decision-making.

Feldman said Gorsuch appears to follow the methodology taught in law school statutory interpretation classes. First, lawyers are taught to consider the Constitution; second, other statutes; and third, as a last resort, other documents that might hint at what lawmakers who wrote the law intended for it to do. "Judge Gorsuch has expressed skepticism about a jurist's ability to discern a single legislative 'intent,'" the CRS report said.

All this means "people shouldn't peg him down as a strict liberal or conservative — he interprets the law as it's written," Feldman said.

Taxation

Tax law is another area where Gorsuch's textualist approach informs his decision making. However, Feldman said the Supreme Court sees fewer tax cases now than in the 1930s, and generally only when taxes are related to larger constitutional issues.

Immigration

One of Gorsuch's immigration cases is a good lens for looking at one area of law where he differs from the sitting justices — a legal doctrine known as "Chevron deference."

In a 1984 case called Chevron v. NRDC, the Supreme Court said that when the words of a statute are ambiguous, judges should defer to the expert opinions of the federal agencies charged with carrying out the law.

In a case involving how long an illegal immigrant named Hugo Rosario Gutierrez-Brizuela had to wait before trying to win lawful residence in the country, Gorsuch called for reconsidering this doctrine. Post reporter Robert Barnes wrote that some conservatives fear that " Chevron deference" gives the executive branch an ability to write the law instead of simply enforcing it.

Environment

Challenges to national environmental laws are usually filed directly in the D.C. Circuit Court, so most environment-related cases that Gorsuch saw on the 10th Circuit were narrow in scope. "He's going to face these federalism issues on the Supreme Court, where it has implications beyond just the local level," Feldman said. The CRS report said the Supreme Court is often closely divided on environmental issues, so Gorsuch's vote could be key.

Products liability

Gorsuch stands to have great influence on the court in civil liability.

One of the cases that Gorsuch listed on a Senate Judiciary Committee questionnaire as among the "the 10 most significant cases over which you presided" was a products liability suit. In that case, he upheld the lower court's decision against a defendant who was injured by the off-label use of a medical device.

Though he has relatively less experience writing on products liability law than some of his potential Supreme Court colleagues did when they were on appeals courts, Gorsuch stands to influence how the court handles civil liability if he is confirmed. He has supported other liability decisions seen as pro-business, the CRS report said.

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A-Section

**Rulings hint at Gorsuch's leanings**

Robert Barnes

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Some liberals wary of Judge Neil Gorsuch's fitness for the Supreme Court point to the Case of the Frozen Trucker. As an appeals court judge, Gorsuch ruled against a driver who claimed he'd been wrongly fired because he ignored his supervisor's demands by unhitching his unheated truck from its malfunctioning trailer and driving away in subzero weather in search of safety.

Here's a twist: Some conservatives supportive of Gorsuch cite the exact same case, in admiration.

In his more than a decade at the U.S. Court of Appeals for the 10th Circuit in Denver, President Trump's nominee for the Supreme Court has written hundreds of opinions and participated in thousands of panel decisions.

A collection of liberal and conservative legal activists were asked by The Washington Post to narrow that voluminous jurisprudence to a handful that they say best illustrate how Gorsuch sees the law.

Somewhat surprisingly, their choices often matched.

For instance, the frozen trucker decision, in which Gorsuch was the lone dissenter among judges who considered the case, strikes the liberal Alliance for Justice as illustrative of "the efforts Judge Gorsuch takes in his judicial opinions to deny critical remedies to workers wronged by their employers."

But Carrie Severino of the Judicial Crisis Network, one of the leaders of the effort to confirm Gorsuch, sees the dissent as a principled interpretation of a statute, even when the facts include a sympathetic plaintiff. Liberals "would have liked him to find a way to skirt the law in such a case," according to Severino. "The fact that he wasn't willing to do so illustrates his integrity."

Gorsuch's 10-year record is unwieldy and, at the same time, incomplete. He has never issued on-point rulings on the kinds of issues that traditionally cause controversy in Supreme Court nominations: abortion, affirmative action, voting rights, the reach of the Second Amendment, same-sex marriage.

That doesn't mean there is disagreement over Gorsuch's ideology. Conservative legal groups enthusiastically endorse his approach to the law, certain that it reflects their view of gun rights, religious protections and support for business. Liberals are equally convinced Gorsuch is a danger to reproductive rights, inadequate on questions of discrimination and the kind of jurist who instinctively sides with corporate interests over the "little guy."

But beyond which side he might be on, Gorsuch's rulings give clues of the kind of judge he is, and perhaps promise a glimpse of the kind of justice he would be.

Those on both sides of the battle over Gorsuch's confirmation point in particular to three cases - a legal fight over funding Planned Parenthood in Utah, the deference courts should grant government agencies implementing a broad array of federal laws and the case of Alphonse Maddin, who left the load he was hauling by the side of a freezing Illinois highway. Both sides say the judge's three rulings deserve closer looks.

In 2015, Utah Gov. Gary R. Herbert (R) was like a lot of other politicians who said they were shocked by videos that purported to show officials of Planned Parenthood discussing the sale of fetal tissue from abortions.

Investigations would later show the videos were heavily edited, and the officials were cleared of wrongdoing. Although he acknowledged that the group's officials were not implicated, Herbert still tried to shut off the federal funds the state gave to the Utah organization.

A district judge said Herbert was within his rights to withhold the funds, about $250,000.

But a panel of the 10th Circuit reversed the lower court's decision. The judges said it was likely that Herbert saw the videos as an opportunity more than an outrage and that he opposed Planned Parenthood because it offered abortions, though no state or federal money was used to perform them.

After the panel ruled, Herbert said he accepted the loss, and the money for the organization's work on a disease-control and sex-abstinence program was restored.

But weeks later, one undisclosed judge requested the entire court review the panel's decision, even though the state had not asked for reconsideration and had "clearly moved on," in the words of Judge Mary Beck Briscoe, who had written the panel decision.

The judge almost surely was Gorsuch, because he later wrote a detailed opinion saying the panel's flawed decision should not have been allowed to stand.

He methodically but "respectfully" - he used the word seven times in a 12-page opinion - listed the panel's mistakes. It had not properly respected the district judge's findings; it had relaxed Planned Parenthood's burden of proof; it had discounted Herbert's explanation and failed to show "the sort of comity this court normally seeks to show the states and their elected representatives."

"It is undisputed that when the governor announced his decision to discontinue funding he contemporaneously explained that his decision came in direct response to the videos," Gorsuch wrote. "And it is undisputed, too, that the governor was free as a matter of law to suspend the funding in question for this reason."

The court voted 6 to 4 not to rehear the case.

When Trump announced Gorsuch's nomination to the Supreme Court, the judge won the endorsement of antiabortion groups. Those groups point as well to Gorsuch's opinion in two other cases that took the side of businesses and nonprofit organizations that said for religious reasons they could not offer contraceptive care to their employees.

Abortion rights groups took notice as well. And Caroline Fredrickson, president of the liberal American Constitution Society, said it was significant to her that Gorsuch had reached out to reopen a case that appeared settled.

"He just seems to be looking for reasons to make reproductive rights hard to access," she said.

Congress writes the laws, although often not very well. Sometimes, the words are ambiguous or unclear, and sometimes federal agencies are called upon to make decisions about how the law will be implemented.

In 1984, the Supreme Court decided a case called Chevron v. NRDC, and said that when the words of a statute are ambiguous, judges should defer to the expert opinions of the federal agencies charged with carrying out the law.

It is called "Chevron deference," and it is a phrase heard routinely in federal courts - the decision by Justice John Paul Stevens has been cited more than 15,000 times - and almost never outside of them.

But in a case involving the length of time an illegal immigrant named Hugo Rosario Gutierrez-Brizuela had to wait before trying to win lawful residence in the country, Gorsuch called for reconsidering Chevron. This is one area in which Gorsuch makes a significant break with the man he would succeed on the court - the late Justice Antonin Scalia - but one that endears him even more to some conservatives.

They fear that "Chevron deference" gives the executive branch an ability to write the law instead of simply enforcing it.

In a separate opinion, Gorsuch launched a broadside at the Chevron decision. Gorsuch wrote that the decision and a subsequent ruling along the same lines "permit executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design. Maybe the time has come to face the behemoth."

Some in the conservative legal movement have grown wary in part because they disagreed with what they called overly aggressive regulations put out by agencies controlled by President Barack Obama.

"The first Supreme Court nomination hearings of the post-Obama era may ultimately be remembered as focusing on Gorsuch's view of an issue that defines the Obama years: the modern administrative state," Adam J. White wrote in a glowing profile of Gorsuch in the conservative Weekly Standard.

Liberals are leery. Elizabeth Wydra, president of the progressive Constitutional Accountability Center, said that regardless of which political party controls the executive branch, deference to federal agencies helps make government work.

"It is also surely not a coincidence that progressives are far more likely than anti-regulation conservatives to use agencies to enact rules - and thus trigger Chevron deference - that promote the social safety net, combat discrimination, protect voting rights, and ensure clean air, unpolluted water, and safe food," she said.

Gorsuch said if the "goliath of modern administrative law were to fall," little would be lost.

"Surely Congress could and would continue to pass statutes for executive agencies to enforce," he wrote. "And just as surely agencies could and would continue to offer guidance on how they intend to enforce those statutes. The only difference would be that courts would then fulfill their duty to exercise their independent judgment about what the law is."

Alphonse Maddin, the "frozen trucker," appeared with Democratic senators this week to highlight the human toll of Gorsuch's jurisprudence.

"Seven different judges heard my case - one of those judges found against me," Maddin said. "That judge was Neil Gorsuch."

Senate Minority Leader Charles E. Schumer (D-N.Y.) said cases such as Maddin's show Gorsuch "prefers CEOs over truck drivers, executives over employers, and corporations over consumers."

The facts in Maddin's case are not in dispute. Hauling a load along Interstate 88 in Illinois for a Kansas-based trucking company, Maddin missed a refueling stop and pulled to the side of the road to decide his next step. In the subzero weather, the brakes on his trailer froze. He radioed for help, and the dispatcher told him to stay put and a repair truck would come.

Maddin said he awoke hours later in the unheated truck cab, numb and with his speech slurred. Ignoring orders, he unhooked the truck from the trailer and drove off to look for help. He turned around when the repair truck came. Later he was fired.

An administrative law judge and a review board of the Labor Department concluded Maddin was fired in violation of whistleblower provisions. They protect an employee who "refuses to operate a vehicle because ... the employee has a reasonable apprehension of serious injury to the employee or the public because of the vehicle's hazardous safety or security condition."

Gorsuch's two colleagues on the appeals court panel agreed Maddin's actions were consistent with "refusing to operate" his truck in a dangerous way.

But Gorsuch dissented. "The trucker in this case wasn't fired for refusing to operate his vehicle," he wrote. Perhaps TransAm should not have fired him, Gorsuch said, but Maddin's only legally protected option was to sit and wait.

"There's simply no law anyone has pointed us to giving employees the right to operate their vehicles in ways their employers forbid," Gorsuch wrote. "Maybe the [Labor] department would like such a law, maybe someday Congress will adorn our federal statute books with such a law. But it isn't there yet. And it isn't our job to write one - or to allow the department to write one in Congress's place."

Edward Whelan, president of the conservative Ethics and Public Policy Center, said the lesson of the case should be that Gorsuch strictly follows the words of a statute despite the sympathetic nature of one of the parties.

"But even anyone who disagrees with his textualist approach would have to strain hard to depict his dissent as evidence that Gorsuch is hostile to workers," Whelan wrote in the National Review Online.

Critics say it is a devotion to text carried to extremes, and ignores that the intent of the law is to protect the health and safety of workers and the public.

Gorsuch "would have held that the truck driver had two choices - stay with his trailer indefinitely in subzero temperatures ... or lose his job," said Daniel Goldberg, legal director at the Alliance for Justice. "To call his dissent callous and contrary to law would be an understatement."

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A-Section

**Rulings hint at Gorsuch's leanings**

Robert Barnes

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National-Politics

**Rulings offer glimpse into what kind of justice Gorsuch would be**

By Robert Barnes

2,021 words

17 March 2017

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Some liberals wary of Judge Neil Gorsuch's fitness for the Supreme Court point to the Case of the Frozen Trucker. As an appeals court judge, Gorsuch ruled against a driver who claimed he'd been wrongly fired because he ignored his supervisor's demands by unhitching his unheated truck from its malfunctioning trailer and driving away in subzero weather in search of safety.

Here's a twist: Some conservatives supportive of Gorsuch cite the exact same case, in admiration.

In his more than a decade at the U.S. Court of Appeals for the 10th Circuit in Denver, President Trump's nominee for the Supreme Court has written hundreds of opinions and participated in thousands of panel decisions.

A collection of liberal and conservative legal activists were asked by The Washington Post to narrow that voluminous jurisprudence to a handful that they say best illustrate how Gorsuch sees the law.

Somewhat surprisingly, their choices often matched.

For instance, the frozen trucker decision, in which Gorsuch was the lone dissenter among judges who considered the case, strikes the liberal Alliance for Justice as illustrative of "the efforts Judge Gorsuch takes in his judicial opinions to deny critical remedies to workers wronged by their employers."

But Carrie Severino of the Judicial Crisis Network, one of the leaders of the effort to confirm Gorsuch, sees the dissent as a principled interpretation of a statute, even when the facts include a sympathetic plaintiff. Liberals "would have liked him to find a way to skirt the law in such a case," according to Severino. "The fact that he wasn't willing to do so illustrates his integrity."

Gorsuch's 10-year record is unwieldy and, at the same time, incomplete. He has never issued on-point rulings on the kinds of issues that traditionally cause controversy in Supreme Court nominations: abortion, affirmative action, voting rights, the reach of the Second Amendment, same-sex marriage.

That doesn't mean there is disagreement over Gorsuch's ideology. Conservative legal groups enthusiastically endorse his approach to the law, certain that it reflects their view of gun rights, religious protections and support for business. Liberals are equally convinced Gorsuch is a danger to reproductive rights, inadequate on questions of discrimination and the kind of jurist who instinctively sides with corporate interests over the "little guy."

But beyond which side he might be on, Gorsuch's rulings give clues of the kind of judge he is, and perhaps promise a glimpse of the kind of justice he would be.

Those on both sides of the battle over Gorsuch's confirmation point in particular to three cases — a legal fight over funding Planned Parenthood in Utah, the deference courts should grant government agencies implementing a broad array of federal laws and the case of Alphonse Maddin, who left the load he was hauling by the side of a freezing Illinois highway. Both sides say the judge's three rulings deserve closer looks.

In 2015, Utah Gov. Gary R. Herbert (R) was like a lot of other politicians who said they were shocked by videos that purported to show officials of Planned Parenthood discussing the sale of fetal tissue from abortions.

Investigations would later show the videos were heavily edited, and the officials were cleared of wrongdoing. Although he acknowledged that the group's officials were not implicated, Herbert still tried to shut off the federal funds the state gave to the Utah organization.

A district judge said Herbert was within his rights to withhold the funds, about $250,000.

But a panel of the 10th Circuit reversed the lower court's decision. The judges said it was likely that Herbert saw the videos as an opportunity more than an outrage and that he opposed Planned Parenthood because it offered abortions, though no state or federal money was used to perform them.

After the panel ruled, Herbert said he accepted the loss, and the money for the organization's work on a disease-control and sex-abstinence program was restored.

But weeks later, one undisclosed judge requested the entire court review the panel's decision, even though the state had not asked for reconsideration and had "clearly moved on," in the words of Judge Mary Beck Briscoe, who had written the panel decision.

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National-Politics

**Donald Trump, the anecdotal president**

By Philip Bump

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When Donald Trump was criticized after his campaign launch for suggesting that most Mexicans who entered the United States illegally were "bringing drugs" and "bringing crime," his response was not what you might expect. Confronted with data showing that immigrants are less likely to commit crimes, most politicians would refine or retract their comments.

Not Trump. After a few days of trying to rationalize his comments, Trump seized upon a different strategy. A few weeks after his campaign announcement, a woman named Kate Steinle was shot to death in San Francisco by a person in the country illegally who had been deported numerous times. Steinle became the worst-case example of what immigrants could do and, for Trump, a regular part of his campaign rhetoric. Over time, that strategy extended outward, with Trump inviting the parents of those killed by undocumented immigrants to share the stage with him at his rallies. At his joint address to Congress last month, Trump invited the father of a young man killed by an undocumented person to sit with first lady Melania Trump in the gallery — as he announced a new program within the Department of Homeland Security that would put a focus on crimes committed by those in the country illegally.

None of this changed the underlying data, of course. There's still no evidence that people in the country illegally or otherwise are responsible for a surge in crime. But Trump had stumbled onto a remarkably effective tool: countering broad analysis and data with isolated anecdotes.

On Monday, Trump held a listening session at the White House focused on the Affordable Care Act and the Republican efforts to repeal the bill, which is known as Obamacare.

"The press is making Obamacare look so good," the president said at the outset, according to the pool report. He added, "The fact is, Obamacare is a disaster."

To demonstrate that point, Trump had invited about a dozen people who were presented as "victims of Obamacare." A woman from Arizona whose premiums increased. A young man, a Democrat, who opposed the bill out of concern that abortion would be funded. A man from Tennessee whose premiums rose so quickly that he debated going on his wife's insurance. None of the situations are ideal -- but all offered only a small slice of the picture.

Over the past two months, a number of Republican members of Congress have faced far more than a dozen constituents angry about the prospect of an Obamacare repeal. Independent assessments estimate that between 6 million and 15 million people would lose coverage under the Republican replacement bill. Other analysis indicates that cost increases under the Republican bill would disproportionately affect Trump's core base of support.

The response from proponents of the bill has broadly been to dismiss this analysis. On Sunday, a slew of Republican leaders and administration officials appeared on the political talk shows to discuss the replacement legislation. In several cases, those officials expressed skepticism about the estimates of how many would lose coverage — and, preemptively, about the upcoming analysis from the nonpartisan Congressional Budget Office, which will probably show something similar. Or, more accurately, about the CBO in its entirety, which will no doubt come up in future analysis of future legislation.

It's by no means uncommon for politicians to pick out isolated stories to bolster the case for a policy. But the combination at play here of dismissing objective analysis in favor of isolated scenarios is very, very Trump.

We can run through example after example. (Or, if you wish to note the irony, anecdote after anecdote.) Trump claims, without evidence, that millions of people voted illegally in the 2016 election; a few examples of fraudulent votes and an unrelated report are offered as proof that it may have occurred. Trump claims that his phones were wiretapped during the campaign; with no evidence to bolster his case, news reports about unrelated surveillance become the evidence that this is probably true. Trump gave very little to charity before running for president but cites a grudging donation last year as evidence of his generosity. On any number of occasions, Trump's explanation for presenting something as fact was that "many people say" it's true.

Much of this anecdotal rebutting is done by Trump aides rather that Trump himself. White House press secretary Sean Spicer claimed during Monday's news briefing that there was "no question that there have been a number of reports" about alleged wiretapping. Presidential adviser Kellyanne Conway went on TV on Monday morning to explicitly state that her job wasn't "having evidence." Which it isn't, in the Trump White House. Her job is to rebut critiques of the president, and her preferred method, like her boss's, is to point out isolated ways in which the critique leveled at him might be leveled at other people, too. To offer an anecdote to rebut a trend.

It flows outward from there. CNN's Trump advocates talk nearly as much about what president Barack Obama did as what Trump is doing. On social media, any story about Trump that can be viewed at all negatively is met with a prepackaged rejoinder. Social media's perfect for this, of course; Twitter is a natural talking-point regurgitation machine. Whattabout Obama's vacations? Whattabout this lady arrested for fraud in Texas? Whattabout this crime committed by an illegal immigrant? The inability to engage in robust debate on social media coupled with willfully false data and a general skepticism about the media has made the tactic particularly effective in this political moment. Trump, more than any other politician, is a product of and a participant in the world of social media political debate. It's only natural that he'd embrace its trademark rhetorical process.

The big question is the extent to which Trump realizes that he's stacking the deck in his arguments. When he presents undocumented people as criminals or Obamacare as uniformly being a disaster, is he aware that this is rhetoric, or is this actually his belief? If it's the former, that's one thing, leaving open the possibility that his decision-making is based on sound analysis. If it's the latter, that becomes less likely.

There's at least one reason to suspect that Trump might sincerely consider expert analysis and data unreliable: the results of the election themselves. Polling suggested that Trump would lose the election and, although it was correct that he lost the popular vote, polling in key states meant that he defied the odds. If the experts said he was going to lose based on the data but Trump kept hearing from people that he would win, why should he trust the experts? Why trust the data? Why isn't it just as valuable to pick out this one story as evidence that I'm right, just as I was right before Nov. 8?

The answer is that relying on isolated examples allows someone to reinforce their beliefs as opposed to confronting the reality of a problem. That's why it's a tremendously effective tool for politics. It's not, however, a good tool for crafting policy.

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morning-mix

**'Reasons to Vote for Democrats' jumps to the top of Amazon's bestseller list. But its pages are blank. ; Democrats seem to have responded with a missive of their own, titled "Reasons to Vote for Republicans."**

By Travis M. Andrews

625 words

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English

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After 'extensive' research, @michaeljknowles' new book 'Reasons to Vote for Democrats' is full of empty pages! pic.twitter.com/WhYSXHS6KY

As of early Friday morning, a new political book remained perched at the top of Amazon's bestseller list: "Reasons to Vote for Democrats: A Comprehensive Guide," by Daily Wire managing editor Michael J. Knowles.

The book, published Feb. 8, is described as the "most exhaustively researched and coherently argued Democrat Party apologia to date" and "a political treatise sure to stand the test of time."

Its cover is a stately white and features the image of a donkey colored by the American flag. An endorsement by Daily Wire editor in chief Ben Shapiro calls the book "thorough."

"If Democrats copied and pasted the contents of this book into their national platform they could become unstoppable," read one user review. "Exhaustive, yet concise, treatment of the reasons to vote for Democrats. I thoroughly enjoyed this book and recommend it as a teaching tool for any potential voter. This book is truly unparalleled," read another.

"Riveting from cover to cover," read a third.

A peek inside finds a quote from Thucydides, and a table of contents with such lofty chapters as "Foreign Policy," "Civil Rights" and "Homeland Security."

What follows next are roughly 260 blank pages, save for the book's title printed atop each. The list price is $9.99.

This shouldn't come as a surprise. The Daily Wire, after all, is a deeply conservative website, featuring articles such as "Illegal Immigrant Charged With Beheading Own Mother With Butcher Knife" and "The 'Trump Is A Russian Plant!' Case Is Falling Apart. Here Are 4 Things You Need To Know."

On Thursday, Knowles appeared on "Fox & Friends" and said: "What's really great about this book, you can go cover-to-cover in about 15, 20 seconds."

"It took a very long time to research this book," he said. "I've been observing the Democratic Party for at least 10 years now and when I observed their record and reasons to vote for them — on reasons of economics or foreign policy or homeland security or civil rights and so on — I realized it was probably best to just leave all the pages blank."

"When I started researching the book and going through this exhaustive study process, at first I turned to the 2012 Democratic National Convention, and it turned out they were deciding whether or not to include God in their party platform," Knowles said. "And the Democrats booed God. That's not good. So I decided probably if I'm going to make a good case to vote for Democrats, probably just leave that chapter blank."

During the vote, boos can be heard, which led conservative news outlets such as Fox to run headlines such as "Democrats Boo God, Jerusalem."

Although it might be a novelty item, the book seems to be flying off the shelves.

Not wanting to miss out on the action, the Democrats appear to have responded with a missive of their own. "Reasons to Vote for Republicans: A Captivating Interpretation," by Char Daley, just published.

You can guess what's inside.

More from Morning Mix

Ben Carson told HUD staff he could zap their brains into reciting verbatim books read 60 years ago. What?

Mark Levin has warned before of Obama's 'silent coup.' Now he has a follower in the Oval Office.

17 migrants crossing into Canada rescued in blizzard, as mounting numbers desperately flee U.S

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Metro

**No jail for pot? Not all are glad.**

Rachel Weiner

1,379 words

13 March 2017

The Washington Post

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People caught for the first time with a small amount of marijuana in Arlington County, Va., no longer must fear the possibility of jail time. But what's billed as common-sense reform could have dire consequences for immigrants, both legal and undocumented.

The Arlington General District Court this month imposed the new policy for handling many misdemeanor marijuana possession cases, a change the top prosecutor said would make the court process quicker and less stressful for first-time offenders. But the county's public defender and immigration advocates are objecting because the shift also means that poor defendants in those cases will no longer get a free lawyer to help them understand - and perhaps fight - the charge.

At issue is the growing divide between the way the criminal justice system and the immigration system treat drug possession. Although many jurisdictions have eased restrictions for carrying small amounts of marijuana and have even legalized possession, immigration laws written at the height of the drug war have not changed.

Because marijuana is still classified federally as one of the most dangerous drugs, illegal immigrants risk being deported if they're convicted of possessing marijuana - even if it's their first offense and the amount is small. Legal immigrants who leave the country could be blocked from returning.

With a White House that has pledged more deportations and taken a harsher line on marijuana use, advocates fear that a move toward leniency by the local court paradoxically will lead to more deportations.

"There's lots of good reasons for this kind of program," said Rachel Jordan of the Capital Area Immigration Rights Coalition. "The problem is the unintended consequences for noncitizen residents of Virginia are so harsh that it really needs to be looked at again."

Across the nation, many prosecutors have announced that they will not seek jail time for marijuana possession, although experts know of no other place where the policy has been codified the same way as in Arlington. Only people facing jail time are entitled to a free lawyer, and advocates say waiving incarceration can actually hurt indigent defendants who opt to plead guilty but may have won at trial.

"It's a problem creeping up around the country as jurisdictions are strapped for assets," said Barry Pollack, president of the National Association of Criminal Defense Lawyers. "Particularly in an administration that has promised extremely aggressive enforcement of the immigration laws and an emphasis on deporting individuals who have criminal convictions, the consequences of a conviction can be far greater than a couple days in jail would be."

Arlington Public Defender Matthew J. Foley said the problems extend beyond immigrants. A criminal conviction can endanger a person's student loans and driver's license. It can also lead to harsher sentences after any subsequent conviction.

"It makes it easier to grind people through the system, and there's no reason for it," he said.

He is pushing for an agreement that public defenders will be appointed for indigent defendants regardless of whether they face jail time.

Arlington Commonwealth's Attorney Theo Stamos pushed back against the criticism, saying the new policy is a step forward, not back. Just over the border in the District and Maryland, she noted, it is not a crime to have small amounts of marijuana. Although most people accused of carrying pot will plead guilty, in her view it's helpful to take away the threat of jail time and get them through the system quickly.

"This is a sensible criminal justice reform effort, and I'm really astounded and confused that the public defender's office is asking us to impose jail time on their clients," she said. "The suggestion that somehow these individuals are being railroaded is quite offensive."

It makes no sense, she said, for prosecutors to pretend they will seek jail time when they have no intention of doing so. She said the change was made by the court, which has the power to decide on appointing counsel. Chief District Court Judge R. Frances O'Brien did not respond to a request for comment.

Under the policy, all first-time offenders charged with possession of a half-ounce or less of marijuana will be dealt with separately from other defendants.

Some will be eligible for deferred disposition, which means that if the person complies with certain rules, their charges will eventually be dismissed. But in Virginia, those records cannot be expunged; they will remain public. Those who do not qualify for deferred disposition will be told that they are not facing jail time and thus are not entitled to a lawyer.

Both sets of defendants will be told to come back in two weeks and that, for immigration consequences or otherwise, they might want to consult an attorney. After a years-long battle waged by civil rights lawyer Victor M. Glasberg, all judges in Virginia tell defendants without a lawyer about the potential immigration fallout of a guilty plea.

But few, Jordan argued, will understand that a conviction dismissed in criminal court will still affect immigration status. An illegal immigrant will be glad to avoid going to jail, where in Virginia a sheriff would notify Immigration and Customs Enforcement of their status. But if he or she is arrested later and taken into deportation pleadings, a guilty or no-contest plea will close off opportunities to stay in the country.

Legal permanent residents would not face mandatory deportation, thanks to a U.S. Supreme Court ruling, but Jordan said that if they leave the country they will not be able to get back in.

"It's going to hit every type of immigrant, in lawful status or unlawful undocumented status," Jordan said.

J.D. King, a professor at Washington& Lee School of Law who studies the right to counsel, said nonimmigrants are usually ignorant of the ramifications of a plea.

"Very few criminal defendants are going to say, 'Well, wait a second, this is terrible news, I'd rather face the jail time but have a lawyer next to me,'" King said. "It solves the short-term problem, but there's all these other long-term consequences that nobody is advising the client about."

Foley said the warnings are hardly the same as providing a lawyer, because poor defendants still won't have the means to hire one.

"It will help no more than a doctor advising an uninsured, cash-strapped patient how to remove his tonsils, set a broken leg or cure his cancer," he wrote in a letter to Arlington community leaders.

He argues that prosecutors are doing defendants no favors by promising to waive jail time, because, in his opinion, no jury in Arlington would impose a jail sentence for marijuana possession in the first place. And he says his office often successfully contests these cases, such as when marijuana is found in a search of a car that has multiple passengers.

If prosecutors don't think that marijuana possession cases merit a trial, advocates for legalization say, then they should stop charging them.

"We need to move forward with real decriminalization and not court-sentencing decisions, because you run into these issues," said Kaitlyn Boecker of the pro-legalization Drug Policy Alliance. "We're extremely excited that they've decided to eliminate jail time ... but we believe that people should still have access to attorneys, especially because folks arrested on marijuana charges tend to be from marginalized communities."

From 2003 to 2013, her organization found, marijuana arrests in Virginia increased 76 percent; in Arlington they went up 81 percent.

Several localities across the country have decriminalized marijuana. But Virginia state law blocks local officials from doing so.

Some state leaders, however, appear to be warming to the idea. Senate Majority Leader Thomas K. Norment Jr. (R-James City), a longtime foe of legalization, said last fall that "it's absolutely crazy that we continue to lock people up for possession of a modest amount of marijuana." The state crime commission, he said, could study the idea.

But his spokesman soon dampened any hopes of immediate change. "Virginia is a loooong way from changing its drug laws," he said.

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Cops-Courts

**Get caught with pot, don't go to jail: Why not everyone is happy.**

By Rachel Weiner

1,388 words

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English

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People caught for the first time with a small amount of marijuana in Arlington County, Va., no longer must fear the possibility of jail time. But what's billed as common-sense reform could have dire consequences for immigrants, both legal and undocumented.

The Arlington General District Court this month imposed the new policy for handling many misdemeanor marijuana possession cases, a change the top prosecutor said would make the court process quicker and less stressful for first-time offenders. But the county's public defender and immigration advocates are objecting because the shift also means that poor defendants in those cases will no longer get a free lawyer to help them understand — and perhaps fight — the charge.

At issue is the growing divide between the way the criminal justice system and the immigration system treat drug possession. Although many jurisdictions have eased restrictions for carrying small amounts of marijuana and have even legalized possession, immigration laws written at the height of the drug war have not changed.

Because marijuana is still classified federally as one of the most dangerous drugs, illegal immigrants risk being deported if they're convicted of possessing marijuana — even if it's their first offense and the amount is small. Legal immigrants who leave the country could be blocked from ­returning.

With a White House that has pledged more deportations and taken a harsher line on marijuana use, advocates fear that a move toward leniency by the local court paradoxically will lead to more ­deportations.

"There's lots of good reasons for this kind of program," said Rachel Jordan of the Capital Area Immigration Rights Coalition. "The problem is the unintended consequences for noncitizen residents of Virginia are so harsh that it really needs to be looked at again."

Across the nation, many prosecutors have announced that they will not seek jail time for marijuana possession, although experts know of no other place where the policy has been codified the same way as in Arlington. Only people facing jail time are entitled to a free lawyer, and advocates say waiving incarceration can actually hurt indigent defendants who opt to plead guilty but may have won at trial.

"It's a problem creeping up around the country as jurisdictions are strapped for assets," said Barry Pollack, president of the National Association of Criminal Defense Lawyers. "Particularly in an administration that has promised extremely aggressive enforcement of the immigration laws and an emphasis on deporting individuals who have criminal convictions, the consequences of a conviction can be far greater than a couple days in jail would be."

Arlington Public Defender Matthew J. Foley said the problems extend beyond immigrants. A criminal conviction can endanger a person's student loans and driver's license. It can also lead to harsher sentences after any subsequent conviction.

"It makes it easier to grind people through the system, and there's no reason for it," he said.

He is pushing for an agreement that public defenders will be appointed for indigent defendants regardless of whether they face jail time.

Arlington Commonwealth's Attorney Theo Stamos pushed back against the criticism, saying the new policy is a step forward, not back. Just over the border in the District and Maryland, she noted, it is not a crime to have small amounts of marijuana. Although most people accused of carrying pot will plead guilty, in her view it's helpful to take away the threat of jail time and get them through the system quickly.

"This is a sensible criminal justice reform effort, and I'm really astounded and confused that the public defender's office is asking us to impose jail time on their clients," she said. "The suggestion that somehow these individuals are being railroaded is quite offensive."

It makes no sense, she said, for prosecutors to pretend they will seek jail time when they have no intention of doing so. She said the change was made by the court, which has the power to decide on appointing counsel. Chief District Court Judge R. Frances O'Brien did not respond to a request for ­comment.

Under the policy, all first-time offenders charged with possession of a half-ounce or less of marijuana will be dealt with separately from other defendants.

Some will be eligible for deferred disposition, which means that if the person complies with certain rules, their charges will eventually be dismissed. But in Virginia, those records cannot be expunged; they will remain public. Those who do not qualify for deferred disposition will be told that they are not facing jail time and thus are not entitled to a lawyer.

Both sets of defendants will be told to come back in two weeks and that, for immigration ­conse­quences or otherwise, they might want to consult an attorney. After a years-long battle waged by civil rights lawyer Victor M. Glasberg, all judges in Virginia tell defendants without a lawyer about the potential immigration fallout of a guilty plea.

But few, Jordan argued, will understand that a conviction dismissed in criminal court will still affect immigration status. An illegal immigrant will be glad to avoid going to jail, where in Virginia a sheriff would notify Immigration and Customs Enforcement of their status. But if he or she is arrested later and taken into deportation pleadings, a guilty or no-contest plea will close off opportunities to stay in the country.

Legal permanent residents would not face mandatory deportation, thanks to a U.S. Supreme Court ruling, but Jordan said that if they leave the country they will not be able to get back in.

"It's going to hit every type of immigrant, in lawful status or unlawful undocumented status," Jordan said.

J.D. King, a professor at Washington& Lee School of Law who studies the right to counsel, said nonimmigrants likewiseare usually ignorant of the ramifications of a plea.

"Very few criminal defendants are going to say, 'Well, wait a second, this is terrible news, I'd rather face the jail time but have a lawyer next to me,' " King said. "It solves the short-term problem, but there's all these other long-term consequences that nobody is advising the client about."

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erik-wemple

**President Trump's latest, greatest, fear-mongering media lie ; The claim that the media somehow ignore crimes by undocumented immigrants and their victims.**

By Erik Wemple

1,370 words

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English

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We know President Trump watches Fox News. We know he watches CNN. We know he watches MSNBC. But does he watch ABC15 in Phoenix?

If he does, he'll surely be happy with a certain strain in the station's news coverage. Some examples:

\* "Tougher sentences proposed for illegal immigrants under Grant's Law," a Feb. 1 story about  a bill named for Grant Ronnebeck, a man whose accused killer is an undocumented immigrant.

\* "PD: Glendale woman awakens to man sexually abusing her in her apartment," a December 2016 story about an undocumented immigrant allegedly breaking into a woman's home.

\* "ICE operation team targets undocumented immigrants with criminal past," a December 2016 story.

\* "Undocumented immigrant posed as dead veteran to get VA, Social Security benefits," a May 2016 story whose headline speaks for itself.

\* "Family of dead veteran shocked and outraged over stolen identity by undocumented immigrant," a May 2016 story.

\* "Documents: Drug smuggling suspect punched border patrol horse," another May 2016 story.

\* "Mesa Police: Illegal immigrant in jail after having sex with underage girl," an August 2016 story.

\* "PD: Jose Carlos Gonzalez exposes self to woman and baby and then chases them in Glendale parking lot," a February 2016 story about alleged criminal activity by an undocumented immigrant.

\* "Family injured in DUI crash by man deported six times speaks to ABC15," a July 2015 story.

Get the gist? Yes, there are undocumented immigrants out there involved in illegal or mischievous activity. And the media is chronicling them.

Stories like those notwithstanding, President Trump on Tuesday night somehow managed to say these words before Congress: "I have ordered the Department of Homeland Security to create an office to serve American victims. The office is called VOICE, Victims of Immigration Crime Engagement," said Trump. "We are providing a voice to those who have been ignored by our media and silenced by special interests." Emphasis added. Like most all of Trump's observations about the media, this one was dreadfully dishonest. If the media can be understood to include Fox News, then surely Trump has seen its aggressive coverage of crimes committed by undocumented immigrants, not to mention the victims thereof.

To name one particularly salient example, Fox News host Bill O'Reilly, a vanilla-milkshake-drinking buddy of Trump's, has more than just provided saturation coverage of the heinous 2015 slaying of Kate Steinle, who was walking on a San Francisco pier when she was allegedly shot by an undocumented immigrant who had been deported five times; O'Reilly has also used his program to pressure Capitol Hill to pass "Kate's Law," a measure to boost penalties against those who are convicted of crimes in the United States and then reenter after deportation.

The Steinle case came up in an interview conducted by Fox News's Kimberly Guilfoyle with Trump last August. After she asked him if he was softening his stance on immigration, Guilfoyle said, "Well, you know, as a prosecutor, I found it very frustrating that we were not observing and enforcing the laws that are on the books and that people would be revolving door coming back in. I was a prosecutor in San Francisco, you know. And then the Kate Steinle case, tragedies like this."

Though Trump thus has encountered the Steinle case on Fox News, he might well have stumbled across it via the New York Times, CNN, the Los Angeles Times, NBC News, ABC News and on and on.

In his speech, Trump cited the cases of Jamiel Shaw Jr., a 17-year-old killed in 2008 in Los Angeles by a gang member in the country illegally, and of Michael Davis Jr. and Danny Oliver, California law enforcement officials who were killed by an undocumented immigrant. In both cases, the tragedies were covered extensively by major outlets.

But forget about the big, hulking national organs of the mainstream media for a second or two. Trump referred to "the media" as being complicit in somehow suppressing the crimes of undocumented immigrants and their victims. And "the media" most certainly includes the small army of local TV stations in the country beaming news to their communities. As a group, these folks have adopted the world's most nondiscriminatory policy when it comes to covering crime. They cover juvenile crime, young adult crime, middle-aged crime and elderly crime; crime committed by men, crime committed by women; smart crime, dumb crime; crime against innocent, helpless victims, crime against "bad dudes"; white-collar crime, pink-collar crime, blue-collar crime. And yes, crime committed by undocumented immigrants.

"We're all sort of steeped in the 'if it bleeds, it leads' culture," says Bill Keller, a former New York Times executive editor and currently editor in chief of the Marshall Project, a nonprofit site on criminal justice. "Your local TV news station, your local paper and in particular the kind of crime-obsessed tabloids write a lot about crime. I guess I do tend to think that we make America out to be a scarier place than the statistics say it is because crime coverage is relatively easy."

How correct is Keller? Let's just take the case of that undocumented immigrant, Gabriel Quinones, who was charged last August for having sex with an underage girl. The story wasn't just covered on ABC15, as noted above. It rated a story on Fox10; it rated a story on CBS5; it rated a mention in the East Valley Tribune.

Ed Munson, vice president and general manager for KHPO/KTVK in Phoenix, tells the Erik Wemple Blog that his people spent a great deal of time chronicling the activities of former Maricopa County sheriff Joe Arpaio. "As far as crime is concerned, certainly our colorful sheriff was involved in immigration raids and dealing with crime that was perpetrated by immigrants or illegal immigrants or whatever, so we covered that and continue to cover that extensively," says Munson. One of the goals of the Arpaio raids, notes Munson, was to round up undocumented immigrants who'd committed crimes -- a coverage area in which his newsroom did "countless" stories.

Asked how he makes calls about such stories, Munson replied, "Our principle is its relatability to the audience. If it means something to audience, then we're going to cover it. If it's not going to affect their lives or uplift them … then we're not going to cover it. Obviously there are visceral reactions to crimes committed by undocumented immigrants. If that is a story -- particularly if it results in injury or dying, perhaps it would be moved up the ladder." And if Munson's people don't cover crimes by undocumented immigrants, what's the reaction from Arizona immigration hard-liners? "I hear from them," he says.

That's just the point. Local TV news is a cutthroat affair, with one station competing against the next for essentially the same set of stories about the weather, the consumer scam, the NFL squad -- and crime, crime, crime. Even if news staffers were inclined to "cover up" the misdeeds of undocumented immigrants, they can't -- if the competition scores ratings with those stories, they lose. In the February sweeps, notes Munson, "there are three of us fighting for the winner in 25-54 [demographic]. We are within one-hundredths of a point of each other and it's just neck and neck … it's a horse race for news viewership."

Good news for Trump, in other words. He loves manipulating facts about media coverage to goose fears among the American public, like the time he alleged that terrorism acts go unreported. That local TV news organizations are jockeying to see who can get the mug shots of criminal undocumented immigrants on their screens the fastest helps his agenda, especially when he can go on national television and suggest that this stuff is getting underplayed. Meanwhile, the fact remains the immigrants are less likely to commit crimes than native-born folks, not that Trump hasn't been reminded of that many, many times.

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fact-checker

**Fact-checking President Trump's address to Congress ; Most presidents try to be sure their speeches to Congress adhere closely to the facts. Not Donald Trump.**

By Glenn Kessler;Michelle Ye Hee Lee

2,804 words

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An address to Congress is such an important speech that presidents generally are careful not to stretch the truth. The "16 words" in George W. Bush's 2003 State of the Union address that falsely claimed Iraq's Saddam Hussein sought uranium from Africa led to significant turmoil in the administration, including the criminal conviction of a top aide.

President Trump's maiden address to Congress was notable because it was filled with numerous inaccuracies. In fact, many of the president's false claims are old favorites that he trots out on a regular, almost daily basis. Here's a roundup of 13 of the more notable claims, in the order in which the president made them.

"We have begun to drain the swamp of government corruption by imposing a five-year ban on lobbying by executive branch officials — and a lifetime ban on becoming lobbyists for a foreign government."

Trump did sign an order that he said would result in a lifetime ban on administration officials lobbying for foreign governments. But his five-year ban on lobbying is less than advertised. Trump originally promised to extend the ban to congressional officials, but he did not. Moreover, the five-year ban applies only to lobbying one's former agency — not becoming a lobbyist. Trump actually weakened some of the language from similar bans under Presidents Barack Obama and George W. Bush, and reduced the level of transparency.

"We've defended the borders of other nations, while leaving our own borders wide open, for anyone to cross — and for drugs to pour in at a now unprecedented rate."

The data are mixed on the amount of drugs coming through the borders. The amount of marijuana seized at the border continues to decline — probably a reflection of drug use in the United States, as more states legalize marijuana for medical or recreational use. In fiscal 2016, 1.3 million pounds of marijuana were seized, down from 1.5 million the year before, and lower than the peak of nearly 4 million pounds in 2009, according to Customs and Border Protection data. The amount of cocaine seized at the borders overall in fiscal 2016 (5,473 pounds) was roughly half the amount seized the previous year (11,220 pounds).

But the amount of heroin and methamphetamine seized has increased in recent years. In fiscal year 2016, CBP seized 9,062 ounces of heroin (compared to 8,282 in fiscal 2015) and 8,224 pounds of methamphetamine (compared to 6,443 pounds in fiscal 2015).

Meanwhile, illegal immigration flows across the Southern border in fiscal 2015 were at the lowest levels since 1972, except for in 2011. The apprehensions in fiscal 2016 (408,870) exceeded fiscal 2015 (331,333), but still indicate an overall decline since their peak in 2000 (1.6 million).

"Since my election, Ford, Fiat Chrysler, General Motors, Sprint, SoftBank, Lockheed, Intel, Walmart and many others have announced that they will invest billions of dollars in the United States and will create tens of thousands of new American jobs."

Trump again takes credit for business decisions made before his election.

Ford's decision to abandon its plans to open a factory in Mexico and instead expand its Michigan plant has more to do with the company's long-term goal — particularly its plans to invest in electric vehicles — than with the administration. Ford chief executive Mark Fields said about the company's decision to abandon plans to open a factory in Mexico: "The reason that we are not building the new plant, the primary reason, is just demand has gone down for small cars."

Sergio Marchionne, the Fiat Chrysler chief executive, said his company's plan to invest $1 billion for a factory in Michigan had been in the works for more than a year and had nothing to do with Trump. Marchionne credited instead talks with the United Auto Workers.

Japanese company SoftBank announced its $100 billion technology investment fund three weeks before the U.S. elections, when Trump faced a narrow path to victory. After a December 2016 meeting with President-elect Trump, SoftBank announced that $50 billion would go to the United States. But the United States outpaces all other countries in venture capital investments, and it is questionable that none of the $100 billion would have gone to the vibrant and promising tech industry in America — regardless of whether Trump was elected.

"We've saved taxpayers hundreds of millions of dollars by bringing down the price of the fantastic new F-35 jet fighter, and will be saving billions more dollars on contracts all across our government."

Trump once again takes credit for the lowered cost of the F-35 program. The Pentagon had announced cost reductions of roughly $600 million before Trump began meeting with Lockheed Martin's chief executive. Sometimes Trump says he saved $600 million, other times $700 million.

We previously awarded Four Pinocchios to this claim.

"We have cleared the way for the construction of the Keystone and Dakota Access Pipelines — thereby creating tens of thousands of jobs — and I've issued a new directive that new American pipelines be made with American steel."

Trump appears to be combining two disputed figures — 28,000 jobs for Keystone XL and 12,000 for the Dakota Access pipeline. We have looked closely at the Keystone numbers, and the same methodological issues appear to apply to the Dakota estimates. The actual number of Keystone construction jobs, for instance, is 3,900 on an annualized basis — and other jobs have already been created (such as for building high-strength line pipe). In the context of the U.S. economy, which just in January added 230,000 jobs, these are not many jobs.

As for the steel, workers in Arkansas have already built about half of the high-strength line pipe needed for the project, some 333,000 tons. TransCanada said in 2013 that it had already purchased all of the steel pipe it needed for the Keystone XL, with the rest coming from a Russian-owned plant in Canada, Italy and India. Experts say the plant in Arkansas (owned by an Indian company) is the only one in the United States that could build the pipe — and it gets its steel from India.

"As we speak, we are removing gang members, drug dealers and criminals that threaten our communities and prey on our citizens. Bad ones are going out as I speak and as I have promised throughout the campaign."

Trump is referring to the recent arrests of undocumented immigrants convicted of crimes, or the "bad ones." Trump takes credit for fulfilling his campaign promise of cracking down on illegal immigration, but these arrests are routine. Immigration and Customs Enforcement has always targeted dangerous criminals in enforcement priorities. The recent arrests, however, did include people who would not have fallen under narrowed enforcement priorities under Obama.

Still, 25 percent of the arrests that grabbed headlines in early February were of people who had lesser charges and noncriminal convictions. According to anecdotes of recent arrests, undocumented people with traffic violations were subject to arrest. They are not the "bad ones," such as drug dealers or gang members, that he describes.

"By finally enforcing our immigration laws we will raise wages, help the unemployed, save billions and billions of dollars and make our communities safer for everyone."

Trump exaggerates the impact of illegal immigration on crime, taxpayer money and jobs.

Extensive research shows noncitizens are not more prone to criminality than U.S.-born citizens. The vast majority of unauthorized immigrants are not criminal aliens or aggravated felons.

Trump appears to reference the cost of illegal immigration from the Federation for American Immigration Reform, which supports lower levels of legal and illegal immigration. According to the group, the annual cost of illegal immigration at the federal, state and local levels amounted to about $113 billion as of 2013.

But this calculation makes assumptions that are not necessarily tied to illegal immigration, like enrollment in English proficiency classes. The enrollment number doesn't tell you anything about the actual citizenship status of students (i.e., they could be native-born children of undocumented immigrants, raised in a non-English-speaking home).

In general, economists have found that immigration overall results in a net positive to the U.S. economy. There are slight negative effects, which are felt most strongly by less-educated and low-skilled workers. Illegal immigration, in particular, tends to affect less-educated and low-skilled American workers the most — groups disproportionately consisting of black men and recently arrived less-educated legal immigrants.

The U.S. Commission on Civil Rights 2010 report found that illegal immigration has tended to depress wages and employment particularly for black men. But factors other than illegal immigration contribute to black unemployment, the report found, including the high school dropout rate and low job-retention rates.

"Millions lifted from welfare to work is not too much to expect."

"Welfare" is a broad term and can apply to people who are working but receiving some government assistance. If someone is receiving means-tested assistance, it doesn't necessarily mean they are not working.

Not all people eligible to collect welfare benefits. When they do, many of the benefits are contingent on the recipients working or actively searching for jobs, as a result of an overhaul of welfare signed into law by President Bill Clinton in 1996. And even low-income families receive some level of public assistance.

Trump is apparently unaware that participation has declined in means-tested programs such as Temporary Assistance for Needy Families (TANF) and the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps).

  "Ninety-four million Americans are out of the labor force."

This is an absurd Four-Pinocchio claim, based on a real number. The Bureau of Labor Statistics, relying on a monthly survey known as the Current Population Survey (CPS), shows that, as of January 2016, 94.4 million Americans 16 years and older were "not in labor force."

How is this number developed? Well, there is a civilian noninstitutional population of 254.1 million people, and 159.7 million are in the labor force. The difference yields the 94.4 million figure.

But the unemployment rate is only 4.8 percent because just 7.6 million people actively are looking for a job and cannot find one. They are considered part of the overall labor force. In other words, you have to be seeking a job to be counted in the labor force.

Who are the 94 million not in the labor force? The BLS has data for the year 2015. It turns out that 93 percent do not want a job at all. The picture that emerges from a study of the data shows that the 95 million consists mostly of people who are retired, students, stay-at-home parents or disabled.

Trump is doing a real disservice in citing this 94 million figure and suggesting it means these people are looking for work.

[Note: Trump plays a similar trick when he asserted in the speech that "more than 1 in 5 people in their prime working years are not working." He's again counting people who do not want to work, such as stay-at-home parents, the disabled and students. According to the BLS, only 1 in 25 people in that 25-54 age group looked for work and could not find it.]

"America has spent approximately $6 trillion in the Middle East, all this while our infrastructure at home is crumbling. With this $6 trillion we could have rebuilt our country — twice."

Trump often incorrectly claims that the United States has spent $6 trillion on the wars in the Middle East, and here he uses the figure in a particularly misleading way. The wars in Iraq (in the Middle East) and Afghanistan (in South Asia) together cost about $1.6 trillion from 2001 to 2014.

The $6 trillion figure adds in estimates of future spending, such as interest on the debt and veterans care for the next three decades. Yet Trump says that this money (not yet spent) could have rebuilt the U.S. economy.

President Barack Obama often pleaded with the GOP-led Congress to pass a major infrastructure bill but never received much support. We will see if Trump has any more success.

"The murder rate in 2015 experienced its largest single-year increase in nearly half a century. In Chicago, more than 4,000 people were shot last year alone — and the murder rate so far this year has been even higher. This is not acceptable in our society."

In 2015, there was the biggest percentage jump in a single year since 1970-1971, or 45 years ago. In 2016, there was an uptick in the homicide rate in the 30 largest cities. One outlier — Chicago — was responsible for 43.7 percent of the total increase in homicide rates in 2016. But overall, violent crime is on a decades-long decline, since the height of the crack cocaine epidemic in the early 1990s.

Crime trends can randomly fluctuate year to year. Many factors affect such rates, including the weather. This is why criminologists do not make generalizations about crime trends based on short-term comparisons of rates, such as annual or monthly changes. They consider the data over much longer periods of time — at least 10 to 15 years — to make conclusions about trends.

For example, in 2006 and 2007, the national violent crime trend increased for the first time in nine years. Democrats bemoaned the return of the crime wave, creating a political headache for George W. Bush's administration.

"After years of driving crime rates down, we're now in reverse gear," said then-Sen. Joseph R. Biden Jr. (D-Del.). "It's time to get back to crime-fighting basics — that means more cops on the streets, equipped with the tools and resources they need to keep our neighborhoods safe."

Then-Attorney General Alberto R. Gonzales denied that the crime trend was reversing: "In general, it doesn't appear that the current data reveal nationwide trends. Rather, they show local increases in certain communities. Each community is facing different circumstances, and in many places violent crime continues to decrease."

"Jamiel's 17-year-old son was viciously murdered by an illegal immigrant gang member, who had just been released from prison. Jamiel Shaw Jr. was an incredible young man, with unlimited potential who was getting ready to go to college where he would have excelled as a great quarterback. But he never got the chance. His father, who is in the audience tonight, has become a good friend of mine."

Trump likes to use anecdotes as evidence for associating violent crimes with illegal immigration, telling stories of victims of homicide by undocumented immigrants. He brought family members of those killed by illegal immigrants as his guests for Tuesday night's speech. He often talks about the death of Jamiel Shaw Jr., a 17-year-old football star who was killed in 2008 by a gang member who was in the country illegally.

Clearly, stories like this exist. But the vast majority of unauthorized immigrants do not fit Trump's description of aggravated felons, whose crimes include murder. U.S. Sentencing Commission data show homicides are a small percentage of the crimes committed by noncitizens, whether they are in the United States illegally or not.

The Congressional Research Service found that the vast majority of unauthorized immigrants do not fit in the category of aggravated felons, whose crimes include murder, drug trafficking or illegal trafficking of firearms.

"I can tell you the money is pouring in. Very nice."

Trump ad-libbed this line after mentioning that he was pressing NATO allies in "very frank and strong discussions," to meet their financial obligations to the alliance. But the comment is a bit nonsensical.

NATO's guideline, established in 2006, says that defense expenditures should amount to 2 percent of each country's gross domestic product. In 2016, only four countries besides the United States met that standard, but NATO documents also show that defense spending has increased about 3 percent from 2015 to 2016. In any case, the money would not be going to the United States or even necessarily to NATO; this is money that countries would spend to bolster their own military forces.

(About our rating scale)

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the-fix

**President Trump's surprisingly presidential speech to the nation, annotated ; The full transcript, with our analysis.**

By Aaron Blake

4,944 words

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President Trump delivered his first big speech to Congress on Tuesday night — an address that in any other year would carry the title "State of the Union." And it was a toned-down affair, while still staying true to Trump's nationalist philosophy. Unlike past speeches, Trump wasted little time bragging about his victories or making over-the-top claims, instead opting for a broad and staid recap of where we are, and where he'd like to take us.

Below, we're posting the full prepared speech and analyzing with our annotations. To see an annotation, click on the yellow, highlighted text.

Mr. Speaker, Mr. Vice President, Members of Congress, the First Lady of the United States, and Citizens of America:

Tonight, as we mark the conclusion of our celebration of Black History Month, we are reminded of our nation's path toward civil rights and the work that still remains. Recent threats targeting Jewish Community Centers and vandalism of Jewish cemeteries, as well as last week's shooting in Kansas City, remind us that while we may be a nation divided on policies, we are a country that stands united in condemning hate and evil in all its forms.

Each American generation passes the torch of truth, liberty and justice — in an unbroken chain all the way down to the present.

That torch is now in our hands.  And we will use it to light up the world.  I am here tonight to deliver a message of unity and strength, and it is a message deeply delivered from my heart.

A new chapter of American greatness is now beginning.

A new national pride is sweeping across our nation.

And a new surge of optimism is placing impossible dreams firmly within our grasp.

What we are witnessing today is the renewal of the American spirit.

Our allies will find that America is once again ready to lead.

All the nations of the world — friend or foe — will find that America is strong, America is proud, and America is free.

In nine years, the United States will celebrate the 250th anniversary of our founding — 250 years since the day we declared our independence.

It will be one of the great milestones in the history of the world.

But what will America look like as we reach our 250th year? What kind of country will we leave for our children?

I will not allow the mistakes of recent decades past to define the course of our future.

For too long, we've watched our middle class shrink as we've exported our jobs and wealth to foreign countries.

We've financed and built one global project after another, but ignored the fates of our children in the inner cities of Chicago, Baltimore, Detroit — and so many other places throughout our land.

We've defended the borders of other nations, while leaving our own borders wide open, for anyone to cross — and for drugs to pour in at a now unprecedented rate.

And we've spent trillions of dollars overseas, while our infrastructure at home has so badly crumbled.

Then, in 2016, the earth shifted beneath our feet.  The rebellion started as a quiet protest, spoken by families of all colors and creeds — families who just wanted a fair shot for their children, and a fair hearing for their concerns.

But then the quiet voices became a loud chorus — as thousands of citizens now spoke out together, from cities small and large, all across our country.

Finally, the chorus became an earthquake — and the people turned out by the tens of millions, and they were all united by one very simple, but crucial demand, that America must put its own citizens first ... because only then, can we truly Make America Great Again.

Dying industries will come roaring back to life.  Heroic veterans will get the care they so desperately need.

Our military will be given the resources its brave warriors so richly deserve.

Crumbling infrastructure will be replaced with new roads, bridges, tunnels, airports and railways gleaming across our beautiful land.

Our terrible drug epidemic will slow down and ultimately, stop.

And our neglected inner cities will see a rebirth of hope, safety and opportunity.

Above all else, we will keep our promises to the American people.

It's been a little over a month since my inauguration, and I want to take this moment to update the nation on the progress I've made in keeping those promises.

Since my election, Ford , Fiat-Chrysler , General Motors , Sprint, SoftBank, Lockheed , Intel , Walmart , and many others, have announced that they will invest billions of dollars in the United States and will create tens of thousands of new American jobs.

The stock market has gained almost 3 trillion dollars in value since the election on November 8th, a record.  We've saved taxpayers hundreds of millions of dollars by bringing down the price of the fantastic new F-35 jet fighter, and will be saving billions more dollars on contracts all across our government.  We have placed a hiring freeze on non-military and non-essential federal workers.

We have begun to drain the swamp of government corruption by imposing a five-year ban on lobbying by executive branch officials — and a lifetime ban on becoming lobbyists for a foreign government.

We have undertaken a historic effort to massively reduce job-crushing regulations, creating a deregulation task force inside of every government agency; imposing a new rule which mandates that for every one new regulation, two old regulations must be eliminated; and stopping a regulation that threatens the future and livelihoods of our great coal miners.

We have cleared the way for the construction of the Keystone and Dakota Access pipelines — thereby creating tens of thousands of jobs — and I've issued a new directive that new American pipelines be made with American steel.

We have withdrawn the United States from the job-killing Trans-Pacific Partnership.

With the help of Prime Minister Justin Trudeau , we have formed a council with our neighbors in Canada to help ensure that women entrepreneurs have access to the networks, markets and capital they need to start a business and live out their financial dreams.

To protect our citizens, I have directed the Department of Justice to form a Task Force on Reducing Violent Crime.

I have further ordered the Departments of Homeland Security and Justice, along with the Department of State and the director of national intelligence, to coordinate an aggressive strategy to dismantle the criminal cartels that have spread across our nation.

We will stop the drugs from pouring into our country and poisoning our youth — and we will expand treatment for those who have become so badly addicted.

At the same time, my administration has answered the pleas of the American people for immigration enforcement and border security.  By finally enforcing our immigration laws, we will raise wages, help the unemployed, save billions of dollars, and make our communities safer for everyone. We want all Americans to succeed — but that can't happen in an environment of lawless chaos.  We must restore integrity and the rule of law to our borders.

For that reason, we will soon begin the construction of a great wall along our southern border. It will be started ahead of schedule and, when finished, it will be a very effective weapon against drugs and crime.

As we speak, we are removing gang members, drug dealers and criminals that threaten our communities and prey on our citizens.  Bad ones are going out as I speak tonight and as I have promised.

To any in Congress who do not believe we should enforce our laws, I would ask you this question: What would you say to the American family that loses their jobs, their income, or a loved one, because America refused to uphold its laws and defend its borders?

Our obligation is to serve, protect, and defend the citizens of the United States.  We are also taking strong measures to protect our nation from radical Islamic terrorism.

According to data provided by the Department of Justice, the vast majority of individuals convicted for terrorism-related offenses since 9/11 came here from outside of our country.  We have seen the attacks at home — from Boston to San Bernardino to the Pentagon and yes, even the World Trade Center.

We have seen the attacks in France, in Belgium, in Germany and all over the world.

It is not compassionate, but reckless, to allow uncontrolled entry from places where proper vetting cannot occur.  Those given the high honor of admission to the United States should support this country and love its people and its values.

We cannot allow a beachhead of terrorism to form inside America — we cannot allow our nation to become a sanctuary for extremists.

That is why my administration has been working on improved vetting procedures, and we will shortly take new steps to keep our nation safe — and to keep out those who would do us harm.

As promised, I directed the Department of Defense to develop a plan to demolish and destroy ISIS — a network of lawless savages that have slaughtered Muslims and Christians, and men, women and children of all faiths and beliefs. We will work with our allies, including our friends and allies in the Muslim world, to extinguish this vile enemy from our planet.

I have also imposed new sanctions on entities and individuals who support Iran's ballistic missile program, and reaffirmed our unbreakable alliance with the state of Israel.

Finally, I have kept my promise to appoint a justice to the United States Supreme Court — from my list of 20 judges — who will defend our Constitution.  I am honored to have Maureen Scalia with us in the gallery tonight.  Her late, great husband, Antonin Scalia, will forever be a symbol of American justice.  To fill his seat, we have chosen Judge Neil Gorsuch, a man of incredible skill, and deep devotion to the law.  He was confirmed unanimously to the Court of Appeals, and I am asking the Senate to swiftly approve his nomination.

Tonight, as I outline the next steps we must take as a country, we must honestly acknowledge the circumstances we inherited.

Ninety-four million Americans are out of the labor force.

Over 43 million people are now living in poverty, and over 43 million Americans are on food stamps.

More than 1 in 5 people in their prime working years are not working.

We have the worst financial recovery in 65 years.

In the last eight years, the past administration has put on more new debt than nearly all other presidents combined.

We've lost more than one-fourth of our manufacturing jobs since NAFTA was approved, and we've lost 60,000 factories since China joined the World Trade Organization in 2001.

Our trade deficit in goods with the world last year was nearly $800 billion.

And overseas, we have inherited a series of tragic foreign policy disasters.

Solving these, and so many other pressing problems, will require us to work past the differences of party.  It will require us to tap into the American spirit that has overcome every challenge throughout our long and storied history.

But to accomplish our goals at home and abroad, we must restart the engine of the American economy — making it easier for companies to do business in the United States, and much harder for companies to leave.

Right now, American companies are taxed at one of the highest rates anywhere in the world.

My economic team is developing historic tax reform that will reduce the tax rate on our companies so they can compete and thrive anywhere and with anyone.  At the same time, we will provide massive tax relief for the middle class.

We must create a level playing field for American companies and workers.

Currently, when we ship products out of America, many other countries make us pay very high tariffs and taxes — but when foreign companies ship their products into America, we charge them almost nothing.

I just met with officials and workers from a great American company, Harley-Davidson .  In fact, they proudly displayed five of their magnificent motorcycles, made in the USA, on the front lawn of the White House.

At our meeting, I asked them, how are you doing, how is business?  They said that it's good.  I asked them further how they are doing with other countries, mainly international sales.  They told me — without even complaining because they have been mistreated for so long that they have become used to it — that it is very hard to do business with other countries because they tax our goods at such a high rate.  They said that in one case another country taxed their motorcycles at 100 percent.

They weren't even asking for change.  But I am.

I believe strongly in free trade but it also has to be fair trade.

The first Republican president, Abraham Lincoln, warned that the "abandonment of the protective policy by the American Government [will] produce want and ruin among our people."

Lincoln was right — and it is time we heeded his words. I am not going to let America and its great companies and workers be taken advantage of anymore.

I am going to bring back millions of jobs.  Protecting our workers also means reforming our system of legal immigration.  The current, outdated system depresses wages for our poorest workers, and puts great pressure on taxpayers.

Nations around the world, like Canada, Australia and many others — have a merit-based immigration system.  It is a basic principle that those seeking to enter a country ought to be able to support themselves financially.  Yet, in America, we do not enforce this rule, straining the very public resources that our poorest citizens rely upon.  According to the National Academy of Sciences , our current immigration system costs America's taxpayers many billions of dollars a year.

Switching away from this current system of lower-skilled immigration, and instead adopting a merit-based system, will have many benefits: It will save countless dollars, raise workers' wages, and help struggling families — including immigrant families — enter the middle class.

I believe that real and positive immigration reform is possible, as long as we focus on the following goals: to improve jobs and wages for Americans, to strengthen our nation's security, and to restore respect for our laws.

If we are guided by the well-being of American citizens then I believe Republicans and Democrats can work together to achieve an outcome that has eluded our country for decades.

Another Republican president, Dwight D. Eisenhower, initiated the last truly great national infrastructure program — the building of the interstate highway system.  The time has come for a new program of national rebuilding.

America has spent approximately $6 trillion in the Middle East, all this while our infrastructure at home is crumbling.  With this $6 trillion we could have rebuilt our country — twice.  And maybe even three times if we had people who had the ability to negotiate.

To launch our national rebuilding, I will be asking the Congress to approve legislation that produces a $1 trillion investment in the infrastructure of the United States — financed through both public and private capital — creating millions of new jobs.

This effort will be guided by two core principles:  Buy American, and hire American.

Tonight, I am also calling on this Congress to repeal and replace Obamacare with reforms that expand choice, increase access, lower costs, and at the same time, provide better health care.

Mandating every American to buy government-approved health insurance was never the right solution for America.  The way to make health insurance available to everyone is to lower the cost of health insurance, and that is what we will do.

Obamacare premiums nationwide have increased by double and triple digits.  As an example, Arizona went up 116 percent last year alone.  Governor Matt Bevin of Kentucky just said Obamacare is failing in his state — it is unsustainable and collapsing.

One-third of counties have only one insurer on the exchanges — leaving many Americans with no choice at all.

Remember when you were told that you could keep your doctor, and keep your plan?

We now know that all of those promises have been broken.

Obamacare is collapsing — and we must act decisively to protect all Americans.  Action is not a choice — it is a necessity.

So I am calling on all Democrats and Republicans in the Congress to work with us to save Americans from this imploding Obamacare disaster.

Here are the principles that should guide the Congress as we move to create a better health-care system for all Americans:

First, we should ensure that Americans with preexisting conditions have access to coverage, and that we have a stable transition for Americans currently enrolled in the health-care exchanges.

Secondly, we should help Americans purchase their own coverage, through the use of tax credits and expanded health savings accounts — but it must be the plan they want, not the plan forced on them by the government.

Thirdly, we should give our great state governors the resources and flexibility they need with Medicaid to make sure no one is left out.

Fourthly, we should implement legal reforms that protect patients and doctors from unnecessary costs that drive up the price of insurance — and work to bring down the artificially high price of drugs and bring them down immediately.

Finally, the time has come to give Americans the freedom to purchase health insurance across state lines — creating a truly competitive national marketplace that will bring cost way down and provide far better care.

Everything that is broken in our country can be fixed.  Every problem can be solved.  And every hurting family can find healing, and hope.

Our citizens deserve this, and so much more — so why not join forces to finally get it done?  On this and so many other things, Democrats and Republicans should get together and unite for the good of our country, and for the good of the American people.

My administration wants to work with members in both parties to make child care accessible and affordable, to help ensure new parents have paid family leave, to invest in women's health, and to promote clean air and clear water, and to rebuild our military and our infrastructure.

True love for our people requires us to find common ground, to advance the common good, and to cooperate on behalf of every American child who deserves a brighter future.

An incredible young woman is with us this evening who should serve as an inspiration to us all.

Today is Rare Disease day, and joining us in the gallery is a Rare Disease Survivor, Megan Crowley.  Megan was diagnosed with Pompe Disease, a rare and serious illness, when she was 15 months old.  She was not expected to live past 5.

On receiving this news, Megan's dad, John, fought with everything he had to save the life of his precious child.  He founded a company to look for a cure, and helped develop the drug that saved Megan's life.  Today she is 20 years old -- and a sophomore at Notre Dame.

Megan's story is about the unbounded power of a father's love for a daughter.

But our slow and burdensome approval process at the Food and Drug Administration keeps too many advances, like the one that saved Megan's life, from reaching those in need.

If we slash the restraints, not just at the FDA but across our Government, then we will be blessed with far more miracles like Megan.

In fact, our children will grow up in a Nation of miracles.

But to achieve this future, we must enrich the mind —- and the souls —- of every American child.

Education is the civil rights issue of our time.

I am calling upon Members of both parties to pass an education bill that funds school choice for disadvantaged youth, including millions of African-American and Latino children.  These families should be free to choose the public, private, charter, magnet, religious or home school that is right for them.

Joining us tonight in the gallery is a remarkable woman, Denisha Merriweather.  As a young girl, Denisha struggled in school and failed third grade twice.  But then she was able to enroll in a private center for learning, with the help of a tax credit scholarship program.  Today, she is the first in her family to graduate, not just from high school, but from college.  Later this year she will get her masters degree in social work.

We want all children to be able to break the cycle of poverty just like Denisha.

But to break the cycle of poverty, we must also break the cycle of violence.

The murder rate in 2015 experienced its largest single-year increase in nearly half a century.

In Chicago, more than 4,000 people were shot last year alone —- and the murder rate so far this year has been even higher.

This is not acceptable in our society.

Every American child should be able to grow up in a safe community, to attend a great school, and to have access to a high-paying job.

But to create this future, we must work with —- not against -— the men and women of law enforcement.

We must build bridges of cooperation and trust —- not drive the wedge of disunity and division.

Police and sheriffs are members of our community.  They are friends and neighbors, they are mothers and fathers, sons and daughters — and they leave behind loved ones every day who worry whether or not they'll come home safe and sound.

We must support the incredible men and women of law enforcement.

And we must support the victims of crime.

I have ordered the Department of Homeland Security to create an office to serve American Victims.  The office is called VOICE —- Victims Of Immigration Crime Engagement.  We are providing a voice to those who have been ignored by our media, and silenced by special interests.

Joining us in the audience tonight are four very brave Americans whose government failed them.

Their names are Jamiel Shaw, Susan Oliver, Jenna Oliver, and Jessica Davis.

Jamiel's 17-year-old son was viciously murdered by an illegal immigrant gang member, who had just been released from prison.  Jamiel Shaw Jr. was an incredible young man, with unlimited potential who was getting ready to go to college where he would have excelled as a great quarterback.  But he never got the chance.  His father, who is in the audience tonight, has become a good friend of mine.

Also with us are Susan Oliver and Jessica Davis.  Their husbands —- Deputy Sheriff Danny Oliver and Detective Michael Davis —- were slain in the line of duty in California.  They were pillars of their community.  These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations.

Sitting with Susan is her daughter, Jenna.  Jenna:  I want you to know that your father was a hero, and that tonight you have the love of an entire country supporting you and praying for you.

To Jamiel, Jenna, Susan and Jessica:  I want you to know —- we will never stop fighting for justice.  Your loved ones will never be forgotten, we will always honor their memory.

Finally, to keep America Safe we must provide the men and women of the United States military with the tools they need to prevent war and —- if they must —- to fight and to win.

I am sending the Congress a budget that rebuilds the military, eliminates the Defense sequester, and calls for one of the largest increases in national defense spending in American history.

My budget will also increase funding for our veterans.

Our veterans have delivered for this Nation —- and now we must deliver for them.

The challenges we face as a Nation are great.  But our people are even greater.

And none are greater or braver than those who fight for America in uniform.

We are blessed to be joined tonight by Carryn Owens, the widow of a U.S. Navy Special Operator, Senior Chief William "Ryan" Owens.  Ryan died as he lived:  a warrior, and a hero —- battling against terrorism and securing our Nation.

I just spoke to General Mattis, who reconfirmed that, and I quote, "Ryan was a part of a highly successful raid that generated large amounts of vital intelligence that will lead to many more victories in the future against our enemies."  Ryan's legacy is etched into eternity.  For as the Bible teaches us, there is no greater act of love than to lay down one's life for one's friends.  Ryan laid down his life for his friends, for his country, and for our freedom —- we will never forget him.

To those allies who wonder what kind of friend America will be, look no further than the heroes who wear our uniform.

Our foreign policy calls for a direct, robust and meaningful engagement with the world.  It is American leadership based on vital security interests that we share with our allies across the globe.

We strongly support NATO , an alliance forged through the bonds of two World Wars that dethroned fascism, and a Cold War that defeated communism.

But our partners must meet their financial obligations.

And now, based on our very strong and frank discussions, they are beginning to do just that.

We expect our partners, whether in NATO , in the Middle East, or the Pacific —- to take a direct and meaningful role in both strategic and military operations, and pay their fair share of the cost.

We will respect historic institutions, but we will also respect the sovereign rights of nations.

Free nations are the best vehicle for expressing the will of the people —- and America respects the right of all nations to chart their own path.  My job is not to represent the world.  My job is to represent the United States of America. But we know that America is better off, when there is less conflict -- not more.

We must learn from the mistakes of the past —- we have seen the war and destruction that have raged across our world.

The only long-term solution for these humanitarian disasters is to create the conditions where displaced persons can safely return home and begin the long process of rebuilding.

America is willing to find new friends, and to forge new partnerships, where shared interests align.  We want harmony and stability, not war and conflict.

We want peace, wherever peace can be found.  America is friends today with former enemies.  Some of our closest allies, decades ago, fought on the opposite side of these World Wars.  This history should give us all faith in the possibilities for a better world.

Hopefully, the 250th year for America will see a world that is more peaceful, more just and more free.

On our 100th anniversary, in 1876, citizens from across our Nation came to Philadelphia to celebrate America's centennial.  At that celebration, the country's builders and artists and inventors showed off their creations.

Alexander Graham Bell displayed his telephone for the first time.

Remington unveiled the first typewriter.  An early attempt was made at electric light.

Thomas Edison showed an automatic telegraph and an electric pen.

Imagine the wonders our country could know in America's 250th year.

Think of the marvels we can achieve if we simply set free the dreams of our people.

Cures to illnesses that have always plagued us are not too much to hope.

American footprints on distant worlds are not too big a dream.

Millions lifted from welfare to work is not too much to expect.

And streets where mothers are safe from fear -- schools where children learn in peace -- and jobs where Americans prosper and grow -- are not too much to ask.

When we have all of this, we will have made America greater than ever before. For all Americans.

This is our vision. This is our mission.

But we can only get there together.

We are one people, with one destiny.

We all bleed the same blood.

We all salute the same flag.

And we are all made by the same God.

And when we fulfill this vision; when we celebrate our 250 years of glorious freedom, we will look back on tonight as when this new chapter of American Greatness began.

The time for small thinking is over.  The time for trivial fights is behind us.

We just need the courage to share the dreams that fill our hearts.

The bravery to express the hopes that stir our souls.

And the confidence to turn those hopes and dreams to action.

From now on, America will be empowered by our aspirations, not burdened by our fears —-

inspired by the future, not bound by the failures of the past —-

and guided by our vision, not blinded by our doubts.

I am asking all citizens to embrace this Renewal of the American Spirit.  I am asking all members of Congress to join me in dreaming big, and bold and daring things for our country.  And I am asking everyone watching tonight to seize this moment and --

Believe in yourselves.

Believe in your future.

And believe, once more, in America.

Thank you, God bless you, and God Bless these United States.

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National-Politics

**Here's everything Donald Trump said about immigration in his speech to Congress**

By Philip Bump

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Last year, with the presidential campaign underway and Donald Trump's rhetoric on immigration playing a critical role in the Republican primaries, President Barack Obama addressed the subject.

"Immigrants aren't the principal reason wages haven't gone up; those decisions are made in the boardrooms that all too often put quarterly earnings over long-term returns," Obama said. "America is every immigrant and entrepreneur from Boston to Austin to Silicon Valley, racing to shape a better future," he added later. "That's who we are."

A year later, the American president's rhetoric on immigration is far different. Below we've compiled every mention of immigration, immigrants or the border in President Trump's joint speech to Congress on Tuesday and added context where appropriate.

Tonight, as we mark the conclusion of our celebration of Black History Month, we are reminded of our nation's path toward civil rights and the work that still remains. Recent threats targeting Jewish community centers and vandalism of Jewish cemeteries, as well as last week's shooting in Kansas City, remind us that while we may be a nation divided on policies, we are a country that stands united in condemning hate and evil in all its forms.The shooting in Olathe, Kan., targeted two engineers born in India who'd immigrated to the area. The shooter reportedly told them to "get out of my country" before firing. The mention of the incident in Trump's speech was the first from the president and came after the Kansas City Star excoriated him for his silence.

… We've defended the borders of other nations, while leaving our own borders wide open, for anyone to cross — and for drugs to pour in at a now unprecedented rate.The border isn't quite the free-for-all that Trump depicts, given the miles of wall and the U.S. Border Patrol. Net immigration from Mexico was actually negative from 2009 to 2014, in part because of the weak U.S. economy.

As for drugs pouring in, this can be hard to measure. A Congressional Research Service report released last summer noted an increase in heroin smuggling across the southern border, measured by seizures of the drug in that area. As our fact-checkers note, marijuana seizures are down.

… We will stop the drugs from pouring into our country and poisoning our youth — and we will expand treatment for those who have become so badly addicted. At the same time, my Administration has answered the pleas of the American people for immigration enforcement and border security. By finally enforcing our immigration laws, we will raise wages, help the unemployed, save billions of dollars, and make our communities safer for everyone. We want all Americans to succeed — but that can't happen in an environment of lawless chaos. We must restore integrity and the rule of law to our borders.

American society is not well described by the phrase "lawless chaos." Trump, you may have noticed, tends to be hyperbolic.

As for the effects of immigration, a study published last year by the National Academies of Sciences, Engineering and Medicine found "little to no negative effects on overall wages and employment of native-born workers in the longer term." More on the other effects below.

For that reason, we will soon begin the construction of a great wall along our southern border. It will be started ahead of schedule and, when finished, it will be a very effective weapon against drugs and crime.It's not clear what "ahead of schedule" means. But because Trump at one point pledged to start working on the wall on "day one," it would seem that he's already behind schedule.

As we speak, we are removing gang members, drug dealers and criminals that threaten our communities and prey on our citizens. Bad ones are going out as I speak tonight and as I have promised.It's true that the majority of those deported in the early days of Trump's immigration sweep were people with criminal convictions. According to Immigration and Customs Enforcement, 75 percent had prior criminal convictions — although it's not clear what the nature of those crimes was or the net effect on their communities. On Monday, the New York Times profiled a man in the country illegally who was facing deportation after a criminal conviction — and whose town was rallying to his defense.

Note that a quarter of those detained had no criminal convictions.

To any in Congress who do not believe we should enforce our laws, I would ask you this question: What would you say to the American family that loses their jobs, their income, or a loved one, because America refused to uphold its laws and defend its borders? Our obligation is to serve, protect and defend the citizens of the United States. We are also taking strong measures to protect our nation from radical Islamic terrorism.

According to data provided by the Department of Justice, the vast majority of individuals convicted for terrorism-related offenses since 9/11 came here from outside of our country. We have seen the attacks at home — from Boston to San Bernardino to the Pentagon and yes, even the World Trade Center.- Michelle Ye Hee Lee (@myhlee) March 1, 2017 … It is not compassionate, but reckless, to allow uncontrolled entry from places where proper vetting cannot occur. Those given the high honor of admission to the United States should support this country and love its people and its values.

… That is why my administration has been working on improved vetting procedures, and we will shortly take new steps to keep our nation safe — and to keep out those who would do us harm.The "proper vetting" argument generally links back to comments made by FBI Director James B. Comey, who in 2015 noted that it was harder to vet refugees from Syria than those from Iraq because the U.S. military doesn't have the same resources and information in the former country as it does in the latter.

Comey also said in that testimony that the screening process had "improved dramatically" in recent years. Immigrants who enter legally are screened by the government before they're allowed entry, and refugees go through an extensive process that checks their backgrounds.

… I am going to bring back millions of jobs. Protecting our workers also means reforming our system of legal immigration. The current, outdated system depresses wages for our poorest workers, and puts great pressure on taxpayers. Nations around the world, like Canada, Australia and many others — have a merit-based immigration system. It is a basic principle that those seeking to enter a country ought to be able to support themselves financially. Yet, in America, we do not enforce this rule, straining the very public resources that our poorest citizens rely upon. According to the National Academy of Sciences, our current immigration system costs America's taxpayers many billions of dollars a year.

Switching away from this current system of lower-skilled immigration, and instead adopting a merit-based system, will have many benefits: It will save countless dollars, raise workers' wages and help struggling families — including immigrant families — enter the middle class. I believe that real and positive immigration reform is possible, as long as we focus on the following goals: to improve jobs and wages for Americans, to strengthen our nation's security, and to restore respect for our laws.

That National Academy of Sciences study indicates that new immigrants generally flow to places with greater employment opportunity and wages, reducing negative effects. "While pre-existing workers most similar to immigrants may experience lower wages or a lower employment rate," it reads, "pre-existing workers who are complementary to immigrants are likely to benefit, as are native-born owners of capital." The preexisting workers most similar to new immigrants? Other new immigrants. "To the extent that negative wage effects are found," the report reads, "prior immigrants — who are often the closest substitutes for new immigrants — are most likely to experience them, followed by native-born high school dropouts."

The study also found that first-generation immigrants do cost the system more than they put in, largely because of the cost of educating immigrant children. (The cost, which falls mostly on state and local governments, was estimated at $57 billion annually.) By the second generation, immigrants are a net benefit to governments, to the tune of $30 billion a year. By the third generation? A net positive of $223 billion.

Higher-skilled immigrants do have a strongly positive effect. "The prospects for long-run economic growth in the United States would be considerably dimmed without the contributions of high-skilled immigrants," the study reads.

… I have ordered the Department of Homeland Security to create an office to serve American Victims. The office is called VOICE — Victims Of Immigration Crime Engagement. We are providing a voice to those who have been ignored by our media, and silenced by special interests.This proposal, introduced in a memo from Homeland Security Secretary John Kelly, has received a lot of negative feedback. (When Trump mentioned it, Democrats groaned.) One issue is that there are negative historical echoes to isolating criminal behavior by one group of people. As the Atlantic notes, the Ministry of Justice in 1930s Germany collected and publicized reports of Jewish criminal activity.

When Trump first mentioned criminal activity by immigrants in the country illegally at his campaign kickoff, we assessed his claims about rampant crime among undocumented immigrants. First-generation immigrants are less likely to commit crimes than are native-born Americans, and there's no correlation between immigrant populations and violent crime.

But Trump continued on the subject.

… Jamiel's 17-year-old son was viciously murdered by an illegal immigrant gang member, who had just been released from prison. Jamiel Shaw Jr. was an incredible young man, with unlimited potential who was getting ready to go to college where he would have excelled as a great quarterback. But he never got the chance. His father, who is in the audience tonight, has become a good friend of mine. Also with us are Susan Oliver and Jessica Davis. Their husbands — Deputy Sheriff Danny Oliver and Detective Michael Davis — were slain in the line of duty in California. They were pillars of their community. These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations.

All of these deaths are tragic and were preventable. But this highlights the problem of the VOICE office: Picking out isolated incidents of violent crime by one group can make members of that group seem particularly dangerous, even when the data don't support that claim.

For example, there are 512,000 Google results for men named Dave who were convicted of murder. A VOICE office could consistently pick out examples of Daves who are behaving improperly and committing crimes; locking up everyone named Dave would prevent any Daves from killing people.

But Daves, as the saying goes, aren't the problem.

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National-Politics

**Trump team signals broad speech to Congress that leaves key GOP disputes unresolved**

By Philip Rucker;Robert Costa

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President Trump sought to repackage his hard-line campaign promises with a moderate sheen Tuesday night, declaring what he termed "a new chapter of American greatness" of economic renewal and military might in his first joint address to Congress.

Seeking to steady his presidency after a tumultuous first 40 days, Trump had an air of seriousness and revealed flashes of compassion as he broadly outlined a sweeping agenda to rebuild a country he described as ravaged by crime and drugs, deteriorating infrastructure and failing bureaucracies.

Trump's 60-minute speech touched on his plans to overhaul the nation's health-care system and tax code, but it was short on specifics and heavy on lofty prose. Struggling to steer a bitterly divided nation with his job-approval ratings at historic lows, Trump effectively pleaded with the American people to give him a chance and to imagine what could be achieved during his presidency.

"We are one people, with one destiny," Trump said quietly near the end. "The time for small thinking is over. The time for trivial fights is behind us. We just need the courage to share the dreams that fill our hearts."

Trump extended olive branches to his opponents. He called on Congress to pass paid family leave, a reference to a long-held Democratic Party priority that brought liberal lawmakers to their feet to applaud. And he pledged to work with Muslim allies to extinguish Islamic State terrorists, going so far as to acknowledge the killings of Muslims as well as Christians in the Middle East.

Still, Trump did not back away from his most controversial policies. He used typically bellicose language to describe the fight against the Islamic State, calling it "a network of lawless savages that have slaughtered Muslims and Christians, and men, women and children of all faiths and all beliefs." He made a point to utter the phrase "radical Islamic terrorism," which Republicans cheered heartily.

The president forcefully defended his travel ban of refugees and citizens from seven Muslim-majority countries — an executive order that was halted in federal court — as necessary to prevent the entry of foreigners who do not share America's values.

"We cannot allow a beachhead of terrorism to form inside America," Trump said. "We cannot allow our nation to become a sanctuary for extremists."

The president trumpeted his plans to budget a major increase in military spending. One of Trump's fiercest Republican critics, Sen. John McCain (Ariz.), stood enthusiastically when the president said he would end the "defense sequester" caps on Pentagon spending.

On foreign affairs, Trump said he would honor historic alliances — and explicitly stated his support for the North Atlantic Treaty Organization, on which he had wavered during his campaign — but said he would seek new ones as well, even with former adversaries. The latter seemed an indirect reference to potentially working to combat terrorism with Russia, which U.S. intelligence agencies have concluded meddled in the November election in hopes of helping Trump.

"America is willing to find new friends, and to forge new partnerships, where share interests align," Trump said. "We want harmony and stability, not war and conflict."

Trump declared the time had come to rewrite trade deals and alliances in terms that benefit the United States, irrespective of global pressures.

"My job is not to represent the world," Trump said. "My job is to represent the United States of America."

Trump was adamant that the United States cannot continue to abide by what Republicans and Democrats see as free trade. "It also has to be fair trade," Trump said. He cited Abraham Lincoln, who, he said, "warned that the 'abandonment of the protective policy by the American government [will] produce want and ruin among our people.' " He said he would not let workers "be taken advantage of anymore."

As is tradition when the president addresses a joint session of Congress — typically known as a "State of the Union," although the speech is not called that during a president's first year — Trump invited guests to sit with first lady Melania Trump in the balcony.

The night's emotional high point came when Trump singled out one of the night's guests, Carryn Owens, the widow of Navy SEAL William "Ryan" Owens, who died in a Jan. 29 raid in Yemen.

Although Ryan's father has spoken out against the raid that killed his son, Trump said Tuesday night that Ryan died "a warrior and a hero," with Carryn looking on with tears in her eyes. The audience stood with sustained applause. Trump peered up at Carryn and said, "Ryan is looking down right now. You know that. And he's very happy."

Trump, as he typically does, basked in his electoral feat and cast his ascent to the presidency in epic terms. "In 2016, the earth shifted beneath our feet," he said, saying that a "rebellion" that started as "a quiet protest" morphed into "a loud chorus" and finally "an earthquake."

He said he was sent to Washington to deliver on the promises he made on the campaign trail — arguably chief among them, to build a wall along the U.S. border with Mexico. Trump argued that everyday Americans cannot succeed "in an environment of lawless chaos" at the borders.

"To any in Congress who do not believe we should enforce our laws, I would ask you this one question: What would you say to the American family that loses their jobs, their income or their loved one, because America refused to uphold its laws and defend its borders?"

As he spoke, Trump turned toward Jamiel Shaw, a black man whose son was killed by an illegal immigrant. Shaw, who frequently traveled with Trump during last year's campaign, sat stone-faced and then grew visibly emotional as Trump spoke to him and Shaw stood to applause.

On the seemingly in­trac­table issue of immigration, Trump signaled he would be open to a reform bill — though he did not state what terms he would find acceptable in such a compromise.

"I believe that real and positive immigration reform is possible, as long as we focus on the following goals: to improve jobs and wages for Americans, to strengthen our nation's security, and to restore respect for our laws," Trump said. "If we are guided by the well-being of American citizens, then I believe Republicans and Democrats can work together to achieve an outcome that has eluded our country for decades."

Trump said he supports a "merit-based immigration system," such as those in Canada and Australia, that allow people to enter the country who can support themselves financially and contribute to society.

Trump challenged both parties in Congress to move quickly to repeal and replace the Affordable Care Act, the signature health-care law of former president Barack Obama.

"Obamacare is collapsing, and we must act decisively to protect all Americans," Trump said. "Action is not a choice; it is a necessity."

House Republicans immediately rallied behind Trump's remarks, interpreting his words as an endorsement of several key parts of their own plan. In an email to reporters, an aide to House Speaker Paul D. Ryan (R-Wis.) wrote that Trump "embraced" the House plan and demonstrated that "the White House and Congress are coalescing around a particular approach" that includes individual health-savings plans and tax credits.

"The way to make health insurance available to everyone is to lower the cost of health insurance, and that is what we are going to do," Trump said, calling for Democrats to work with him. He said he would "ensure that Americans with preexisting conditions have access to coverage and that we have a stable transition for Americans currently enrolled in the health care exchanges."

Turning to the states, he said he would give governors "the resources and flexibility they need with Medicaid to make sure no one is left out," a supportive mention of a program whose budget some Republicans would like to see pared back.

Trump also called for a $1 trillion infrastructure plan that he said would be the biggest program of national rebuilding since former president Dwight Eisenhower built the interstate highway system in the 1950s. Trump said his projects would be financed through a combination of public and private capital, but he offered no further details.

Trump was more somber than usual, toning down his bravado, but there were moments where he reveled in his celebrity. He glad-handed Supreme Court justices as he made his way to the rostrum and shared small talk with a reverential congressman, Rep. Louie Gohmert (R-Tex.). As he left at the end of his speech, he paused to autograph books in the aisle.

An uncharacteristically disciplined Trump stuck mostly to the script running on his teleprompters, but he veered off his prepared text at times to make playful asides. During a discussion about taxes, Trump recalled his visit with Harley-Davidson executives and ad-libbed, "They wanted me to ride one and I said, 'No, thank you.' "

Trump opened his address by noting the wave of anti-Semitic vandalism and threats targeting Jewish cemeteries, community centers and schools. "We are a country that stands united in condemning hate and evil in all of its very ugly forms," Trump said.

Trump plans to take his message to the American people on a traditional road show, like those his predecessors undertook to sell their agendas following major addresses to Congress.

On Thursday, Trump plans to give a speech aboard the USS Gerald Ford, a newly christened aircraft carrier in Newport News, Va., and lead a roundtable discussion with military officials and shipbuilders. And on Friday, he will visit St. Andrew's Catholic School in Orlando to conduct what aides described as a listening session on school choice.

At a moment when more Americans oppose him than support him, Trump sought to sell the country on his vision for transformational change. He wanted people to imagine America on its 250th anniversary in 2026 following what he hopes will be a two-term presidency.

He said dying industries like coal would come roaring back to life, new roads and bridges would be built, and the drug epidemic would not just slow down, but stop.

"Everything that is broken in our country can be fixed," Trump said. "Every problem can be solved. And every hurting family can find healing, and hope."

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Abby Phillip and Sean Sullivan contributed to this report.

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the-fix

**The White House's strangely strong denial that its 'deportation force' idea is back ; The AP reported on a proposed effort to dispatch 100,000 National Guard troops. And the memo is real — despite White House denials.**

By Aaron Blake

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This post is updated with DHS confirmation that the draft memo is legitimate — but that never made its way up the ladder.

During the 2016 campaign, Donald Trump toyed with the idea of deploying a "deportation force" to round up and deport undocumented immigrants. Then he waffled on that proposal for a few months.

On Friday morning, it looked for a moment like it was back again.

The Associated Press reported that the Trump administration has considered dispatching 100,000 National Guard troops to, in AP's words, "round up unauthorized immigrants."

BREAKING: Trump administration considers mobilizing as many as 100,000 National Guard troops to round up unauthorized immigrants.

According to AP, which says it obtained a draft memo:

The 11-page document calls for the unprecedented militarization of immigration enforcement as far north as Portland, Oregon, and as far east as New Orleans, Louisiana.

The memo is here.

The White House quickly denied it, with press secretary Sean Spicer saying it's "100 percent not true. It is false. It is irresponsible to be saying this." Spicer added that there is "no effort" to do this, but the AP report didn't say the effort actually exists — only that it has been considered. And Spicer said he couldn't be certain that it wasn't discussed somewhere within the administration.

This is not true. DHS also confirms it is 100% false <https://t.co/MFIJci7XaU>

Not true. <https://t.co/T8rA87kJaU>

We now know the draft did exist — in some form. The Department of Homeland Security denies it was written by Secretary John Kelly, as it appears in the memo and as AP reported. (It stands to reason that it was prepared as if Kelly had written it, when in fact he hadn't.) But DHS also tells The Post that the draft memo is real, despite being a "very early, pre-decisional draft that never made it to the secretary."

In other words, the White House seems to quibble with the idea that this is a proposal actively under consideration, but the memo is legit. Spicer's contention that this was "100 percent not true" doesn't really hold up.

At the same time, the White House doth protest a little too much here. Spicer seemed genuinely peeved that this was being reported, but it's not actually that outlandish an idea next to Trump's rhetoric on this issue. In fact, it sure sounds like what Trump talked about early in his campaign and as recently as November.

As a candidate, Trump at one point said he would deport every illegal immigrant and favorably cited President Dwight D. Eisenhower's controversial "Operation Wetback" as a road map for how to do so — despite the operation being criticized as inhumane.

Trump would later seem to back off that proposal and even appeared to entertain the idea of comprehensive immigration reform, including a path to legal status for some undocumented immigrants. As with many of Trump's proposals, though, this seemed to change by the day or week, with Trump not offering any firm commitment one way or another. And even as this was happening, his team wasn't totally disowning the idea of a deportation force. Asked about it twice, Kellyanne Conway said "to be determined."

Shortly after being elected, though, he moved back toward large-scale deportations, telling "60 Minutes" in an interview that he would focus deportation efforts on criminals but also that he would deport between 2 million and 3 million undocumented immigrants — a number that suggests it would go beyond just those criminals. After all, there were only about 11 million total illegal immigrants in the United States as of 2014, according to Pew. But Trump has wagered that there may actually be more and has accused a large percentage of them of being dangerous criminals, despite evidence to the contrary.

So the operating assumption has been that Trump would move to deport millions of illegal immigrants. The question was how he would make it happen, given the scale of operations required to deport one out of every four undocumented immigrants in this country. And in that context, a deportation force of 100,000 National Guard troops seems to fit with what Trump was advocating.

Perhaps the most notable thing to come out of all of this is that the White House seems to be — at least for the moment — disowning the idea of a deportation force in a way their boss simply hasn't. We'll see if that continues to be the company line.

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powerpost

**Trump's 100 Days: Flynn told FBI that he didn't talk Russia sanctions with ambassador ; Flynn denied to the FBI that he had spoken about U.S. sanctions in a conversation with Russia's ambassador before Trump took office.**

By Elise Viebeck

799 words

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Here's where things stand heading into day 29 of the Trump administration:

The plot continues to thicken when it comes to ex-White House official Michael Flynn.

Flynn started the week as President Trump's national security adviser. He ends it not only removed from his job, but in possible legal jeopardy after he told FBI agents that he didn't discuss U.S. sanctions against Russia with that country's ambassador.

Here's a reminder of what happened.

Flynn was ousted on Monday after The Washington Post reported that he inappropriately discussed U.S. sanctions with Russia's ambassador prior to Trump's inauguration, then misled Vice President Pence and others about what was said, a situation the FBI thought might leave him open to Russian blackmail.

The FBI alerted the White House about Flynn's conversations at the end of last month after an interview with him. On Thursday night, we learned that Flynn contradicted the contents of intercepted communications collected by intelligence agencies, denying — like he did to Pence — that he had discussed sanctions with Russia's ambassador.

TRUMP CALLS RUSSIA CONTROVERSY A 'SCAM'

The unfolding drama has focused attention on an uncomfortable topic for the White House: its possible connections to Russia and that country's president, Vladimir Putin.

Trump, at a lengthy and hostile news conference, called the growing controversy a "ruse" and a "scam" unfairly perpetrated by the media. He also said he wasn't aware of any contact between his campaign and Russia prior to the election, after persistent questions from reporters.

As our colleagues wrote, the event quickly became a venue for Trump to air his grievances against the media, the intelligence community and his critics generally. The president "alternated between claims that he had 'inherited a mess' and the assertion that his fledgling administration 'is running like a fine-tuned machine' … taking aim at everything from 'illegal immigrant violence' to the 'criminal leaks' within his intelligence community" for a full hour and 17 minutes.

In that time, Trump produced his fair share of strange and fact-challenged moments, which you can read about further here and here.

ACOSTA PICKED AS NEW LABOR NOMINEE

Trump's ostensible purpose for the news conference was to announce his new nominee for secretary of labor, former U.S. attorney Alexander Acosta, who fills the spot left open after fast-food executive Andrew Puzder withdrew his name amid controversy on Wednesday.

Acosta, who would be the first Hispanic member of Trump's Cabinet if confirmed, is the dean of the law school at Florida International University and served as assistant attorney general for the Justice Department's civil rights division under President George W. Bush.

The pick was "cautiously applauded" by unions and labor groups that had opposed Puzder, our colleague wrote, though they still promised to thoroughly vet him.

"Working people changed the game on this nomination," Richard Trumka, president of the AFL-CIO, said in a statement. "In one day, we've gone from a fast-food CEO who routinely violates labor law to a public servant with experience enforcing it."

TRUMP'S CHOICE TO REPLACE FLYNN TURNED HIM DOWN

With Puzder now replaced, Trump can focus on filling Flynn's job. It hasn't been easy so far.

Trump offered the position to retired Vice Adm. Robert Harward, a member of the Navy SEALs and former deputy commander of the U.S. Central Command, but Harward turned it down over concerns about staff, money and family, The Post reported.

His decision now "leaves the White House scrambling to find a leader for the National Security Council, which is struggling to get its bearings" after the Flynn debacle, our colleagues wrote.

COMING UP — A NEW IMMIGRATION ORDER

The process with Trump's travel ban is about to start all over again.

The White House will issue a new executive order on immigration by next week, Trump said Thursday, to replace the controversial and legally questionable measure barring entry to refugees and citizens of seven predominantly Muslim countries. In the meantime, lawyers for the Trump administration asked a federal appeals court to hold off on taking legal action against the original order. Late Thursday, the court agreed to wait until the new order was issued.

In doing this, the administration is essentially "pumping the brakes on the furious court battle to restore the travel ban," our colleague wrote. Depending on the substance of the new order, however, the legal wrangling may still be far from over.

Follow the author @eliseviebeck.

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the-fix

**Donald Trump's combative, grievance-filled news conference, annotated**

By Aaron Blake

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A solemn President Trump turned his Thursday afternoon announcement of a new labor secretary nominee into a screed against the media and large-scale defense of his first four weeks as president.

It was remarkable. Trump hit all the usual points: the polls, the electoral college, the media, etc. He even said that he inherited a "mess" four separate times. There were grievances galore.

Below is the transcript, which we'll update as it comes in, along with our analysis and annotations.

TRUMP: Thank you very much.

I just wanted to begin by mentioning that the nominee for secretary of the Department of Labor will be Mr. Alex Acosta. He has a law degree from Harvard Law School, was a great student; former clerk for Justice Samuel Alito. And he has had a tremendous career. He's a member and has been a member of the National Labor Relations Board, and has been through Senate confirmation three times, confirmed; did very, very well.

And so Alex, I've wished him the best. We just spoke. And he's going to be — I think he'll be a tremendous secretary of Labor.

And also as you probably heard just a little while ago, Mick Mulvaney, former congressman, has just been approved, weeks late, I have to say that, weeks, weeks late, Office of Management and Budget. And he will be I think a fantastic addition.

Paul Singer just left. As you know, Paul was very much involved with the anti-Trump or as they say, "never Trump." And Paul just left, and he's given us his total support. And it's all about unification. We're unifying the party, and hopefully we're going to be able to unify the country. It's very important to me. I've been talking about that for a long time. It's very, very important to me.

So I want to thank Paul Singer for being here and for coming up to the office. He was a very strong opponent, and now he's a very strong ally. And I appreciate that.

I think I'll say a few words, and then we'll take some questions. And I had this time. We've been negotiating a lot of different transactions to save money on contracts that were terrible, including airplane contracts that were out of control and late and terrible; just absolutely catastrophic in terms of what was happening. And we've done some really good work. We're very proud of that.

And then right after that, you prepare yourselves, we'll do some questions, unless you have enough questions. That's always a possibility.

I'm here today to update the American people on the incredible progress that has been made in the last four weeks since my inauguration. We have made incredible progress. I don't think there's ever been a president elected who in this short period of time has done what we've done.

A new Rasmussen poll, in fact — because the people get it — much of the media doesn't get it. They actually get it, but they don't write it. Let's put it that way. But a new Rasmussen poll just came out just a very short while ago, and it has our approval rating at 55 percent and going up. The stock market has hit record numbers, as you know. And there has been a tremendous surge of optimism in the business world, which is — to me means something much different than it used to. It used to mean, "Oh, that's good." Now it means, "That's good for jobs." Very different.

Plants and factories are already starting to move back into the United States, and big league — Ford, General Motors, so many of them. I'm making this presentation directly to the American people, with the media present, which is an honor to have you. This morning, because many of our nation's reporters and folks will not tell you the truth, and will not treat the wonderful people of our country with the respect that they deserve. And I hope going forward we can be a little bit — a little bit different, and maybe get along a little bit better, if that's possible. Maybe it's not, and that's okay, too.

Unfortunately, much of the media in Washington, D.C., along with New York, Los Angeles, in particular, speaks not for the people, but for the special interests and for those profiting off a very, very obviously broken system. The press has become so dishonest that if we don't talk about it, we are doing a tremendous disservice to the American people. Tremendous disservice. We have to talk about it, to find out what's going on, because the press honestly is out of control. The level of dishonesty is out of control.

I ran for president to represent the citizens of our country. I am here to change the broken system so it serves their families and their communities well. I am talking — and really talking on this very entrenched power structure, and what we're doing is we're talking about the power structure; we're talking about its entrenchment. As a result, the media is going through what they have to go through too often times distort — not all the time — and some of the media is fantastic, I have to say — they're honest and fantastic.

But much of it is not a — the distortion — and we'll talk about it, you'll be able to ask me questions about it. But we're not going to let it happen, because I'm here again, to take my message straight to the people. As you know, our administration inherited many problems across the government and across the economy. To be honest, I inherited a mess. It's a mess. At home and abroad, a mess. Jobs are pouring out of the country; you see what's going on with all of the companies leaving our country, going to Mexico and other places, low pay, low wages, mass instability overseas, no matter where you look. The Middle East is a disaster. North Korea — we'll take care of it folks; we're going to take care of it all. I just want to let you know, I inherited a mess.

Beginning on day one, our administration went to work to tackle these challenges. On foreign affairs, we've already begun enormously productive talks with many foreign leaders, much of it you've covered, to move forward toward stability, security and peace in the most troubled regions of the world, which there are many. We have had great conversations with the United Kingdom, and meetings. Israel, Mexico, Japan, China and Canada, really, really productive conversations. I would say far more productive than you would understand.

We've even developed a new council with Canada to promote women's business leaders and entrepreneurs. It's very important to me, very important to my daughter Ivanka. I have directed our defense community headed by our great general, now Secretary [James] Mattis. He's over there now working very hard to submit a plan for the defeat of ISIS [another name for the Islamic State], a group that celebrates the murder and torture of innocent people in large sections of the world. It used to be a small group, now it's in large sections of the world.

They've spread like cancer. ISIS has spread like cancer — another mess I inherited. And we have imposed new sanctions on the nation of Iran, who has totally taken advantage of our previous administration, and they're the world's top sponsor of terrorism, and we're not going to stop until that problem is properly solved. And it's not properly solved now, it's one of the worst agreements I've ever seen drawn by anybody. I've ordered plans to begin for the massive rebuilding of the United States military. Had great support from the Senate, I've had great support from Congress, generally.

We've pursued this rebuilding in the hopes that we will never have to use this military, and I will tell you that is my — I would be so happy if we never had to use it. But our country will never have had a military like the military we're about to build and rebuild. We have the greatest people on Earth in our military, but they don't have the right equipment and their equipment is old. I used it; I talked about it at every stop. Depleted, it's depleted — it won't be depleted for long. And I think one of the reason I'm standing here instead of other people is that frankly, I talked about we have to have a strong military.

We have to have a strong law enforcement also. So we do not go abroad in search of war, we really are searching for peace, but it's peace through strength. At home, we have begun the monumental task of returning the government back to the people on a scale not seen in many, many years. In each of these actions, I'm keeping my promises to the American people. These are campaign promises.

Some people are so surprised that we're having strong borders. Well, that's what I've been talking about for a year and a half, strong borders. They're so surprised, oh, he having strong borders, well that's what I've been talking about to the press and to everybody else. One promise after another, after years of politicians lying to you to get elected. They lied to the American people in order to get elected. Some of the things I'm doing probably aren't popular but they're necessary for security and for other reasons.

And then coming to Washington and pursuing their own interests which is more important to many politicians. I'm here following through on what I pledged to do. That's all I'm doing. I put it out before the American people, got 306 electoral college votes. I wasn't supposed to get 222. They said there's no way to get 222, 230 is impossible.

270 which you need, that was laughable. We got 306 because people came out and voted like they've never [done] before, so that's the way it goes. I guess it was the biggest electoral college win since Ronald Reagan. In other words, the media's trying to attack our administration because they know we are following through on pledges that we made, and they're not happy about it for whatever reason.

And — but a lot of people are happy about it. In fact, I'll be in Melbourne, Florida, five o'clock on Saturday and I heard — just heard that the crowds are massive that want to be there. I turn on the TV, open the newspapers, and I see stories of chaos. Chaos. Yet, it is the exact opposite. This administration is running like a fine-tuned machine, despite the fact that I can't get my Cabinet approved.

And they're outstanding people like Sen. Dan Coats who's there, one of the most respected men of the Senate. He can't get approved [for director of National Intelligence]. How do you not approve him? He's been a colleague — highly respected. Brilliant guy, great guy, everybody knows it. We're waiting for approval. So we have a wonderful group of people that's working very hard, that's being very much misrepresented about, and we can't let that happen.

So, if the Democrats who have — all you have to do is look at where they are right now. The only thing they can do is delay because they screwed things up royally, believe me. Let me list to you some of the things that we've done in just a short period of time. I just got here. And I got here with no Cabinet. Again, each of these actions is a promise I made to the American people.

I'll go over just some of them, and we have a lot happening next week and in the weeks — in the weeks coming. We've withdrawn from the job-killing disaster known as Trans Pacific Partnership. We're going to make trade deals but we're going to have one-on-one deals, bilateral. We're going to have one-on-one deals.

We've directed the elimination of regulations that undermine manufacturing and call for expedited approval of the permits needed for America and American infrastructure and that means plant, equipment, roads, bridges, factories. People take 10, 15, 20 years to get disapproved for a factory. They go in for a permit, it's many, many years. And then at the end of the process — they spend tens of millions of dollars on nonsense and at the end of the process, they get rejected.

Now, they may be rejected with me, but it's going to be a quick rejection. Not going to take years. But mostly it's going to be an acceptance. We want plants built, and we want factories built, and we want the jobs. We don't want the jobs going to other countries. We've imposed a hiring freeze on nonessential federal workers. We've imposed a temporary moratorium on new federal regulations.

We've issued a game-changing new rule that says for each one new regulation, two old regulations must be eliminated. Makes sense. Nobody's ever seen regulations like we have. You go to other countries and you look at indexes they have, and you say "let me see your regulations," and they're fraction, just a tiny fraction of what we have. And I want regulations because I want safety, I want environmental — all environmental situations to be taken properly care of. It's very important to me. But you don't need four or five or six regulations to take care of the same thing.

We've stood up for the men and women of law enforcement, directing federal agencies to ensure they are protected from crimes of violence. We've directed the creation of a task force for reducing violent crime in America, including the horrendous situation — take a look at Chicago and others, taking place right now in our inner cities. Horrible.

We've ordered the Department of Homeland Security and Justice to coordinate on a plan to destroy criminal cartels coming into the United States with drugs. We're becoming a drug infested nation. Drugs are becoming cheaper than candy bars. We are not going to let it happen any longer.

We've undertaken the most substantial border security measures in a generation to keep our nation and our tax dollars safe. And are now in the process of beginning to build a promised wall on the southern border, met with general — now [Homeland Security] Secretary [John] Kelly yesterday, and we're starting that process. And the wall is going to be a great wall, and it's going to be a wall negotiated by me. The price is going to come down just like it has on everything else I've negotiated for the government. And we are going to have a wall that works, not gonna have a wall like they have now which is either nonexistent or a joke.

We've ordered a crackdown on sanctuary cities that refuse to comply with federal law and that harbor criminal aliens, and we have ordered an end to the policy of catch and release on the border. No more release. No matter who you are, release. We have begun a nationwide effort to remove criminal aliens, gang members, drug dealers and others who pose a threat to public safety. We are saving American lives every single day.

The court system has not made it easy for us. And are even creating a new office in Homeland Security dedicated to the forgotten American victims of illegal immigrant violence, of which there are many. We have taken decisive action to keep radical Islamic terrorists out of our country. No parts [that] are necessary and constitutional actions were blocked by judges, in my opinion, incorrect, and unsafe ruling. Our administration is working night and day to keep you safe, including reporters safe. And is vigorously defending this lawful order.

I will not back down from defending our country. I got elected on defense of our country. I keep my campaign promises, and our citizens will be very happy when they see the result. They already are, I can tell you that. Extreme vetting will be put in place, and it already is in place in many places.

In fact, we had to go quicker than we thought because of the bad decision we received from a circuit [court] that has been overturned at a record number. I have heard 80 percent, I find that hard to believe, that is just a number I heard, that they are overturned 80 percent of the time. I think that circuit is — that circuit is in chaos and that circuit is frankly in turmoil. But we are appealing that, and we are going further.

We're issuing a new executive action next week that will comprehensively protect our country. So we'll be going along the one path and hopefully winning that, at the same time we will be issuing a new and very comprehensive order to protect our people. That will be done sometime next week, toward the beginning or middle at the latest part.

We have also taken steps to begin construction of the Keystone Pipeline and Dakota Access Pipeline. Thousands and thousands of jobs, and put new American measures in place to require American steel for American pipelines. In other words, they build a pipeline in this country, and we use the powers of government to make that pipeline happen, we want them to use American steel. And they are willing to do that, but nobody ever asked before I came along. Even this order was drawn, and they didn't say that. And I'm reading the order, I'm saying, why aren't we using American steel? And they said, that's a good idea, we put it in.

To drain the swamp of corruption in Washington, D.C., I've started by imposing a five-year lobbying ban on White House officials and a lifetime ban on lobbying for a foreign government.

We've begun preparing to repeal and replace Obamacare. Obamacare is a disaster, folks. It it's disaster. I know you can say, oh, Obamacare. I mean, they fill up our alleys with people that you wonder how they get there, but they are not the Republican people that our representatives are representing.

So we've begun preparing to repeal and replace Obamacare and are deep in the midst of negotiations on a very historic tax reform to bring our jobs back, to bring our jobs back to this country. Big league. It's already happening. But big league.

I've also worked to install a Cabinet over the delays and obstruction of Senate Democrats. You've seen what they've done over the last long number of years. That will be one of the great Cabinets ever assembled in American history.

You look at [Secretary of State] Rex Tillerson. He's out there negotiating right now. General Mattis I mentioned before, General Kelly. We have great, great people. Mick is with us now. We have great people.

Among their responsibilities will be ending the bleeding of jobs from our country and negotiating fair trade deals for our citizens.

Now look, fair trade. Not free, fair. If a country is taking advantage of us, not going to let that happen anymore. Every country takes advantage of us almost. I may be able to find a couple that don't. But for the most part, that would be a very tough job for me to do.

Jobs have already started to surge. Since my election, Ford announced it will abandon its plans to build a new factory in Mexico, and will instead invest $700 million in Michigan, creating many, many jobs.

Fiat Chrysler announced it will invest $1 billion in Ohio and Michigan, creating 2,000 new American jobs. They were with me a week ago. You know you were here.

General Motors, likewise, committed to invest billions of dollars in its American manufacturing operation, keeping many jobs here that were going to leave. And if I didn't get elected, believe me, they would have left. And these jobs and these things that I'm announcing would never have come here.

Intel just announced that it will move ahead with a new plant in Arizona that [they] probably were never going to move ahead with. And that will result in at least 10,000 American jobs.

Walmart announced it will create 10,000 jobs in the United States just this year because of our various plans and initiatives. There will be many, many more, many more, these are a few that we're naming.

Other countries have been taking advantage of us for decades — decades, and decades, and decades, folks. And we're not going to let that happen anymore. Not going to let it happen.

And one more thing, I have kept my promise to the American people by nominating a justice of the United States Supreme Court, Judge Neil Gorsuch, who is from my list of 20, and who will be a true defender of our laws and our Constitution, highly respected, should get the votes from the Democrats. You may not see that. But he'll get there one way or the other. But he should get there the old-fashioned way, and he should get those votes.

This last month has represented an unprecedented degree of action on behalf of the great citizens of our country. Again, I say it. There has never been a presidency that's done so much in such a short period of time. And we have not even started the big work yet. That starts early next week.

Some very big things are going to be announced next week. So we are just getting started. We will be giving a speech, as I said, in Melbourne, Florida, at 5 p.m. I hope to see you there.

And with that, I just say, God bless America, and let's take some questions.

Mara, Mara, go ahead. You were cut off pretty violently at our last news conference.

QUESTION: (OFF-MIKE)

TRUMP: Mike Flynn is a fine person, and I asked for his resignation. He respectfully gave it. He is a man who there was a certain amount of information given to Vice President Pence, who is with us today. And I was not happy with the way that information was given.

He didn't have to do that, because what he did wasn't wrong — what he did in terms of the information he saw. What was wrong was the way that other people, including yourselves in this room, were given that information, because that was classified information that was given illegally. That's the real problem.

And, you know, you can talk all you want about Russia, which was all a, you know, fake news, fabricated deal, to try and make up for the loss of the Democrats and the press plays right into it. In fact, I saw a couple of the people that were supposedly involved with all of this — that they know nothing about it; they weren't in Russia; they never made a phone call to Russia; they never received a phone call.

It's all fake news. It's all fake news. The nice thing is, I see it starting to turn, where people are now looking at the illegal — I think it's very important — the illegal, giving out classified information. It was — and let me just tell you, it was given out like so much.

I'll give you an example. I called, as you know, Mexico. It was a very, very confidential, classified call. But I called Mexico. And in calling Mexico, I figured, oh, well that's — I spoke to the president of Mexico; I had a good call. All of a sudden, it's out there for the world to see. It's supposed to be secret. It's supposed to be either confidential or classified, in that case.

Same thing with Australia. All of a sudden, people are finding out exactly what took place. The same thing happened with respect to General Flynn. Everybody saw this. And I'm saying — the first thing I thought of when I heard about it is: How does the press get this information that's classified? How do they do it?

You know why? Because it's an illegal process, and the press should be ashamed of themselves. But more importantly, the people that gave out the information to the press should be ashamed of themselves, really ashamed.

Yes, go ahead.

QUESTION: (OFF-MIKE)

TRUMP: Because when I looked at the information, I said, "I don't think he did anything wrong; if anything, he did something right." He was coming into office. He looked at the information. He said, "Huh, that's fine." That's what they're supposed to do. They're supposed to — he didn't just call Russia. He called and spoke to both ways, I think there were 30-some-odd countries. He's doing the job.

You know, he was doing his job. The thing is, he didn't tell our vice president properly, and then he said he didn't remember. So either way, it wasn't very satisfactory to me. And I have somebody that I think will be outstanding for the position. And that also helps, I think, in the making of my decision.

But he didn't tell the vice president of the United States the facts. And then he didn't remember. And that just wasn't acceptable to me.

Yes?

QUESTION: (inaudible) clarification here. During your campaign, did anyone from your team (inaudible) Russian government or Russian intelligence? And if so, what was the nature of those conversations (inaudible)?

TRUMP: The failing New York Times wrote a big, long front-page story yesterday. And it was very much discredited, as you know. It was — it's a joke. And the people mentioned in the story, I notice they were on television today saying they never even spoke to Russia. They weren't even a part, really — I mean, they were such a minor part. They — I hadn't spoken to them.

I think the one person — I don't think I've ever spoken to him. I don't think I've ever met him. And he actually said he was a very low-level member of, I think, a committee for a short period of time. I don't think I ever met him. Now, it's possible that I walked into a room, and he was sitting there, but I don't think I ever met him. I didn't talk to him ever. And he thought it was a joke.

The other person said he never spoke to Russia; never received a call. Look at his phone records, et cetera, et cetera. And the other person, people knew that he represented various countries, but I don't think he represented Russia, but knew that he represented various countries. That's what he does. I mean, people know that.

That's Mr. [Paul] Manafort, who's — by the way, who's by the way a respected man. He's a respected man. But I think he represented the Ukraine or Ukraine government or somebody, but everybody — people knew that. Everybody knew that.

So, these people — and he said that he has absolutely nothing to do and never has with Russia. And he said that very forcefully. I saw his statement. He said it very forcefully. Most of the papers don't print it because that's not good for their stories.

So the three people that they talked about all totally deny it. And I can tell you, speaking for myself, I own nothing in Russia. I have no loans in Russia. I don't have any deals in Russia. President [Vladimir] Putin called me up very nicely to congratulate me on the win of the election.

He then, called me up extremely nicely to congratulate me on the inauguration, which was terrific. But so did many other leaders, almost all other leaders from almost all of the countries. So that's the extent.

Russia is fake news. Russia — this is fake news put out by the media. The real news is the fact that people, probably from the Obama administration because they're there, because we have our new people going in place, right now.

As you know, Mike Pompeo has — has now taken control of the CIA, James Comey at FBI, Dan Coats is waiting to be approved, I mean he is a senator and a highly respected one, and he's still waiting to be approved. But our new people are going in.

And just while you're at it, because you mentioned this, Wall Street Journal did a story today that was almost as disgraceful as the failing New York Times' story, yesterday. And it talked about — these are front page.

So director of national intelligence just put out, acting a statement, any suggestion that the United States intelligence community, this was just given to us, is withholding information and not providing the best possible intelligence to the president and his national security team is not true.

So they took this front page story out of the Wall Street Journal top, and they just wrote the story that is not true. And I'll tell you something, I'll be honest, because I sort of enjoy this back and forth that I guess I have all my life but I've never seen more dishonest media than frankly, the political media. I thought the financial media was much better, much more honest.

But I will say that, I never get phone calls from the media. How did they write a story like that in the Wall Street Journal without asking me or how did they write a story in the New York Times, put it on front page?

That was like the story they wrote about the women and me, front page, big massive story. And it was nasty and then they called, they said we never said that, we like Mr. Trump. They called up my office, we like Mr. Trump, we never said that.

And it was totally — they totally misrepresented those very wonderful women, I have to tell you, totally misrepresented. I said give us the retraction. They never gave us a retraction and frankly, I then went on to other things.

Okay, go ahead.

QUESTION: (OFF-MIKE) said today that you have big intellectual margins (inaudible) 300 or more, or 350 electoral votes. President Obama about 365 (OFF-MIKE).

(CROSSTALK)

TRUMP: Yeah.

QUESTION: Obama (OFF-MIKE) 426 on (OFF-MIKE). So why should Americans …

(CROSSTALK)

TRUMP: … I'm skipping that information, I don't know, I was just given, we had a very, very big margin.

QUESTION: (OFF-MIKE) why should Americans trust you (OFF-MIKE) the information (OFF-MIKE)?

TRUMP: Well, I don't know, I was given that information. I was given — I actually, I've seen that information around. But it was a very substantial victory, do you agree with that? Okay, thank you, that's …

(CROSSTALK)

TRUMP: Go ahead, sir, yes?

QUESTION: Can you tell us in determining that Lieutenant General Flynn did — whether there was no wrongdoing in your mind, what evidence was weighed? Did you ask for transcripts of these telephone intercepts with Russian officials, particularly the [Russian] Ambassador Sergey Kislyak, who he was communicating with?

What — what evidence did you weigh to determine that there was no wrongdoing? Further to that, sir, you said on a couple of occasions this morning, you are going to aggressively pursue the source of these leaks.

TRUMP: We are.

QUESTION: Can we ask what you're going to do and also, we've heard about a — a review of the intelligence community headed up by Steven Feinberg, what can you tell us about that?

TRUMP: Well, first of all about that, we now have Dan Coats, hopefully soon, Mike Pompeo and James Comey, and they're in position, so I hope that we'll be able to straighten that out without using anybody else.

The gentleman you mentioned is a very talented man, very successful man, and he's offered his services, and you know, it's something we may take advantage of. But I don't think we will need that at all because of the fact that you know, I think that we are gonna be able to straighten it out very easily on its own.

As far as the general's concerned, when I first heard about it, I said huh, that doesn't sound wrong. My counsel came, Don McGahn, White House Counsel, and he told me, and I asked him, he can speak very well for himself. He said he doesn't think anything is wrong, you know, really didn't think.

It was really, what happened after that, but he didn't think anything was done wrong. I didn't either because I waited a period of time, and I started to think about it, I said "well I don't see" -- to me, he was doing the job.

The information was provided by — who I don't know, Sally Yates. And I was a little surprised because I said "doesn't sound like he did anything wrong there." But he did something wrong with respect to the vice president, and I thought that was not acceptable. As far as — as far as the actual making the call, fact I've watched various programs, and I've read various articles where he was just doing his job.

That was very normal. You know, first everybody got excited because they thought he did something wrong. After they thought about it, it turned out he was just doing his job. So — and I do. And by the way, with all of that being said, I do think he's a fine man.

QUESTION: Sir, if I could, on the leaks — on the leaks, sir …

TRUMP: … Go ahead. Finish off then I'll get you.

QUESTION: I'm sorry. What will you do on the leaks? You've said twice today …

TRUMP: … Yes, we're looking at them very — very, very serious. I've gone to all of the folks in charge of the various agencies, and we're — I've actually called the Justice Department to look into the leaks. Those are criminal leaks. They're put out by people either in agencies — I think you'll see it stopping because now we have our people in. You know, again, we don't have our people in because we can't get them approved by the Senate.

We just had Jeff Sessions approved. In Justice, as an example. So, we are looking into that very seriously. It's a criminal act. You know what I say, when I — when I was called out on Mexico, I was shocked because all this equipment, all this incredible phone equipment — when I was called out on Mexico, I was — honestly, I was really, really surprised.

But I said 'you know, it doesn't make sense. That won't happen,' but that wasn't that important a call, it was fine, I could show it to the world, and he could show it to the world, the president who's a very fine man, by the way. Same thing with Australia. I said "that's terrible that it was leaked," but it wasn't that important. But then I said to myself "what happens when I'm dealing with the problem of North Korea?"

What happens when I'm dealing with the problems in the Middle East? Are you folks going to be reporting all of that very, very confidential information, very important, very — you know, I mean at the highest level? Are you going to be reporting about that, too? So, I don't want classified information getting out to the public, and in a way that was almost a test.

So I'm dealing with Mexico, I'm dealing with Argentina, we were dealing on this case with Mike Flynn. All this information gets put into The Washington Post and gets put into the New York Times, and I'm saying 'what's going to happen when I'm dealing on the Middle East? What's going to happen when I'm dealing with really, really important subjects like North Korea?'

We got to stop it. That's why it's a criminal penalty.

QUESTION: I just want to get you to clarify this very important point. Can you say definitively that nobody on your campaign had any contacts with the Russians during the campaign? And on the leaks, is it fake news or are these real leaks?

TRUMP: Well the leaks are real. You're the one that wrote about them and reported them, I mean the leaks are real. You know what they said, you saw it, and the leaks are absolutely real. The news is fake because so much of the news is fake. So one thing that I felt it was very important to do — and I hope we can correct it. Because there's nobody I have more respect for — well, maybe a little bit but the reporters, good reporters.

It's very important to me and especially in this position. It's very important. I don't mind bad stories. I can handle a bad story better than anybody as long as it's true and, you know, over a course of time, I'll make mistakes, and you'll write badly and I'm okay with that. But I'm not okay when it is fake. I mean, I watch CNN, it's so much anger and hatred and just the hatred.

I don't watch it any more because it's very good — he's saying no. It's okay, Jim. It's okay, Jim, you'll have your chance. But I watch others, too. You're not the only one so don't feel badly. But I think it should be straight. I think it should be — I think it would be frankly more interesting. I know how good everybody's ratings are right now but I think that actually — I think that'd actually be better.

People — I mean, you have a lower approval rate than Congress. I think that's right. I don't know, Peter, is that one, right? Because you know I think they have lower — I heard lower than Congress. But honestly, the public would appreciate it, I'd appreciate it — again, I don't mind bad stories when it's true, but we have an administration where the Democrats are making it very difficult.

I think we're setting a record or close to a record in the time of approval of a Cabinet. I mean, the numbers are crazy. When I'm looking, some of them had them approved immediately.

I'm going forever, and I still have a lot of people that we're waiting for. And that's all they're doing, is delaying. And you look at [Senate Minority Leader Chuck] Schumer and the mess that he's got over there, and they have nothing going. The only thing they can do is delay. And, you know, I think that they'd be better served by, you know, approving and making sure that they're happy, and everybody's good.

And sometimes — I mean, I know President [Barack] Obama lost three or four, and you lose them on the way, and that's okay. That's fine. But I think it would — I think they would be much better served, John, if they just went through the process quickly. This is pure delay tactics.

And they say it, and everybody understands it. Yeah, go ahead, Jimmy.

QUESTION: (OFF-MIKE)

TRUMP: Well, I had nothing to do with it. I have nothing to do with Russia. I told you, I have no deals there, I have no anything. Now, when WikiLeaks, which I had nothing to do with, comes out and happens to give, they're not giving classified information. They're giving stuff — what was said at an office about Hillary [Clinton] cheating on the debates.

Which, by the way, nobody mentions. Nobody mentions that Hillary received the questions to the debates. Can you imagine — seriously — can you imagine if I received the questions? It would be the electric chair. Okay, he should be put in the electric — you would even call for the reinstitution of the death penalty, okay. Maybe not you, John. Yes? We'll do you next, Jim, I do you next.

QUESTION: (OFF-MIKE) clarify —

TRUMP: Yes, yes, sure

QUESTION: Did you direct Mike Flynn to discuss sanctions with the Russian ambassador —

TRUMP: No, I didn't.

QUESTION: — prior to your — TRUMP: No, I didn't.

QUESTION: — inauguration.

TRUMP: No, I didn't.

QUESTION: And then fired him —

TRUMP: Excuse me.

QUESTION: (OFF-MIKE)

TRUMP: No, I fired him because of what he said to Mike Pence. Very simple. Mike was doing his job. He was calling countries and his counterparts. So, it certainly would have been okay with me if he did it. I would have directed him to do it if I thought he wasn't doing it.

I didn't direct him, but I would have directed him because that's his job. And it came out that way — and in all fairness, I watched Dr. Charles Krauthammer the other night say he was doing his job, and I agreed with him. And since then, I've watched many other people say that.

No, I didn't direct him, but I would have directed him if he didn't do it. Okay? Jim?

QUESTION: Thank you very much, and just for the record, we don't hate you. I don't hate you.

TRUMP: Okay.

QUESTION: So, pass that along —

TRUMP: Ask — ask Jeff Zucker how he got his job. Okay?

QUESTION: If I may follow up on some of the questions that have taken place so far here, sir —

TRUMP: Well, that's — well, you know, we do have other people. You do have other people, and your ratings aren't as good as some of the other people that are waiting.

QUESTION: It's pretty good right now, actually.

TRUMP: Okay, go ahead, John.

QUESTION: If I may ask, sir, you said earlier that WikiLeaks was revealing information about the Hillary Clinton campaign during the election cycle. You welcomed that. At one time —

TRUMP: I was okay with it.

QUESTION: -- you said — you said that you loved WikiLeaks. At another campaign news conference you called on the Russians to find the missing 30,000 emails. I'm wondering, sir, if you —

TRUMP: Well, she was actually missing 33 and then that got extended with a pile after that.

QUESTION: Then …, your … numbers … were off, too.

TRUMP: No — no, but I did say 30. But it was actually higher than that.

QUESTION: If — if I may ask you, sir, it — it sounds as though you do not have much credibility here when it comes to leaking if that is something that you encouraged during the campaign —

TRUMP: Okay, fair question. Ready?

QUESTION: Well, if I may ask you that —

TRUMP: No — no, but let me do one at a time.

QUESTION: If I may as a follow up?

TRUMP: Do you mind?

QUESTION: Yes, sir.

TRUMP: All right. So, in one case, you're talking about highly classified information. In the other case, you're talking about John Podesta saying bad things about the boss. I will say this, if John Podesta said that about me, and he was working for me, I would have fired him so fast, your head would have spun.

He said terrible things about her. But it wasn't classified information. But in one case, you're talking about classified — regardless, if you look at the RNC, we had a very strong — at my suggestion — and I give Reince [Preibus] great credit for this — at my suggestion, because I know something about this world, I said I want a very strong defensive mechanism.

I don't want to be hacked. And we did that. And you have seen that they tried to hack us, and they failed. The DNC did not do that. And if they did it, they could not have been hacked. But they were hacked, and terrible things came in. And, you know, the only thing that I do think is unfair is some of the things were so — they were — when I heard some of those things I picked up the papers the next morning and said, oh, this is going to be front page, it wasn't even in the papers.

Again, if I had that happen to me, it would be the biggest story in the history of publishing or the head of newspapers. I would have been headline in every newspaper. I mean, think of it. They gave her the questions to a debate, and she — and she should have reported herself.

Why did Hillary Clinton announce that, "I'm sorry, but I have been given the questions to a debate or a town hall, and I feel that it's inappropriate, and I want to turn in CNN for not doing a good job."

QUESTION: And if I may follow up on that, just something that Jonathan Karl was asking you about. You said that the leaks are real, but the news is fake. I guess I don't understand. It seems that there's a disconnect there. If the information coming from those leaks is real, then how can the stories be fake?

TRUMP: The reporting is fake. Look, look …

(CROSSTALK)

TRUMP: You know what it is? Here's the thing. The public isn't — you know, they read newspapers, they see television, they watch. They don't know if it's true or false because they're not involved. I'm involved. I've been involved with this stuff all my life. But I'm involved. So I know when you're telling the truth or when you're not. I just see many, many untruthful things.

And I'll tell you what else I see. I see tone. You know the word "tone." The tone is such hatred. I'm really not a bad person, by the way. No, but the tone is such — I do get good ratings, you have to admit that — the tone is such hatred.

I watched this morning a couple of the networks. And I have to say, Fox & Friends in the morning, they're very honorable people. They're very — not because they're good, because they hit me also when I do something wrong. But they have the most honest morning show. That's all I can say. It's the most honest.

But the tone, Jim. If you look — the hatred. The, I mean, sometimes — sometimes somebody gets …

(CROSSTALK)

TRUMP: Well, you look at your show that goes on at 10 o'clock in the evening. You just take a look at that show. That is a constant hit. The panel is almost always exclusive anti-Trump. The good news is he doesn't have good ratings. But the panel is almost exclusive anti-Trump. And the hatred and venom coming from his mouth; the hatred coming from other people on your network.

Now, I will say this. I watch it. I see it. I'm amazed by it. And I just think you'd be a lot better off, I honestly do. The public gets it, you know. Look, when I go to rallies, they turn around, they start screaming at CNN. They want to throw their placards at CNN. You know.

I — I think you would do much better by being different. But you just take a look. Take a look at some of your shows in the morning and the evening. If a guest comes out and says something positive about me, it's — it's brutal.

Now, they'll take this news conference — I'm actually having a very good time, okay? But they'll take this news conference — don't forget, that's the way I won. Remember, I used to give you a news conference every time I made a speech, which was like every day. Okay?

(CROSSTALK)

TRUMP: No, that's how I won. I won with news conferences and probably speeches. I certainly didn't win by people listening to you people. That's for sure. But I'm having a good time.

Tomorrow, they will say, "Donald Trump rants and raves at the press." I'm not ranting and raving. I'm just telling you. You know, you're dishonest people. But — but I'm not ranting and raving. I love this. I'm having a good time doing it.

But tomorrow, the headlines are going to be, "Donald Trump rants and raves." I'm not ranting and raving.

Go ahead.

QUESTION: If I may, just one more follow-up …

TRUMP: Should I let him have a little bit more? What do you think, Peter? Peter, should I have — let him have a little bit more?

Sit down. Sit down. We'll …

(CROSSTALK)

QUESTION: Just because of the attack of fake news and attacking our network, I just want to ask you, sir …

TRUMP: I'm changing it from fake news, though.

QUESTION: Doesn't that under …

TRUMP: Very fake news.

QUESTION: … I know, but aren't you …

(LAUGHTER)

TRUMP: Go ahead.

QUESTION: Real news, Mr. President, real news.

TRUMP: And you're not related to our new …

QUESTION: I am not related, sir. No. I do like the sound of Secretary [Alex] Acosta, I must say.

TRUMP: I looked — you know, I looked at that name. I said, wait a minute, is there any relation there? Alex Acosta.

QUESTION: I'm sure you checked that out, sir.

TRUMP: Okay. Now I checked it — I said — they said, "No, sir." I said, "Do me a favor, go back and check the family tree."

QUESTION: But aren't you — aren't you concerned, sir, that you are undermining the people's faith in the First Amendment, freedom of the press, the press in this country, when you call stories you don't like "fake news"? Why not just say it's a story I don't like.

TRUMP: I do that.

QUESTION: When you call it "fake news," you're undermining confidence in our news media (inaudible) important.

TRUMP: No, no. I do that. Here's the thing. Okay. I understand what you're — and you're right about that, except this. See, I know when I should get good and when I should get bad. And sometimes I'll say, "Wow, that's going to be a great story." And I'll get killed.

I know what's good and bad. I'd be a pretty good reporter, not as good as you. But I know what's good. I know what's bad. And when they change it and make it really bad, something that should be positive — sometimes something that should be very positive, they'll make okay. They'll even make it negative.

So I understand it. So, because I'm there. I know what was said. I know who's saying it. I'm there. So it's very important to me.

Look, I want to see an honest press. When I started off today by saying that it's so important to the public to get an honest press. The press — the public doesn't believe you people anymore. Now, maybe I had something to do with that. I don't know. But they don't believe you. If you were straight and really told it like it is, as Howard Cosell used to say, right?

Of course, he had some questions also. But if you were straight, I would be your biggest booster. I would be your biggest fan in the world, including bad stories about me. But if you go — as an example, you're CNN, I mean it's story after story after story is bad. I won. I won. And the other thing, chaos because zero chaos. We are running — this is a fine-tuned machine, and Reince happens to be doing a good job but half of his job is putting out lies by the press.

You know, I said to him yesterday this whole Russia scam that you guys are building so that you don't talk about the real subject which is illegal leaks, but I watched him yesterday working so hard to try and get that story proper. And I'm saying "here's my chief of staff," a really good guy, did a phenomenal job at RNC. I mean, he won the election, right?

We won the presidency. We got some senators, we got some — all over the country, you take a look, he's done a great job. And I said to myself, you know — and I said to somebody that was in the room, I said "you take a look at Reince, he's working so hard just putting out fires that are fake fires." I mean, they're fake. They're not true. And isn't that a shame because he'd rather be working on health care, he'd rather be working on tax reform, Jim.

I mean that. I would be your biggest fan in the world if you treated me right. I sort of understand there's a certain bias maybe by Jeff or somebody, you know — you know, whatever reason. But — and I understand that. But you've got to be at least a little bit fair and that's why the public sees it. They see it. They see it's not fair. You take a look at some of your shows and you see the bias and the hatred.

And the public is smart, they understand it. Go ahead.

QUESTION: (inaudible) … for those who believe that there is something to it, is there anything that you have learned over the last few weeks that you might be able to reveal that might ease their concerns that this isn't fake news? And second …

TRUMP: … I think they don't believe it. I don't think the public — that's why the Rasmussen poll just has me through the roof. I don't think they believe it. Well, I guess one of the reasons I'm here today is to tell you the whole Russian thing, that's a ruse. That's a ruse. And by the way, it would be great if we could get along with Russia, just so you understand that.

Now tomorrow, you'll say "Donald Trump wants to get along with Russia, this is terrible." It's not terrible. It's good. We had Hillary Clinton try and do a reset. We had Hillary Clinton give Russia 20 percent of the uranium in our country. You know what uranium is, right? This thing called nuclear weapons like lots of things are done with uranium including some bad things.

Nobody talks about that. I didn't do anything for Russia. I've done nothing for Russia. Hillary Clinton gave them 20 percent of our uranium. Hillary Clinton did a reset, remember? With the stupid plastic button that made us all look like a bunch of jerks. Here, take a look. He looked at her like, what the hell is she doing with that cheap plastic button?

Hillary Clinton — that was the reset, remember it said reset? Now if I do that, oh, I'm a bad guy. If we could get along with Russia, that's a positive thing. We have a very talented man, Rex Tillerson, who's going to be meeting with them shortly and I told him. I said "I know politically it's probably not good for me." The greatest thing I could do is shoot that ship that's 30 miles off shore right out of the water.

Everyone in this country's going to say "oh, it's so great." That's not great. That's not great. I would love to be able to get along with Russia. Now, you've had a lot of presidents that haven't taken that tack. Look where we are now. Look where we are now. So, if I can — now, I love to negotiate things, I do it really well, and all that stuff. But — but it's possible I won't be able to get along with Putin.

Maybe it is. But I want to just tell you, the false reporting by the media, by you people, the false, horrible, fake reporting makes it much harder to make a deal with Russia. And probably Putin said 'you know.' He's sitting behind his desk, and he's saying 'you know, I see what's going on in the United States, I follow it closely. It's going to be impossible for President Trump to ever get along with Russia because of all the pressure he's got with this fake story.' Okay?

And that's a shame because if we could get along with Russia — and by the way, China and Japan and everyone. If we could get along, it would be a positive thing, not a negative thing.

QUESTION: Is tax reform on the line?

QUESTION: Mr. President? Mr. President? Mr. President, since you …

TRUMP: Tax reform is going to happen fairly quickly. We're doing Obamacare. We're in final stages. We should be submitting the initial plan in March, early March, I would say. And we have to, as you know, statutorily and for reasons of budget, we have to go first. It's not like, frankly, the tax would be easier, in my opinion, but for statutory reasons and for budgetary reasons, we have to submit the health care sooner.

So we'll be submitting health care sometime in early March, mid- March. And after that, we're going to come up, and we're doing very well on tax reform.

Yes?

QUESTION: Mr. President, you mentioned Russia. Let's talk about some serious issues that have come up in the last week that you have had to deal with as president of the United States.

TRUMP: Okay.

QUESTION: You mentioned the vessel — the spy vessel off the coast of the United States.

TRUMP: Not good.

QUESTION: There was a ballistic missile test that many interpret as a violation of an agreement between the two countries; and a Russian plane buzzed a U.S. destroyer.

TRUMP: Not good.

QUESTION: I listened to you during the campaign …

TRUMP: Excuse me, excuse me. When did it happen? It happened when, if you were Putin right now, you would say, 'Hey, we're back to the old games with the United States; there's no way Trump can ever do a deal with us.' Because the — you have to understand. If I was just brutal on Russia right now, just brutal, people would say, you would say, 'Oh, isn't that wonderful.' But I know you well enough.

Then you would say, 'Oh, he was too tough; he shouldn't have done that.' Look, all of the …

(CROSSTALK)

QUESTION: I'm just trying to find out your orientation to those …

(CROSSTALK)

TRUMP: Wait a minute. Wait, wait. Excuse me just one second.

(CROSSTALK)

TRUMP: All of those things that you mentioned are very recent, because probably Putin assumes that he's not going to be able to make a deal with me because it's politically not popular for me to make a deal. So Hillary Clinton tries a reset. It failed. They all tried. But I'm different than those people.

Go ahead.

QUESTION: How are you interpreting those moves? And what do you intend to do about them? Have you given Rex Tillerson any advice or counsel on how to deal?

TRUMP: I have. I have. And I'm so beautifully represented. I'm so honored that the Senate approved him. He's going to be fantastic.

Yes, I think that I've already …

QUESTION: Is Putin testing you, do you believe, sir?

TRUMP: No, I don't think so. I think Putin probably assumes that he can't make a deal with me anymore because politically it would be unpopular for a politician to make a deal. I can't believe I'm saying I'm a politician, but I guess that's what I am now.

Because, look, it would be much easier for me to be tough on Russia, but then we're not going to make a deal.

Now, I don't know that we're going to make a deal. I don't know. We might. We might not. But it would be much easier for me to be so tough — the tougher I am on Russia, the better. But you know what? I want to do the right thing for the American people. And to be honest, secondarily, I want to do the right thing for the world.

If Russia and the United States actually got together and got along — and don't forget, we're a very powerful nuclear country and so are they. There's no upside. We're a very powerful nuclear country and so are they. I have been briefed. And I can tell you one thing about a briefing that we're allowed to say because anybody that ever read the most basic book can say it, nuclear holocaust would be like no other.

They're a very powerful nuclear country and so are we. If we have a good relationship with Russia, believe me, that's a good thing, not a bad thing.

QUESTION: So when you say they're not good, do you mean that they are …

TRUMP: Who did I say is not good?

QUESTION: No, I read off the three things that have recently happened. Each one of them you said they're not good.

(CROSSTALK)

TRUMP: No, it's not good, but they happened.

QUESTION: But do they damage the relationship? Do they undermine …

TRUMP: They all happened recently.

No …

(CROSSTALK)

QUESTION: … this country's ability to work with Russia?

TRUMP: They all happened recently. And I understand what they're doing because they're doing the same thing.

Now, again, maybe I'm not going to be able to do a deal with Russia, but at least I will have tried. And if I don't, does anybody really think that Hillary Clinton would be tougher on Russia than Donald Trump? Does anybody in this room really believe that? Okay?

But I tell you one thing, she tried to make a deal. She had the reset. She gave all that valuable uranium away. She did other things. You know, they say I'm close to Russia. Hillary Clinton gave away 20 percent of the uranium in the United States. She's close to Russia.

QUESTION: Can we …

TRUMP: I gave — you know what I gave to Russia? You know what I gave? Nothing.

QUESTION: Can we conclude there will be no response to these particular provocations?

TRUMP: I'm not going to tell you anything about what response I do. I don't talk about military response. I don't say I'm going into Mosul in four months. 'We are going to attack Mosul in four months.' Then three months later, 'We are going to attack Mosul in one month.' 'Next week, we are going to attack Mosul.'

In the meantime, Mosul is very, very difficult. Do you know why? Because I don't talk about military, and I don't talk about certain other things, you're going to be surprised to hear that. And by the way, my whole campaign, I'd say that. So I don't have to tell you. I don't want to be one of these guys that say, 'Yes, here's what we're going to do.' I don't have to do that. I don't have to tell you what I'm going to do in North Korea.

(CROSSTALK)

TRUMP: Wait a minute. I don't have to tell you what I'm going to do in North Korea. And I don't have to tell you what I'm going to do with Iran. You know why? Because they shouldn't know. And eventually, you guys are going to get tired of asking that question.

TRUMP: So when you ask me what am I going to do with a ship, the Russian ship as an example, I'm not going to tell you. But hopefully, I won't have to do anything, but I'm not going to tell you.

Okay.

QUESTION: Could I just ask you — thank you very much, Mr. President. The trouble …

TRUMP: Where are you from?

QUESTION: BBC.

TRUMP: Here's another beauty.

QUESTION: That's a good line. Impartial, free and fair.

TRUMP: Yeah. Sure.

QUESTION: Mr. President …

TRUMP: Just like CNN right?

QUESTION: On the travel ban — we could banter back and forth. On the travel ban would you accept that that was a good example of the smooth running of government …

TRUMP: Yeah, I do. I do. Let me tell you about this government …

QUESTION: Were there any mistakes …

TRUMP: Wait. Wait. I know who you are. Just wait.

Let me tell you about the travel ban. We had a very smooth rollout of the travel ban. But we had a bad court. Got a bad decision. We had a court that's been overturned. Again, may be wrong. But I think it's 80 percent of the time, a lot.

We had a bad decision. We're going to keep going with that decision. We're going to put in a new executive order next week some time. But we had a bad decision.

That's the other thing that was wrong with the travel ban. You had Delta with a massive problem with their computer system at the airports. You had some people that were put out there, brought by very nice buses, and they were put out at various locations.

Despite that the only problem that we had is we had a bad court. We had a court that gave us what I consider to be, with great respect, a very bad decision. Very bad for the safety and security of our country. The rollout was perfect.

Now, what I wanted to do was do the exact same executive order, but said one thing. I said this to my people. Give them a one-month period of time. But General Kelly, now Secretary Kelly, said if you do that, all these people will come in and (inaudible) the bad ones.

You do agree there are bad people out there, right? That not everybody that's like you. You have some bad people out there.

So Kelly said you can't do that. And he was right. As soon as he said it I said 'wow, never thought of it.' I said 'how about one week?' He said no good. You got to do it immediately because if you do it immediately they don't have time to come in.

Now nobody ever reports that. But that's why we did it quickly.

Now, if I would've done it a month, everything would've been perfect. The problem is we would've wasted a lot of time, and maybe a lot of lives because a lot of bad people would've come into our country.

Now in the meantime, we're vetting very, very strongly. Very, very strongly. But we need help. And we need help by getting that executive order passed.

QUESTION: Just a brief follow-up. But if it's so urgent, why not introduce …

TRUMP: Yes? Go ahead.

QUESTION: Thank you. I was just hoping that we could get a yes or no answer on one of these questions involving Russia. Can you say whether you are aware that anyone who advised your campaign had contacts with Russia during the course of the election?

TRUMP: Well I told you, Gen. Flynn obviously was dealing. So that's one person. But he was dealing, as he should have been.

QUESTION: During the election?

TRUMP: No. Nobody that I know of. Nobody …

QUESTION: So you're not aware of any contact during the course.

TRUMP: Look, look, look …

QUESTION: … of the election?

TRUMP: How many times do I have to answer this question?

QUESTION: Can you just say yes or no?

TRUMP: Russia is a ruse.

I know you have to get up and ask a question. It's so important.

Russia is a ruse. I have nothing to do with Russia. Haven't made a phone call to Russia in years. Don't speak to people from Russia. Not that I wouldn't. I just have nobody to speak to.

I spoke to Putin twice. He called me on the election. I told you this. And he called me on the inauguration, a few days ago.

We had a very good talk, especially the second one, lasted for a pretty long period of time. I'm sure you probably get it because it was classified. So I'm sure everybody in this room perhaps has it. But we had a very, very good talk.

I have nothing to do with Russia. To the best of my knowledge no person that I deal with does.

Now, Manafort has totally denied it. He denied it. Now people knew that he was a consultant over in that part of the world for a while, but not for Russia. I think he represented Ukraine or people having to do with Ukraine, or people that — whoever. But people knew that. Everybody knew that.

QUESTION: But in his capacity as your campaign manager, was he in touch with Russian officials during the election?

TRUMP: You know what? He said no. I could only tell you what he — now he was replaced long before the election. You know that, right?

He was replaced long before the election. When all of this stuff started coming out, it came out during the election. But Paul Manafort, who's a good man also by the way, Paul Manafort was replaced long before the election took place. He was only there for a short period of time.

QUESTION: Mr. President …

TRUMP: How much longer should we stay here, folks?

QUESTION: Mr. President …

TRUMP: Five more minutes. Is that okay? Five?

QUESTION: Mr. President, on national …

TRUMP: Wait. Let's see. Who's — I want to find a friendly reporter.

QUESTION: Mr. …

TRUMP: Are you a friendly reporter? Watch how friendly he is. Wait. Wait. Watch how friendly he is. Go ahead.

QUESTION: (OFF-MIKE) …

TRUMP: Go ahead.

QUESTION: So first of all, my name is (Inaudible) from (Inaudible) magazine. I (inaudible). I haven't seen anybody in my community, including yourself or any of the — anyone on your staff of being (OFF-MIKE).

Because (OFF-MIKE). However, what we've already heard about and what we (OFF-MIKE) is (OFF-MIKE) so you're general forecast like 48 (OFF-MIKE). There are people who are everything … happens through their packs … is one of the (OFF-MIKE) …

(CROSSTALK)

TRUMP: … he said he was gonna ask a very simple, easy question. And it's not, it's not, not — not a simple question, not a fair question. Okay, sit down, I understand the rest of your question.

So here's the story, folks. No. 1, I am the least anti- Semitic person that you've ever seen in your entire life. No. 2, racism, the least racist person. In fact, we did very well relative to other people running as a Republican — quiet, quiet, quiet.

See, he lied about — he was gonna get up and ask a very straight, simple question, so you know, welcome to the world of the media. But let me just tell you something, that I hate the charge, I find it repulsive.

I hate even the question because people that know me and you heard the [Israeli] prime minister, you heard Ben Netanyahu yesterday, did you hear him, Bibi? He said, I've known Donald Trump for a long time and then he said, forget it.

So you should take that instead of having to get up and ask a very insulting question like that.

(CROSSTALK)

TRUMP: Yeah, go ahead. Go ahead.

QUESTION: Thank you, I'm Lisa … from the …

(CROSSTALK)

TRUMP: See, it just shows you about the press, but that's the way the press is.

QUESTION: Thank you, Mr. President. Lisa Desjardins from the PBS News Hour. On national security and immigration, can you give us more details on the executive order you plan for next week? Even its broad outlines?

TRUMP: Yeah.

QUESTION: Will it be focused on specific …

TRUMP: It's a very fair question.

QUESTION: … countries? And in addition, on the DACA program for immigration.

TRUMP: Right.

QUESTION: What is your plan, do you plan to continue that program or to end it?

TRUMP: We're gonna show great heart, DACA is a very, very difficult subject for me, I will tell you. To me, it's one of the most difficult subjects I have because you have these incredible kids.

In many cases, not in all cases. And some of the cases, having DACA, and they're gang members, and they're drug dealers, too. But you have some absolutely, incredible kids, I would say mostly. They were brought here in such a way — it's a very — it's a very, very tough subject.

We're gonna deal with DACA with heart. I have to deal with a lot of politicians, don't forget, and I have to convince them that what I'm saying is — is right. And I appreciate your understanding on that.

But the DACA situation is a very, very — it's a very difficult thing for me because you know, I love these kids, I love kids, I have kids and grandkids. And I find it very, very hard doing what the law says exactly to do, and you know, the law is rough.

I'm not talking about new laws, I'm talking the existing law, is very rough, it's very, very rough. As far as the new order, the new order is going to be very much tailored to the what I consider to be a very bad decision.

But we can tailor the order to that decision and get just about everything, in some ways, more. But we're tailoring it now to the decision, we have some of the best lawyers in the country working on it.

And the new executive order, is being tailored to the decision we got down from the court. Okay?

QUESTION: Mr. President …

(CROSSTALK) QUESTION: … reopening of the White House Visitors Office?

TRUMP: Yes.

QUESTION: And she does a lot of great work for the country as well. Can you talk a little bit about what's first for Melania Trump does for the country and (inaudible) so opening White House Visitors Office, what does that mean …

TRUMP: Now, that's what I call a nice question. That is very — who are you with?

QUESTION: (OFF-MIKE)

TRUMP: Good, I'm gonna start watching, all right? Thank you very much. Melania's terrific, she was here last night, we had dinner with Sen. [Marco] Rubio and his wife who is by the way, lovely.

And we had a really good discussion about Cuba because we have very similar views on Cuba. And Cuba was very good to me in the Florida election, as you know the Cuban Americans. And I think that Melania's gonna be outstanding, that's right, she just opened up the visitors center, in other words, touring of the White House.

She, like others that she's working with, feel very, very strongly about women's issue, women's difficulties. Very, very strongly, she's a very, very strong advocate. I think she's a great representative for this country.

And a funny thing happens, because she gets — she gets so unfairly — Melania, the things they say. I've known her for a long time, she was a very successful person, she was a very successful model. She did really well.

She would go home at night and didn't even want to go out with people. She was a very private person. She was always the highest quality that you'll ever find. And the things they say — I've known her for a long time — the things they say are so unfair. And actually, she's been apologized to, as you know, by various media because they said things that were lies.

I'll just tell you this. I think she's going to be a fantastic first lady. She's going to be a tremendous representative of women and of the people. And helping her and working with her will be Ivanka, who is a fabulous person and a fabulous, fabulous woman. And they're not doing this for money.

They're not doing this for pay, they're doing this because they feel it; both of them. And Melania goes back and forth and after Barron finishes school — because it's hard to take a child out of school with a few months left — she and Barron will be moving over to the White House. Okay, thank you, that's a very nice question.

(CROSSTALK)

TRUMP: Go ahead.

QUESTION: Mr. Trump?

TRUMP: Yes, oh, this is going to be a bad question, but that's okay.

QUESTION: It doesn't have to be a bad question.

TRUMP: Good, because I enjoy watching you on television. Go ahead.

QUESTION: Well, thank you so much. Mr. President, I need to find out from you, you said something as it relates to inner cities. That was one of your platforms during your campaign. Now you're —

TRUMP: Fix the inner cities.

QUESTION: -- president. Fixing the inner cities.

TRUMP: Yep.

QUESTION: What will be that fix and your urban agenda as well as your HBCU Executive Order that's coming out this afternoon? See, it wasn't bad, was it?

TRUMP: That was very professional and very good.

QUESTION: I'm very professional.

TRUMP: We'll be announcing the order in a little while, and I'd rather let the order speak for itself. But it could be something that I think that will be very good for everybody concerned. But we'll talk to you about that after we do the announcement. As far as the inner cities, as you know, I was very strong on the inner cities during the campaign.

I think it's probably what got me a much higher percentage of the African American vote than a lot of people thought I was going to get. We did, you know, much higher than people thought I was going to get. And I was honored by that, including the Hispanic vote, which was also much higher.

And by the way, if I might add, including the women's vote, which was much higher than people thought I was going to get. So, we are going to be working very hard on the inner cities, having to do with education, having to do with crime. We're going to try and fix as quickly as possible — you know, it takes a long time.

It's taken more than a hundred years and more for some of these places to evolve, and they evolved, many of them, very badly. But we're going to be working very hard on health and health care, very, very hard on education, and also we're going to be working in a stringent way, in a very good way, on crime.

You go to some of these inner city places, and it's so sad when you look at the crime. You have people — and I've seen this, and I've sort of witnessed it — in fact, in two cases I have actually witnessed it. They lock themselves into apartments, petrified to even leave, in the middle of the day.

They're living in hell. We can't let that happen. So, we're going to be very, very strong. That's a great question and — and it's a — it's a very difficult situation because it's been many, many years. It's been festering for many, many years. But we have places in this country that we have to fix.

We have to help African American people that, for the most part, are stuck there. Hispanic American people. We have Hispanic American people that are in the inner cities and they are living in hell. I mean, you look at the numbers in Chicago. There are two Chicagos, as you know.

There's one Chicago that's incredible, luxurious and all — and safe. There's another Chicago that's worse than almost any of the places in the Middle East that we talk, and that you talk about, every night on the newscasts. So, we're going to do a lot of work on the inner cities.

I have great people lined up to help with the inner cities. Okay?

QUESTION: Well, when you say the inner cities, are you going — are you going to include the CBC, Mr. President, in your conversations with your — your urban agenda, your inner city agenda, as well as —

TRUMP: Am I going to include who?

QUESTION: Are you going to include the Congressional Black Caucus and the Congressional —

TRUMP: Well, I would. I tell you what, do you want to set up the meeting?

QUESTION: — Hispanic Caucus —

TRUMP: Do you want to set up the meeting?

QUESTION: No — no — no. I'm not —

TRUMP: Are they friends of yours?

QUESTION: I'm just a reporter.

TRUMP: Well, then, set up the meeting.

QUESTION: I know some of them, but I'm sure they're watching right now.

TRUMP: Let's go set up a meeting. I would love to meet with the Black Caucus. I think it's great, the Congressional Black Caucus. I think it's great. I actually thought I had a meeting with Congressman [Elijah] Cummings, and he was all excited. And then he said, well, I can't move, it might be bad for me politically. I can't have that meeting.

I was all set to have the meeting. You know, we called him and called him. And he was all set. I spoke to him on the phone, very nice guy.

QUESTION: I hear he wanted that meeting with you as well.

TRUMP: He wanted it, but we called, called, called and can't make a meeting with him. Every day I walk and say I would like to meet with him because I do want to solve the problem. But he probably was told by Schumer or somebody like that, some other lightweight. He was probably told — he was probably told "don't meet with Trump. It's bad politics."

And that's part of the problem in this country. Okay, one more.

QUESTION: (inaudible)

TRUMP: No, no, one question. Two we can't handle. This room can't handle two. Go ahead, give me the better of your two.

QUESTION: (inaudible) … not about your personality or your beliefs, talking about (inaudible), some of it by supporters in your name. What do you …

TRUMP: … And some of it — can I be honest with you? And this has to do with racism and horrible things that are put up. Some of it written by our opponents. You do know that. Do you understand that? You don't think anybody would do a thing like that. Some of the signs you'll see are not put up by the people that love or like Donald Trump, they're put up by the other side, and you think it's like playing it straight?

No. But you have some of those signs and some of that anger is caused by the other side. They'll do signs, and they'll do drawings that are inappropriate. It won't be my people. It will be the people on the other side to anger people like you. Okay.

(CROSSTALK)

TRUMP: Go ahead, go ahead.

QUESTION: You're the president now. What are you going to do about it?

TRUMP: Who is that? Where is that?

QUESTION: What are you going to do about — what are you going to do about (inaudible).

TRUMP: Oh, I'm working on it. I'm working on it very — no, no, look. Hey, just so you understand, we had a totally divided country for eight years and long before that. In all fairness to President Obama, long before President Obama we have had a very divided — I didn't come along and divide this country. This country was seriously divided before I got here.

We're going to work on it very hard. One of the questions I was asked, I thought it was a very good question was about the inner cities. I mean, that's part of it. But we're going to work on education, we're going to work on — you know, we're going to stop — we're going to try and stop the crime. We have great law enforcement officials, we're going to try and stop crime.

We're not going to try and stop, we're going to stop crime. But it's very important to me — but this isn't Donald Trump that divided a nation. We went eight years with President Obama and we went many years before President Obama. We lived in a divided nation. And I am going to try — I will do everything within my power to fix that. I want to thank everybody very much.

It's a great honor to be with you. Thank you. Thank you very much, thanks.

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post-politics

**Trump says 'I inherited a mess,' blasts media and detractors at combative news conference**

By Ashley Parker;John Wagner

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President Trump on Thursday aired his grievances against the news media, the intelligence community and his detractors generally in a sprawling, stream-of-consciousness news conference that alternated between claims that he had "inherited a mess" and the assertion that his fledgling administration "is running like a fine-tuned machine."

"To be honest, I inherited a mess," Trump said, in a news conference that lasted more than an hour and was at times rambling, combative and pointed. "It's a mess. At home and abroad, a mess. Jobs are pouring out of the country."

Yet moments later, the president seemed to acknowledge the widespread reports of turbulence and upheaval emanating out of his West Wing, only to claim that his White House — which so far has been marred by staff infighting, a controversial travel ban, false statements and myriad leaks — was operating seamlessly.

"I turn on the TV, open the newspapers and I see stories of chaos — chaos," he said. "Yet it is the exact opposite. This administration is running like a fine-tuned machine, despite the fact that I can't get my Cabinet approved."

Asked about recent reports that Mike Flynn, his former national security adviser who resigned Monday evening, had improperly discussed Russian sanctions with the Russian ambassador to the United States before Trump was sworn in, the president defended Flynn as a "fine person," saying he had done nothing wrong in engaging the Russian envoy.

But, Trump said, Flynn had erred by misleading government officials, including Vice President Pence, about his conversations, which is why the president ultimately demanded his resignation.

"He didn't tell the vice president of the United States the facts," Trump said. "And then he didn't remember. And that just wasn't acceptable to me."

Trump made clear he had no problem with Flynn discussing the sanctions imposed on Moscow by the Obama administration with the Russian ambassador even if he was not directly told to do so by Trump, saying it was Flynn's job to reach out to foreign officials.

"No, I didn't direct him, but I would have directed him if he didn't do it," he said.

Trump was asked several times about whether his campaign had contact with Russia and grew testy as reporters pushed him for a yes-or-no answer.

He said he certainly hadn't and that he was not aware of such contacts during the campaign.

"I can tell you, speaking for myself, I own nothing in Russia," Trump said. "I have no loans in Russia. I don't have any deals in Russia. President Putin called me up very nicely to congratulate me on the win of the election. He then, called me up extremely nicely to congratulate me on the inauguration, which was terrific. But so did many other leaders, almost all other leaders from almost all of the countries. So that's the extent."

Trump also used the questions to press his case that the United States would be well-served by a better relationship with Russia and to mock his Democratic opponent, Hillary Clinton, for her efforts to "reset" the relationship between the two countries while she was secretary of state.

Trump derisively referred to that "stupid plastic button that made us all look like jerks," a reference to the red "reset" button that Clinton presented to the Russian foreign minister early in the Obama administration.

The news conference was ostensibly billed as a chance for Trump to announce his new pick to head the Labor Department — Alexander Acosta, who would be the first Latino in Trump's Cabinet — after Andrew Puzder, his original choice, withdrew from consideration Wednesday amid mounting opposition on Capitol Hill. But for one hour and 17 minutes, the president offered the verbal equivalent of the brash and impetuous early morning tweets that have become the alarm clock for much of Washington, taking aim at everything from "illegal immigrant violence" to the "criminal leaks" within his intelligence community.

Trump said he would use his remarks to bypass the "dishonest media" and speak directly to the American people about the "incredible progress" his administration has made.

"The media is trying to attack our administration because they know we are following through on pledges we made, and they're not happy about it for whatever reason," he said.

Though the president began on a subdued, almost melancholy note, looking down repeatedly to read from prepared remarks on his lectern, he became more fiery and animated — joyful, even — when he began to banter and joust with the assembled reporters. At times, he seemed to reprise some of his favorite themes from the campaign trail, complaining about Clinton and criticizing President Barack Obama's policies, from his Affordable Care Act to his failed reset with Russia.

Trump repeatedly lambasted the "fake news" media — which at one point he upgraded (or downgraded) to the "very fake news" media — while promoting some dubious claims and fake news of his own.

Pressed on his incorrect assertion that he had the largest margin of victory in the electoral college since President Ronald Reagan, Trump blamed faulty facts.

"I was given that information," he said. "Well, I don't know, I was given that information."

On a substantive note, Trump said his administration would submit a replacement plan for the Affordable Care Act in early to mid-March and should have a tax reform package around the same time.

"Tax reform is going to happen fairly quickly," Trump said. "We're doing Obamacare. We're in final stages."

During the news conference, Trump alternated between showering the media with scorn and taking a more playful tone.

At one point, he insisted he was enjoying himself. "I'm not ranting and raving — I love this," he said. "I'm having a good time doing this."

Trump's Thursday performance seemed an acknowledgment, by the president, that he may be his own best press secretary and adviser, and allowed him to appear both confident and comfortable. While many of his comments, as well as the sometimes disjointed nature of his delivery, are certain to alarm official Washington, they are also the sorts of red-meat talking points that delighted his base during the campaign and helped propel him to victory.

"I won with news conferences and probably speeches," he told the assembled reporters. "I certainly didn't win by people listening to you people."

Read more:

Donald Trump's combative, grievance-filled news conference, annotated

The simple reason that Trump is holding a rally in Florida this weekend

When governing beckons, Trump keeps campaigning

Document WPCOM00020170216ed2g005y0



the-fix

**Democrats are cheering Andrew Puzder's defeat. But it's really just a consolation prize**

By Aaron Blake

627 words

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Andrew Puzder, President Trump's pick to head the Department of Labor, withdrew his nomination Wednesday after a group of Republican senators reportedly threatened to defeat his nomination.

Call it Democrats' consolation prize.

Puzder became a Democratic target after they failed to take down a number of other, more high-profile Trump nominees — most notably Education Secretary Betsy DeVos, Attorney General Jeff Sessions, Treasury Secretary Steve Mnuchin and Health and Human Services Secretary Tom Price. All had nearly united Democratic opposition, with 47 of 48 Democrats voting against the final three, and all 48 Democrats plus two Republicans voting against DeVos (who required a tiebreaker vote from Vice President Pence).

The Puzder defeat is likely to be cheered by the left, which was spoiling for basically any fight — and victory — right now. And they'll point out that their opposition was ideologically grounded, focused on Puzder's labor practices as the head of the parent company of Hardee's and Carl's Jr.

But Puzder's defeat, while perhaps a shot in the arm for Democrats, doesn't rank as a game-changer. It's pretty business-as-usual for Cabinet picks, in fact.

For one, it's a very low-profile Cabinet position. To get a sense of how low-profile the job of labor secretary is, see if you can name two of the three labor secretaries from the 21st century. If you can, it's probably because one of them is in line to be Trump's transportation secretary (Elaine Chao) and another is running for Democratic National Committee chairman and got some buzz as a potential Hillary Clinton vice-presidential pick (Thomas Perez). The work they do just isn't front-page news.

Second is that there was actually plenty of resistance from the right on Puzder — specifically when it came to his views on expanding legal immigration. The conservative National Review came out against him earlier Wednesday on this count. "Puzder himself has been a reliable font of clichés in favor of higher levels of legal immigration," its editors said.

And thirdly and most importantly, Puzder's defeat appears to owe as much to his personal problems as anything else. Specifically, Puzder's ex-wife appeared on "The Oprah Winfrey Show" in disguise on an episode called "High-Class Battered Women" in 1990 and accused him of multiple episodes of physical assault — something she has since recanted. A watchdog group was trying to unseal their divorce records before Puzder's confirmation vote. Winfrey recently provided the tape of the interview to the Senate.

Puzder's personal problems also include employing an undocumented immigrant as his family's housekeeper, which is a common reason for Cabinet picks to bow out.

In fact, in 2004 2001, George W. Bush's pick for the very same job, Linda Chavez, withdrew after it was revealed she had employed a longtime houseguest who was an undocumented immigrant. Bush's pick for homeland security secretary, Bernard Kerik, withdrew over employing an illegal immigrant, as did two separate picks for Bill Clinton's attorney general back in the 1990s.

More recently, Barack Obama had several of his initial Cabinet picks withdraw over conflicts of interest (commerce secretary nominee Bill Richardson) and unpaid taxes (HHS nominee Tom Daschle).

In the end, it shouldn't really be surprising that personal problems brought down one of Trump's nominees. It happens a lot. At least one has come up short for each of the past five presidents.

And the idea that this is a rebuke of Trump or a sign that Democrats suddenly found out how to beat him just isn't the case.

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Metro

**Minority lawmakers unite around bill to protect undocumented immigrants**

Josh Hicks

433 words

15 February 2017

The Washington Post

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English

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Maryland's three minority-based legislative caucuses have begun what they say is their first-ever joint effort to push for a law, urging passage of a bill that would limit the state's cooperation with deportation authorities.

Members of the Latino, black, and Asian American and Pacific Islander caucuses gathered in Annapolis on Monday to support the Trust Act, which aligns with "sanctuary" policies that cities and counties throughout the country have adopted in recent years.

"If ever there was a time to stand for something, to stand firmly and believe in it and fight for it and leave it all out there, this is the policy," said Del. Joseline A. Peña-Melnyk (D-Prince George's), who chairs the Latino caucus.

The legislation would bar police and sheriff's departments from complying with federal requests to hold undocumented immigrants longer than required under local guidelines; prohibit local authorities from arresting individuals for immigration purposes; and try to restrict federal agencies from removing people from schools, hospitals or courthouses.

It also would prevent the state from participating in any form of religion-based registry, an idea that President Trump has suggested he might pursue in the case of Muslims.

Supporters struggled to explain how the legislation would prevent federal authorities, who have broad jurisdiction, from removing individuals from public facilities. They said only that the measure would give the state attorney general the authority to "develop and adopt policies" to ensure that those places are safe for undocumented immigrants.

More than 30 lawmakers participated in the news conference, including many from Montgomery and Prince George's counties who are not members of the caucuses.

Sen. Victor R. Ramirez (D-Prince George's) and Del. Marice I. Morales (D-Montgomery) are sponsoring the legislation in the Senate and House, respectively.

Twenty-four senators have co-sponsored the Senate bill, giving it enough support to pass in the 47-member chamber.

Seventy-eight delegates are co-sponsoring the House version, with 71 votes required to pass a measure in the 141-member chamber.

The bill would need 29 votes in the Senate and 85 in the House to overcome a potential veto by Gov. Larry Hogan (R). Hogan's policy, since shortly after taking office, has been to notify federal authorities when an illegal immigrant targeted for removal is set to be released from state-run jails.

Former governor Martin O'Malley (D) had refused to hold such suspects to be picked up by immigration officers.

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Local-Politics

**Minority lawmakers unite around Md. bill to protect undocumented immigrants**

By Josh Hicks

433 words

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Metro

**9 Republicans ditch Senate chamber**

Ovetta Wiggins Josh Hicks

709 words

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Maryland's Republican senators knew they didn't have the votes to block a resolution that would give Attorney General Brian E. Frosh (D) more power to sue the federal government.

So they tried for a delay.

When the motion failed, nine of the 14 Republicans stormed out in protest - a rare sign of unrest in a majority Democratic chamber where longtime Senate President Thomas V. Mike Miller Jr. (D-Calvert) emphasizes civility and decorum.

"I'm done," said an exasperated J.B. Jennings (R-Baltimore County), the minority leader.

He and other Republicans said that passage of the resolution, known as the Maryland Defense Act, was not urgent and that requests for delays are typically granted as a matter of course.

Miller's refusal to do so, they said, is the latest sign the partisan rancor commonly found in Congress is creeping toward the State House in Annapolis as Democrats take steps to combat President Trump (R) on health care, immigration and the environment.

"They argue they hate Washington politics, but they won't give us a simple courtesy," Jennings said later. "It's just like Washington."

The Defense Act stems from a provision in the Maryland Constitution that requires the attorney general to obtain permission from the General Assembly or the governor to file certain cases. It would essentially give Frosh blanket authority from the legislature to challenge the federal government on any legal issue.

Miller said he wanted to deal with the bill quickly, in part because he knew it was divisive. He also said he wants Frosh to be ready to stand up to any attempt to undo regulations that could harm the Chesapeake Bay.

"We've made great progress," Miller said. "I want that progress not to be stymied or set back, and I want somebody to protect the rights of myself and the citizens who care about the environment in the federal courts."

At the beginning of Thursday's legislative session, the Republican senators asked for a one-day delay.

Sen. Richard S. Madaleno Jr. (D-Montgomery) argued that the legislature needed to move swiftly because Frosh's hands were tied to respond to actions that could be taken on the federal level. He said attorneys general in 41 other states already have the authority that the resolution would give Frosh.

Miller agreed to move the vote to the end of the day's brief calendar, which meant it was back on the floor in less than 20 minutes.

Jennings again asked for more time. His request was denied, and the resolution passed 28 to 18. The Senate will vote again on the measure Friday before it heads to the House of Delegates for consideration.

The growing divide between Democratic and Republican lawmakers was also visible Tuesday on the House side, where Del. Patrick L. McDonough (R-Baltimore County) announced a bill that would allow Marylanders to sue elected officials in state courts to stop policies they believe provide safe havens for undocumented immigrants.

Such policies, McDonough said, violate federal immigration law and harm legal residents by taking away jobs, increasing the cost of public benefits and creating public-safety risks.

"In this state, this is a Disneyland for illegal immigrants," McDonough, one of the state's most conservative lawmakers, told reporters.

"All the politicians are pro-illegal immigrant. We have no recourse. We can't go to our elected officials. They're all against us. We have to go to court to prove they're wrong."

He was joined by Lewis Evans, who runs a staffing agency in Baltimore and accused construction contractors of favoring undocumented immigrants for low-skilled work over the U.S. citizens he employs.

Evans said he plans to file a class-action lawsuit against the Baltimore City government, seeking to end what he described as sanctuary policies in the city.

McDonough acknowledged that his legislation has little chance of advancing in the Democratic-majority legislature. But he said the measure would still have an impact, particularly because it would align with efforts by Trump and the U.S. Justice Department to crack down on illegal immigration.

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Local-Politics

**Delay denied, Maryland's GOP senators storm out**

By Ovetta Wiggins;Josh Hicks

713 words

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morning-mix

**The long struggle over what to call 'undocumented immigrants' or, as Trump said in his order, 'illegal aliens' ; "Illegal alien" and terms like it were originally proposed as a substitute for racial slurs.**

By Derek Hawkins

1,004 words

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English

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As a candidate and now as president, Donald Trump has made copious use of the term "illegal" to describe people who enter the United States without the proper paperwork or stay here longer than their papers allow.

On the campaign trail, he regularly blustered about "illegal aliens." As president-elect, he scolded Germany about taking in "all these illegals" from the Middle East. Now in the White House, his controversial travel ban orders federal agencies to swiftly send "illegal aliens" back to their home countries.

Trump deployed the term again on Wednesday, telling a conference of police chiefs to turn "illegal immigrant gang members" over to federal authorities. "You know the illegals," he said.

Language like that makes immigrant advocates cringe. In recent years, there has been a push to change the vocabulary surrounding immigration to avoid the term "illegal." The main idea is that it's not a crime for a noncitizen to stay in the country without authorization, but a civil offense. Advocates frequently invoke the quote "no human being is illegal" from Nobel Peace Prize winner and Holocaust survivor Elie Wiesel. They propose using "undocumented" or "unauthorized" instead.

The effort has gained steam. In 2013, the Associated Press dropped "illegal immigrant" from its stylebook, saying "illegal" should be used to describe actions, not people. Other publications followed suit, including USA Today. In a similar move, California Gov. Jerry Brown in 2015 scrubbed "alien" from the state's labor code. More recently, the Library of Congress announced in March 2016 that it would seek to remove "illegal alien" from its subject headings.

(The Washington Post's stylebook says "illegal immigrant" is accurate and acceptable, but notes that some find it offensive. The Post does not refer to people as "illegal aliens" or "illegals," per its guidelines.)

It comes as zero surprise that a man defined by his contempt for political correctness wouldn't use a more polite term to describe the people he has vowed to deport en masse. Indeed, Trump may very well use terms such as "illegals" deliberately to needle his opponents.

It wouldn't have gotten him in any trouble in 1970.

At the time, the offending word was "wetback." For decades, it was used to describe Mexicans living in the United States, and it wasn't unusual to see it in newspaper articles and popular literature. In 1954, the U.S. government even titled a mass deportation effort "Operation Wetback." By the 1960s, it was increasingly regarded as an ethnic slur, but major publications were still using it in stories and headlines.

In 1970, after the Los Angeles Times ran an editorial using the term "wetback," a group of Chicano law students from UCLA proposed an alternative, as KPCC has reported.

"We are still faced with insensitive and racist terms, such as wetback, to refer to Mexican nationals who have entered the country illegally," the students wrote in a letter to the editor. "We are now educating the public to use terms like illegal aliens or illegal entrants."

It's not clear how successful the students were in that particular case. But over the next 20 years, "illegal alien," or some variation of it, became commonplace, according to University of Berkeley sociologist Edwin Ackerman, who has studied the term's use in media. Ackerman said the change was spurred by the civil rights movement's attempts to make racist language less acceptable.

"That's partly why the language of illegality starts to pick up," he told NPR in 2015, "because it has this supposed neutrality to it."

By the 1990s, however, "illegal alien" had fallen out of favor. As Ackerman told NPR, "It allows you to speak of a certain group of people, and everybody knows what particular group of people that is, without having to recourse to any sort of racist language."

In the past decade, debate over the use of "illegal alien" has played out in government. Federal agencies make wide use of the term. So do federal courts. The phrase has appeared in numerous Supreme Court decisions, though there's no requirement that jurists use it in immigration cases.

Some judges and legal scholars have argued in favor of "illegal alien." An appeals court decision on one of President Barack Obama's immigration executive actions defended the term, citing a popular legal dictionary that rejected alternatives such as "undocumented immigrant" as "needless euphemisms" and "near-gobbledygook." Because "undocumented" suggests "unaccounted for," the meaning could be obscured, reads the passage in the Dictionary of Modern Legal Usage. "Illegal alien is not an opprobrious epithet: it describes one present in a country in violation of the immigration laws," the passage says.

Justice Sonia Sotomayor disagrees. In 2009, she became the first judge on the high court to opt for the term "undocumented immigrant" in an opinion, as Adam Liptak of the New York Times noted. She explained her perspective on the issue in later interviews, saying "illegal alien" creates the perception "that immigrants are all criminals and criminals in a negative sense of drug addicts, thieves, and murderers."

A 2012 immigration decision in the Supreme Court drew praise from advocates for omitting "illegal immigrants" and "illegal aliens" altogether, except when quoting other sources. "As a general rule," Justice Anthony M. Kennedy noted in the majority opinion, "it is not a crime for a removable alien to remain present in the United States." CNN contributor Charles Garcia said the court's "nonjudgmental" language reflected a more "humanistic approach" to reforming U.S. immigration policy.

With an epic legal challenge to Trump's travel ban underway, the high court will again have the opportunity to parse the language of illegality. Given its recent rulings, the court is likely to choose its words carefully.

The president, meanwhile, has made his preference clear.

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post-nation

**Trump draft executive order full of sound and fury on immigration, welfare and deportation**

By Janell Ross

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A draft plan, under discussion inside the Trump administration, promises to exclude would-be immigrants who might need public assistance and to deport, whenever possible, those already dependent on welfare.

The draft executive order, as written, illuminates one of the ways in which the Trump administration plans to deliver on campaign-trail promises to halt what candidate Trump repeatedly described as the intentional abuse of American social service programs. The effort, as described, appears to want to reduce immigrants' impact on American taxpayers and the workforce. But there are just a few problems with Trump's draft order.

They begin with the facts.

The language in the order, as written, portrays immigrants generally as a drain on the American taxpayer, and would direct the government to address the issue in several ways. The draft order would:

\* Direct various federal agencies to more strictly identify and exclude potential immigrants likely to need certain types of public aid and deport those already in the United States who have had to rely on social services help.

\* Command federal officials to determine how much the federal government could save — it specifically suggests a savings of $100 billion — if immigrants were limited to getting "only the public benefits that they are eligible to receive."

\* Compel federal officials to demand reimbursement from people inside the United States who made legal promises to support immigrant relatives, if necessary.

\* Require social service agencies to report immigrant benefit recipients to federal authorities.

The order calls for lots of research too, including how the estimated $100 billion in savings the order says these activities would generate could be brought to bear on domestic poverty along with regular reports monitoring the number of immigrants blocked, reimbursements demanded and the status of monitoring efforts to stop immigrants from receiving public benefits.

But, almost none of the issues identified in the draft order exist as they are described in the order.

Immigration is complex. Citizenship status can change and, in many U.S. households, citizens and legal and illegal immigrants live together, making the rights and benefits available to them difficult to quantify or classify as aid to "aliens." Long-standing U.S. law already makes it rare for noncitizens to receive most forms of public assistance, such as cash payments. And, experts in immigration law and the nation's public assistance programs say there's little data to support the administration's claim that immigrants disproportionately draw on public aid.

There are at least 5.1 million children living in the United States with a parent who is an unauthorized immigrant, according to an analysis published by the Migration Policy Institute in January 2016. More than 70 percent of these children are also U.S. citizens, eligible for a full slate of social service benefits as any other child in a family with a similar income. And immigrant children are more likely than others to live in low-income families. As many of those children are minors, they cannot simply be given control of the federal food or cash aid for which they qualify. The benefits have to be controlled by their parents, immigrants who are the heads of their households.

These families offer a helpful framework for thinking about any promise to surgically extract needy immigrants, said Tanya Broder, a senior staff attorney at the National Immigration Law Center.

"The reality is that immigrants and citizens live together, work together and inhabit the same communities and neighborhoods," said Broder, who specializes in policies affecting access to health care, public education and aid. "For good reason, we want every baby to be born healthy, every young child to have basic nutrition and the people around us to be physically healthy enough to contribute to our economy. When you ignore that, the consequences can quickly become more costly in terms of human beings and taxpayer dollars than providing services in the first place."

Though the draft orders characterize a ban on immigrants receiving welfare as something new, or at least insufficiently enforced, some of what it lays out as proposals for new immigration and welfare policy already exists. And what the order depicts as poor enforcement is actually more like a long line of laws, legal decisions, rules and official guides for federal employees that have made public charge deportations rare.

For more than 100 years, U.S. law has allowed federal officials to bar immigrants who, based on a specific formula, seem likely to need public assistance after arrival. That test is known as the "public charge" law. The law technically allows federal immigration authorities to deport immigrants who become public dependents within five years of their arrival and prevent legal immigrants from moving toward citizenship for the same reason.

Individuals living in the United States who want to help their relatives enter the country also are already required to sign an affidavit attesting to the fact that they earn enough money to support themselves and those hoping to immigrate. Anyone signing such an affidavit also agrees to pay back public assistance should their relatives receive it.

On top of that, in 1996, President Bill Clinton signed The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, widely known as "welfare reform." In addition to the lifetime limits for all welfare recipients, the law significantly restricted immigrant access to the U.S. social safety net.

"It was definitely the biggest change in policy regarding immigrant access to means-tested benefits ever," said Ron Haskins, one of the chief architects of the welfare reform law and a Republican congressional committee staffer who worked with the Clinton administration on the matter. Today, Haskins is a Senior Fellow at the Brookings Institution, where he co-directs the Center on Children and Families.

Those reforms barred illegal immigrants from many programs designed for the poor, said Audrey Singer, a senior fellow in the Metropolitan Housing and Communities Policy Center at the Urban Institute. She studies demographic change, immigration, global refu­gee movements and their municipal implications.

Much to the chagrin of many Republicans in Congress, some of these rules were scaled back during the George W. Bush and Obama administrations, Haskins said. The reason for the rollbacks: Many Democrats were never fond of the specifics of the welfare reform law, Haskins said. Clinton was unsure, and just two cabinet members and advisers in the room with Clinton when he decided to sign the 1996 law thought the immigrant provisions should be included, Haskins said.

Politics wasn't the only driver. In the years that followed welfare reform, documented reports of abuses, inaccurate reads of the public charge law, exorbitant fines 33 times the value of benefits provided and other stories began to reach Washington, Broder said.

By 1999, administration officials clarified the public charge law so that participation in food aid programs, seeking help with medical care, job training, education or child care clearly could not be considered violations of the country's prohibition on public dependency. Since 2002, immigrant children have been eligible for food aid during the five-year waiting period required for adults, and since 2009, states have had the option of providing health care coverage to legal immigrant children and pregnant women within their first years in the United States.

Still today, immigrant access to Social Security assistance is seldom granted, Singer said. Legal immigrants — including green-card holders — must navigate a mandatory five-year waiting period for eligibility in most aid programs. And, once on cash aid rolls, legal immigrants become subject to the same lifetime limits that apply to everyone else. What's more, some immigrants never become eligible for cash aid, Medicaid or the Children's Health Insurance Program (CHIP). To do so they have to fit certain criteria and live in a certain states. Across the country, refugees — people fleeing war, famine or persecution — receive six months of assistance after they arrive in the U.S., then become ineligible for most aid for several years.

None of that adds up to a situation anything like that implied by Trump's draft executive order. Immigrants do not make up overwhelming majorities of those receiving public assistance.

Immigrant families are less likely to receive food benefits than other households, according an Urban Institute analysis of federal 2008 and 2009 SNAP data. The pattern held but the gap between immigrant and native-born families narrowed when it came to cash aid and public health insurance.

In poor families, about 18 percent of children with native-born parents received cash help — Temporary Assistance for Needy Families (TANF) -- in 2008 and 2009, compared with about 12 percent of children with foreign-born parents, according to the study. Among children in poor families, 77 percent of those with U.S.-born parents and 69 percent of those with foreign-born parents had Medicaid or CHIP coverage.

The U.S. Department of Agriculture did not respond to a request for detailed data on the citizenship and national origin status of more recent or current SNAP (food stamps) recipients. A Department of Health and Human Services representative said the department does not have such data for Medicaid users. But an annual report on TANF recipients compiled by the agency suggests strongly that the inferences in Trump's draft order are not well founded.

In fiscal year 2015, 744,257 adults were enrolled in the cash assistance program along with about 2.37 million children who live with ineligible adults. That group of children includes some living with legal and illegal immigrant parents. But, noncitizens made up about 280,300 — or just 9 percent — of all the people receiving cash aid.

Read more:

No matter what you call it, Trump's immigration order will be tough to overturn, legal analysts say

Restaurants depend on immigrants. Trump's orders could hit them particularly hard.

Stephen Bannon's apparent references to anti-immigrant Know-Nothing Party don't seem so coincidental anymore

Document WPCOM00020170202ed22005eh



monkey-cage

**Who believes in voter fraud? Americans who are hostile to immigrants**

By Adriano Udani;David Kimball

977 words

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Donald Trump has prominently promoted the idea that there are widespread conspiracies to commit voter fraud, and has recently called for a major investigation. That's despite the fact that peer-reviewed studies have convincingly shown that voter fraud is extremely rare and difficult to prove (here, here, here and here).

So who is likely to believe him?

The answer: Americans who are hostile toward nonwhite immigrants. That hostility strongly influences estimates of how frequently voter fraud occurs.

Here's how we did our research

In a national survey of 1,000 adult Americans through the 2015 Cooperative Congressional Election Study (CCES), we asked people to estimate how often voter fraud occurs. Like other researchers, we define voter fraud perceptions as how much people think that U.S. elections include noncitizen voting, voting more than once, and voting while pretending to be someone else.

[interstitial\_link url="[https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/most-of-trumps-executive-orders-arent-actually-executive-orders-heres-why-that-matters/?utm\_term=.6cba3bb8f330″]Most](https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/most-of-trumps-executive-orders-arent-actually-executive-orders-heres-why-that-matters/?utm_term=.6cba3bb8f330%E7%AA%B6%EF%BD%B3%5DMost) of Trump's executive orders aren't actually executive orders. Here's why that matters.[/interstitial\_link]

The survey was conducted several months after Trump began his presidential campaign and after he began making voter fraud allegations. We also measured respondents' resentment of immigrants. In this study, we followed the lead of other researchers who have measured immigrant resentment as believing that immigrants increase crime, reduce the use of English, dampen U.S. citizens' political influence, and do not deserve any more special treatment or favors from government.

Here's what we found

A large proportion of American voters who hold anti-immigrant attitudes also believe that voter fraud occurs frequently in U.S. elections. Similar to what we find in our 2014 study, resenting immigrants is the strongest predictor of believing in rampant voter fraud, even after controlling for conventional political dispositions and socioeconomic characteristics.

[interstitial\_link url="[https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/trump-wants-voter-registrations-investigated-but-theres-already-a-system-for-that/?utm\_term=.64cf2041c09e"]Trump](https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/trump-wants-voter-registrations-investigated-but-theres-already-a-system-for-that/?utm_term=.64cf2041c09e%22%5DTrump) wants voter registrations investigated. This is how 20 states are already doing it.[/interstitial\_link]

Resentment toward immigrants isn't the only factor associated with believing in voter fraud. Also in the constellation are support for Trump, distrust of government, resenting blacks, and partisanship. However, they are all weaker at predicting belief in voter fraud than resentment toward immigrants.

Much as other studies have, we find that Democrats and Independents are less likely than Republicans to believe there's rampant voter fraud. We also find that resenting immigrants has a more powerful effect than animus toward African Americans.

That might be because there's been so much recent rhetoric — not just from Trump and his team, but from a wide range of figures — discussing voter fraud as involving immigrants breaking the law. That includes:

\* Unsubstantiated allegations that the 9/11 hijackers were registered to vote and could have voted in U.S. elections;

\* Former Arizona attorney general Tom Horne accusing illegal immigrants of diluting U.S. citizens' vote;

\* Kansas Secretary of State Kris Kobach's 2015 congressional testimony that claimed increasing illegal immigration will result in a large number of additional aliens registering to vote;

\* Florida Governor Rick Scott and Senator Marco Rubio defending their statewide effort to purge immigrants from the state's voting rolls before the 2012 election;

\* Former Georgia member of Congress Paul Broun asserting that Democrats need illegal aliens to win in Georgia.

Which immigrants are resented?

As Trump continues to publicly claim that millions of illegal immigrant voters cost him the popular vote, it raises another empirical question: Do people who believe there's a lot of voter fraud have negative attitudes toward particular immigrant groups? To answer this question, we experimented with using different descriptions of immigrant groups in a survey module of 1,000 respondents in the 2014 CCES.

[interstitial\_link url="[https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/i-interviewed-300-syrian-refugees-they-are-far-from-a-security-threat/?utm\_term=.f38f480dc526″]I](https://www.washingtonpost.com/news/monkey-cage/wp/2017/01/30/i-interviewed-300-syrian-refugees-they-are-far-from-a-security-threat/?utm_term=.f38f480dc526%E7%AA%B6%EF%BD%B3%5DI) interviewed 300 Syrian refugees. They are far from a security threat.[/interstitial\_link]

We asked all respondents to use a thermometer rating to indicate how cold (0) or warm (100) they feel about Irish immigrants. Then, respondents were randomly assigned the same question, but rating African, Chinese or Mexican immigrants. Measuring attitudes toward Irish immigrants gave us a useful baseline against which to compare attitudes toward other immigrant groups.

We found that feelings toward Irish immigrants do not affect a person's beliefs about voter fraud. But people with colder feelings toward the other three groups are more inclined to think that voter fraud occurs very frequently. That's especially true among people with less receptive views toward illegal immigrants, specifically Mexicans.

Here's what this suggests. Republican elites are tapping into the growing U.S. anger toward immigrants — and are deploying that as a reason to restrict voting. Tightened voting laws depresses turnout among voters of color, who tend to vote for Democrats.

Immigrants have become easy targets. Strategic politicians appear to be using antagonism toward them to craft policies that will help them get broad public support to achieve their own political goals. Proponents of voter identification requirements and other limitations on voting rights will likely exploit growing U.S. ethnocentrism to get those new rules through.

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David Kimball is professor of political science at the University of Missouri at St. Louis. Follow him on Twitter @kimballdc.

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post-nation

**San Francisco sues Trump over order on sanctuary cities**

By Katie Zezima

654 words

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English

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San Francisco sued President Trump on Tuesday over his executive order to defund jurisdictions that are so-called "sanctuary cities," the latest salvo in what promises to be a long battle between liberal cities and states and Trump's administration.

The lawsuit is the first over Trump's directive to withhold federal money from the municipalities, which typically do not alert state or federal authorities about a person's immigration status. Trump's order, signed last week, directs the Department of Homeland Security to find ways to defund states and cities out of step with his immigration priorities, a move that could at great financial cost to cities such as New York, Los Angeles and Washington.

The lawsuit, filed by San Francisco City Attorney Dennis Herrera, argues that Trump's order violates the 10th Amendment.

"The Executive Order is a severe invasion of San Francisco's sovereignty," the lawsuit says. "The Executive Branch may not commandeer state and local officials to enforce federal law."

San Francisco code prohibits the city and its employees from using funds or resources to disclose someone's immigration status or to assist in the enforcement of federal immigration law. It also prohibits law enforcement from detaining a person solely on his or her immigration status. It was a policy, Herrera argued at a news conference, that was enacted because undocumented immigrants feared that they would be deported if they reported crimes to police.

"Using city and county resources for federal immigration enforcement breeds distrust of local government and officials who have no power to change federal laws, and can also wrench apart family and community structures that support residents and thus conserve resources," Herrera wrote.

White House officials did not immediately respond to a request for comment Tuesday.

San Francisco first passed an ordinance declaring itself a sanctuary city in 1989, in response to thousands of Central American refugees coming to the United States. The city is estimated to have 30,000 undocumented immigrants. It receives $1.2 billion in federal funding, though it is unclear what might be at risk from Trump's order.

Sanctuary cities have become an early flash point between Trump and local elected officials around the country. The California legislature has vowed to fight Trump's order and is considering a bill that would make the entire state a sanctuary for undocumented immigrants. Mayors including Bill de Blasio (D) of New York, Betsy Hodges (D) of Minneapolis and Jorge Elorza (D) of Providence, R.I., who is the son of immigrants, have vocally opposed Trump's order and vowed to resist it.

Miami-Dade County Mayor Carlos Gimenez (R) essentially discarded his municipality's sanctuary city status in the wake of Trump's order. Gimenez issued an executive order compelling the city's corrections department to honor all immigration detainer requests from the Department of Homeland Security.

.@MayorGimenez issued this Executive Order early this evening. pic.twitter.com/GPG2SVhufe

During the presidential campaign, San Francisco became a flash point in the debate over sanctuary cities after 32-year-old Kathryn Steinle was shot and killed on a city pier by an undocumented immigrant who had a lengthy criminal history and had been deported five times. During the presidential campaign, Trump repeatedly evoked Steinle's name, stating in 2015 that her death was a "senseless and totally preventable act of violence committed by an illegal immigrant" and that it was "yet another example of why we must secure our border immediately."

At a news conference Tuesday, Herrera slammed Trump, casting him as a president who "does not appear to understand the Constitution and the limits it imposes on executive power" and has shown "little respect for our Constitution, states' rights or the rule of law."

"The president's executive order is not only unconstitutional, it's un-American," Herrera said.

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Metro

**Advocates push to limit state's cooperation with Trump on immigration**

Ovetta Wiggins

472 words

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Maryland was one of the first states to approve a Dream Act, which provides in-state tuition breaks for undocumented immigrants. It also passed a law that allows illegal immigrants to obtain drivers' licenses.

Now immigration advocates say they are working with Maryland lawmakers to draft the Trust Act, a bill modeled after a California law that limits the state's cooperation with deportation authorities.

The bill would include a provision to prohibit Maryland from implementing a Muslim registry, an idea that President Trump appeared to embrace during his presidential campaign.

Gustavo Torres, the executive director of CASA de Maryland, said Friday that advocates are hoping to build off Maryland's "huge history" of providing opportunities and protections to foreign-born residents, especially as Trump (R) moves to enforce his immigration crackdown.

Torres was one of several advocates who rallied in front of the State House in Annapolis on Friday to denounce Trump's executive order to cut off funds to cities that do not report undocumented immigrants to federal authorities, and his draft order to temporarily ban Muslim immigrants from the United States.

"We want to send a strong message about the anti-hate in Maryland," Torres said. "We are very confident that Maryland is going to be a hate-free zone."

Torres said advocates are trying to ensure that whatever bill is proposed passes both chambers with veto-proof majorities, because "we don't know what the governor is going to do."

Shortly after taking office, Gov. Larry Hogan (R) agreed to notify federal authorities when an illegal immigrant targeted for deportation was released from the state-run Baltimore city jail. Former governor Martin O'Malley (D) had refused that request from federal authorities.

Under the Trust Act, police and sheriff's departments would be forbidden to acquiesce to requests to hold undocumented immigrants longer than required by the local criminal justice system.

Del. Marice I. Morales (D-Montgomery), who plans to sponsor the legislation in the House, told the crowd that she and other lawmakers want to "do whatever we can" to push against Trump's actions.

The bill has not been submitted yet, but state Sen. Victor R. Ramirez (D-Prince George's) said Friday that he plans to sponsor the measure.

"We're a leader in Maryland," said Rameriz, referring to immigration-related laws. "What we don't want to do is go backwards."

Del. Joseline A. Peña-Melnyk (D-Prince George's) urged protesters to make their voices heard by calling and writing legislators and attending hearings on immigration-related legislation.

"This is a tough time in our country," Peña-Melnyk said. "It's important for our state to stand and say: this is not acceptable."

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Local-Politics

**Immigration advocates in Maryland push for state law to limit Trump orders**

By Ovetta Wiggins

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National-Economy

**In these six American towns, laws targeting 'the illegals' didn't go as planned**

By Chico Harlan

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HAZLETON, Pa. — Starting a decade ago, a group of small U.S. cities began passing laws to block undocumented immigrants from living within their borders.

They were a collection of mostly white exurbs and faded manufacturing towns whose populations suddenly were transforming. More Latinos were arriving in search of jobs, and the towns' leaders complained of burdened schools and higher crime.

Here in this northeastern Pennsylvania city, then-Mayor Lou Barletta said he would do what he could to restore "law and order" and take back his city. It was time, Barletta said, for a "war on the illegals."

And while that sentiment is shared among some advisers to President Trump, the experiences of these towns show how measures targeting undocumented immigrants can leave lasting and bitter racial divisions while doing little to address the underlying forces that often determine where newcomers settle.

The laws in most cases aimed to make it illegal for landlords to rent to undocumented immigrants and threatened fines for employers who hired them. But among the six most high-profile towns that tried to pass such laws, all have been foiled by court rulings, settlements or challenges with enforcement. Several have been ordered to pay the legal fees for the civil rights groups that brought suits. And in five of the six towns, the Latino population — legal or illegal — has continued to grow, attracted by a continued rise in low-paying jobs.

"It wound up costing our city $9 million in attorney's fees," said Bob Phelps, the mayor of Farmers Branch, Tex., a Dallas suburb that saw its ordinance defeated in court after a seven-year legal battle. "And we accomplished zero."

The local efforts were championed by two men who are now Trump advisers and reportedly were considered for Cabinet positions. Kansas Secretary of State Kris Kobach, who counseled most of the cities in their legal challenges, consulted with Trump during his campaign about issues including a border wall with Mexico. Barletta is now a U.S. House member and was part of Trump's transition team.

Trump on Wednesday rolled out the first phase of what is expected to be sweeping immigration policy changes, signing orders for the construction of a border wall and the targeting of "sanctuary cities" that resist the deportation of undocumented immigrants. His administration is also considering tighter restrictions on refugees from several Muslim-majority countries. Trump has more latitude to carry out immigration policy changes than states or cities do, but his policies could face legal challenges — or bring about unintended economic consequences.

"These ideas are more easy to sell as political talking points than as real policy options," said Muzaffar Chishti, the director of the Migration Policy Institute at the New York University School of Law. "Just because you say you want to do something doesn't mean you'll be able to."

Difficulties with enforcement

The towns that took action — Hazleton; Farmers Branch; Valley Park, Mo.; Riverside, N.J.; Escondido, Calif.; and Fremont, Neb. — did so largely out of frustration, fed up with swift demographic changes and what they saw as the rising costs of caring for undocumented residents. The newcomers were drawn by cheaper housing costs and new industries that attracted low-wage labor.

"The presence of illegal aliens places a fiscal burden on the city," Fremont's ordinance read.

At the same time, the federal government's inability to seal the border was helping to drive an argument that towns and states had the legal right to do a job that Washington could not manage. Kobach, a longtime activist who worked at the time for the legal arm of the Federation for American Immigration Reform, sought to use those towns as a testing ground for his aggressive stance. Most of the laws were passed in a flurry between 2006 and 2007.

Although immigration enforcement had long been the purview of the federal government, finding those who had crossed the border illegally or overstayed visas was not doable without the help of local law enforcement, said Rosemary Jenks, the director of government relations at NumbersUSA, which favors a reduction in immigration.

"You should help states and localities do what they want to do voluntarily in order to help the enforcement of immigration law," Jenks said.

But localities have not gotten the chance. In Hazleton and Farmers Branch, federal judges ruled the ordinances discriminatory and unconstitutional. In Escondido, the town quickly backed away after a challenge by the American Civil Liberties Union. In Valley Park, the town's mayor decided to no longer enforce what his predecessor had put in place. In Riverside, as legal bills piled up, the city council rescinded the ordinance, fearing damage to businesses. Dozens of other towns considering "Illegal Immigration Relief Act" laws backed off.

The municipality that has come the closest to successfully implementing such a law is Fremont, a meatpacking town west of Omaha where a six-year court fight, financed through a tax increase, won the city the right to ban undocumented immigrants from rental housing. But just as the city's officials put the law in place in 2014, they realized it would not be effective: Fremont's rental applications, with their wording approved by the courts, did not require the information, such as a Social Security number, that could help determine whether a person was in the United States legally.

Courts also have weakened several states' illegal-immigrant laws, most notably in Arizona. Michael Hethmon, who is senior counsel for the Immigration Reform Law Institute and helped Kobach handle the Hazleton case, said that the local efforts have faced more setbacks than victories but that the towns' money has been "well spent" in taking a stance. The towns had no data on the number of undocumented residents before or after the ordinances, making it difficult to measure how well the laws worked in driving away that part of the population.

"If you compare our advocacy struggle to other issues — civil rights issues or LGBT — you have to remember that those folks lost a lot more [at the beginning] before they ultimately prevailed," Hethmon said.

The battles over the local ordinances, residents of those towns say, helped create fault lines that remain visible. Escondido in 2014 rejected a permit for a shelter that would have housed unaccompanied minors who had come across the southwest U.S. border; a new ACLU lawsuit alleges that the rejection was driven by anti-immigrant sentiment. In Fremont, the town has been split by a proposed new Costco poultry processing plant — one that would add hundreds of jobs but probably would accelerate the arrival of immigrants.

"The makeup of our town has really changed, and again with this chicken plant, there's going to be a majority of low-income jobs that will not bring us taxpayers and homeowners," said Dawn Wiegert, 55, who has lived in Fremont for 25 years. "People that will be a burden on all of our other resources — I don't know how else to say it without sounding racist."

In Hazleton, the first place to propose an illegal-immigrant law, some of the tensions have worsened with the proliferation of social media, said Joleen Reis, 24, a Hazleton day-care worker who is one of the few who straddle the white and Latino communities. Her father came to Pennsylvania from Peru as a migrant worker and met her mother, who is white.

Reis pulled up a local-news page on Facebook. The latest item mentioned a police report — two men in dark clothing stealing from vehicles.

"So are you ready for America without illegals?" one commenter said. "Because I am!"

"Filthy animals!" another said. "Send them back somewhere now!"

Reis sighed.

"I try not to read this stuff, typically," Reis said. "But they assume everyone is illegal. And it's always 'us' versus 'them.' "

Blamed for town’s woes

Tucked under the crisscross of highways near the Pocono Mountains, Hazleton had endured the slow-motion decay common in blue-collar manufacturing and mining towns, only this time there was a twist: A newer set of state tax breaks helped lure a blitz of distribution centers, as well as a Cargill slaughterhouse, to the outskirts of town. The Latino population, at 4 percent in 2000, had soared to 38 percent by 2006, with many Dominicans moving from the Bronx and Brooklyn in search of jobs and cheaper housing. Barletta said he was concerned about higher crime rates, and when a 29-year-old was killed, allegedly by undocumented immigrants, he decided to act.

He searched on his computer about get-tough laws on immigration, finding an ordinance, debated but never passed, written by the city council in San Bernardino, Calif. Barletta copied the text almost verbatim. Hazleton's ordinance would make it illegal for businesses to hire undocumented immigrants and called for fines for landlords who rented to them.

Several months later, Hazleton had a new law and CNN trucks outside its city hall.

Barletta emphasized that he opposed only those in the United States illegally and was driven to act by several obvious problems: The population was booming, but the tax base wasn't — a sign, he said, of undocumented immigrants not contributing to the system. Schools were spending more money to educate Spanish-speaking students. Hazleton's woefully understaffed police force — short by about 30 officers — was struggling to deal with an uptick in violent crime.

"I saw how it affected the lives of people, our emergency rooms, our schools," Barletta said in an interview. "A mayor had to take the stand. Listen, it wasn't fun — trust me. When my dog barked in the middle of the night, I had a shotgun under my bed."

The law easily won the city council's approval, but its enforcement was held up by an injunction and a lawsuit brought by civil rights groups, including the ACLU. In court, some of Barletta's arguments for the law ran into trouble: He said he didn't know how many undocumented immigrants lived in Hazleton or how many had committed crimes. The town hadn't studied it.

A federal judge eventually ruled that the law was illegal because it usurped the federal government's power and would affect not just undocumented immigrants but "those who look or act as if they are foreign." Other courts upheld that ruling over eight years. Kobach, paid $250,000 by Hazleton, did not respond to multiple requests seeking comment.

In 2015, a federal judge ordered Hazleton to pay $1.4 million to the lawyers who had fought the town.

The city, with a budget of $9 million, took out a bank loan and cut a check to the ACLU, said Joseph Yannuzzi, the mayor who succeeded Barletta.

"With that money," Yannuzzi said, "we could have hired 12 police officers."

‘No choice about the changes’

Latinos now constitute 50 percent of Hazleton's population. They've opened up carnicerias and beauty salons and boutiques along once-decrepit Wyoming Street. They tend to be younger and much likelier to work than Hazleton's white residents, according to census data, and now make up much of the labor force at the airport-size distribution centers of American Eagle and Amazon.com (whose chief executive, Jeffrey P. Bezos, owns The Washington Post). Hazleton native Joe Maddon, the manager of the Chicago Cubs, several years ago opened up a community center aimed at building closer relationships between whites and Hispanics.

"To be honest, residents who were here before don't have no choice about the changes," said Eric Garcia, 37, a Dominican who moved to Hazleton from New York in 2005 and owns a photo studio.

But many longtime residents, unnerved by the influx of foreigners, have left the city limits for what they call the "valley" suburbs. With an immigration message similar to Barletta's, Trump won nearly 60 percent of the votes in Hazleton's Luzerne County.

Jamie Longazel, a Hazleton native and University of Dayton sociologist who in 2016 published a book about his home town, "Undocumented Fears," said that Barletta, with his ordinance, introduced a "villain" that people barely talked about beforehand. Longazel found in his research that only 0.7 percent of crimes in Hazleton between 2001 and 2006 had been committed by undocumented immigrants.

"I don't want to made it sound like Hazleton is only full of backwards racists," said Longazel, who conducted focus groups and interviews with longtime white residents. "I want to emphasize this point that a lot of the scapegoating we see is top-down. Politicians are speaking this language and then we tend to echo it, rather than there being malicious intent from the bottom."

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A-Section

**'And we accomplished zero'**

Chico Harlan

2,133 words

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English

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HAZLETON, Pa. - Starting a decade ago, a group of small U.S. cities began passing laws to block undocumented immigrants from living within their borders.

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"It wound up costing our city $9 million in attorney's fees," said Bob Phelps, the mayor of Farmers Branch, Tex., a Dallas suburb that saw its ordinance defeated in court after a seven-year legal battle. "And we accomplished zero."

The local efforts were championed by two men who are now Trump advisers and reportedly were considered for Cabinet positions. Kansas Secretary of State Kris Kobach, who counseled most of the cities in their legal challenges, consulted with Trump during his campaign about issues including a border wall with Mexico. Barletta is now a U.S. House member and was part of Trump's transition team.

Trump on Wednesday rolled out the first phase of what is expected to be sweeping immigration policy changes, signing orders for the construction of a border wall and the targeting of "sanctuary cities" that resist the deportation of undocumented immigrants. His administration is also considering tighter restrictions on refugees from several Muslim-majority countries. Trump has more latitude to carry out immigration policy changes than states or cities do, but his policies could face legal challenges - or bring about unintended economic consequences.

"These ideas are more easy to sell as political talking points than as real policy options," said Muzaffar Chishti, the director of the Migration Policy Institute at the New York University School of Law. "Just because you say you want to do something doesn't mean you'll be able to."

Difficulties with enforcement

The towns that took action - Hazleton; Farmers Branch; Valley Park, Mo.; Riverside, N.J.; Escondido, Calif.; and Fremont, Neb. - did so largely out of frustration, fed up with swift demographic changes and what they saw as the rising costs of caring for undocumented residents. The newcomers were drawn by cheaper housing costs and new industries that attracted low-wage labor.

"The presence of illegal aliens places a fiscal burden on the city," Fremont's ordinance read.

At the same time, the federal government's inability to seal the border was helping to drive an argument that towns and states had the legal right to do a job that Washington could not manage. Kobach, a longtime activist who worked at the time for the legal arm of the Federation for American Immigration Reform, sought to use those towns as a testing ground for his aggressive stance. Most of the laws were passed in a flurry between 2006 and 2007.

Although immigration enforcement had long been the purview of the federal government, finding those who had crossed the border illegally or overstayed visas was not doable without the help of local law enforcement, said Rosemary Jenks, the director of government relations at NumbersUSA, which favors a reduction in immigration.

"You should help states and localities do what they want to do voluntarily in order to help the enforcement of immigration law," Jenks said.

But localities have not gotten the chance. In Hazleton and Farmers Branch, federal judges ruled the ordinances discriminatory and unconstitutional. In Escondido, the town quickly backed away after a challenge by the American Civil Liberties Union. In Valley Park, the town's mayor decided to no longer enforce what his predecessor had put in place. In Riverside, as legal bills piled up, the city council rescinded the ordinance, fearing damage to businesses. Dozens of other towns considering "Illegal Immigration Relief Act" laws backed off.

The municipality that has come the closest to successfully implementing such a law is Fremont, a meatpacking town west of Omaha where a six-year court fight, financed through a tax increase, won the city the right to ban undocumented immigrants from rental housing. But just as the city's officials put the law in place in 2014, they realized it would not be effective: Fremont's rental applications, with their wording approved by the courts, did not require the information, such as a Social Security number, that could help determine whether a person was in the United States legally.

Courts also have weakened several states' illegal-immigrant laws, most notably in Arizona. Michael Hethmon, who is senior counsel for the Immigration Reform Law Institute and helped Kobach handle the Hazleton case, said that the local efforts have faced more setbacks than victories but that the towns' money has been "well spent" in taking a stance. The towns had no data on the number of undocumented residents before or after the ordinances, making it difficult to measure how well the laws worked in driving away that part of the population.

"If you compare our advocacy struggle to other issues - civil rights issues or LGBT - you have to remember that those folks lost a lot more [at the beginning] before they ultimately prevailed," Hethmon said.

The battles over the local ordinances, residents of those towns say, helped create fault lines that remain visible. Escondido in 2014 rejected a permit for a shelter that would have housed unaccompanied minors who had come across the southwest U.S. border; a new ACLU lawsuit alleges that the rejection was driven by anti-immigrant sentiment. In Fremont, the town has been split by a proposed new Costco poultry processing plant - one that would add hundreds of jobs but probably would accelerate the arrival of immigrants.

"The makeup of our town has really changed, and again with this chicken plant, there's going to be a majority of low-income jobs that will not bring us taxpayers and homeowners," said Dawn Wiegert, 55, who has lived in Fremont for 25 years. "People that will be a burden on all of our other resources - I don't know how else to say it without sounding racist."

In Hazleton, the first place to propose an illegal-immigrant law, some of the tensions have worsened with the proliferation of social media, said Joleen Reis, 24, a Hazleton day-care worker who is one of the few who straddle the white and Latino communities. Her father came to Pennsylvania from Peru as a migrant worker and met her mother, who is white.

Reis pulled up a local-news page on Facebook. The latest item mentioned a police report - two men in dark clothing stealing from vehicles.

"So are you ready for America without illegals?" one commenter said. "Because I am!"

"Filthy animals!" another said. "Send them back somewhere now!"

Reis sighed.

"I try not to read this stuff, typically," Reis said. "But they assume everyone is illegal. And it's always 'us' versus 'them.'"

Blamed for town's woes

Tucked under the crisscross of highways near the Pocono Mountains, Hazleton had endured the slow-motion decay common in blue-collar manufacturing and mining towns, only this time there was a twist: A newer set of state tax breaks helped lure a blitz of distribution centers, as well as a Cargill slaughterhouse, to the outskirts of town. The Latino population, at 4 percent in 2000, had soared to 38 percent by 2006, with many Dominicans moving from the Bronx and Brooklyn in search of jobs and cheaper housing. Barletta said he was concerned about higher crime rates, and when a 29-year-old was killed, allegedly by undocumented immigrants, he decided to act.

He searched on his computer about get-tough laws on immigration, finding an ordinance, debated but never passed, written by the city council in San Bernardino, Calif. Barletta copied the text almost verbatim. Hazleton's ordinance would make it illegal for businesses to hire undocumented immigrants and called for fines for landlords who rented to them.

Several months later, Hazleton had a new law and CNN trucks outside its city hall.

Barletta emphasized that he opposed only those in the United States illegally and was driven to act by several obvious problems: The population was booming, but the tax base wasn't - a sign, he said, of undocumented immigrants not contributing to the system. Schools were spending more money to educate Spanish-speaking students. Hazleton's woefully understaffed police force - short by about 30 officers - was struggling to deal with an uptick in violent crime.

"I saw how it affected the lives of people, our emergency rooms, our schools," Barletta said in an interview. "A mayor had to take the stand. Listen, it wasn't fun - trust me. When my dog barked in the middle of the night, I had a shotgun under my bed."

The law easily won the city council's approval, but its enforcement was held up by an injunction and a lawsuit brought by civil rights groups, including the ACLU. In court, some of Barletta's arguments for the law ran into trouble: He said he didn't know how many undocumented immigrants lived in Hazleton or how many had committed crimes. The town hadn't studied it.

A federal judge eventually ruled that the law was illegal because it usurped the federal government's power and would affect not just undocumented immigrants but "those who look or act as if they are foreign." Other courts upheld that ruling over eight years. Kobach, paid $250,000 by Hazleton, did not respond to multiple requests seeking comment.

In 2015, a federal judge ordered Hazleton to pay $1.4 million to the lawyers who had fought the town.

The city, with a budget of $9 million, took out a bank loan and cut a check to the ACLU, said Joseph Yannuzzi, the mayor who succeeded Barletta.

"With that money," Yannuzzi said, "we could have hired 12 police officers."

'No choice about the changes'

Latinos now constitute 50 percent of Hazleton's population. They've opened up carnicerias and beauty salons and boutiques along once-decrepit Wyoming Street. They tend to be younger and much likelier to work than Hazleton's white residents, according to census data, and now make up much of the labor force at the airport-size distribution centers of American Eagle and Amazon.com (whose chief executive, Jeffrey P. Bezos, owns The Washington Post). Hazleton native Joe Maddon, the manager of the Chicago Cubs, several years ago opened up a community center aimed at building closer relationships between whites and Hispanics.

"To be honest, residents who were here before don't have no choice about the changes," said Eric Garcia, 37, a Dominican who moved to Hazleton from New York in 2005 and owns a photo studio.

But many longtime residents, unnerved by the influx of foreigners, have left the city limits for what they call the "valley" suburbs. With an immigration message similar to Barletta's, Trump won nearly 60 percent of the votes in Hazleton's Luzerne County.

Jamie Longazel, a Hazleton native and University of Dayton sociologist who in 2016 published a book about his home town, "Undocumented Fears," said that Barletta, with his ordinance, introduced a "villain" that people barely talked about beforehand. Longazel found in his research that only 0.7 percent of crimes in Hazleton between 2001 and 2006 had been committed by undocumented immigrants.

"I don't want to made it sound like Hazleton is only full of backwards racists," said Longazel, who conducted focus groups and interviews with longtime white residents. "I want to emphasize this point that a lot of the scapegoating we see is top-down. Politicians are speaking this language and then we tend to echo it, rather than there being malicious intent from the bottom."

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right-turn

**10 huge flaws in Trump's immigration directives ; They're part of a dumb policy aimed at satisfying low-information voters.**

By Jennifer Rubin

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One hardly knows where to begin in describing the flaws in the batch of immigration actions President Trump announced on Wednesday. Here are 10 for starters:

1. This is more hysteria unrelated to actual border conditions. As the Wall Street Journal editorial board put it, "Border apprehensions were 192,000 last year, but that's down from 981,000 a decade ago. Pew estimates that about 11.1 million unauthorized immigrants live in the U.S. (3.5% of the population), and 52% are Mexicans. That share is falling every year amid rising illegal entries from Asia, Central America and sub-Saharan Africa. Most of these aliens arrive legally but overstay their visas." This is an expensive, counterproductive agenda in search of a problem.

2. The terrain of much of the border is not conducive to fencing.

3. Trump's obsession with the southern border and relative indifference to visa overstays suggests a bias against certain illegal immigrants. Trump thinks Mexican immigrants are "killers" and "criminals," while apparently never having used such invective against other illegal immigrant groups.

4. A physical wall is duplicative, ineffective and unnecessary. Cato Institute scholar David Bier explains that we have more than 600 miles of border fencing already. Moreover, "Tunnels are typically used more for drug smuggling, but they are still a serious vulnerability in any kind of physical barrier." Walls can be defeated by ladders and ramps. Zero evidence exists that a wall is a cost-effective means of stemming illegal entry. ("Despite the importance of this question, apparently no estimate of the impact of the current border fence on illegal immigration exists at all, let alone a comparison to other technologies. This is despite more than a decade to conduct such a study for the recent fences, and even longer to study the earlier fences.")

5. This is a boondoggle of the worst sort. "For the full 1,000 miles, Trump's 30-foot wall (with a 10-foot tunnel barrier) would cost $31.2 billion, according to the best estimate from Massachusetts Institute of Technology engineers—that is $31.2 million per mile," as Bier notes.

6. Building a wall will be a huge expansion of federal power and land, reinforcing Republicans' long-standing complaints that the feds gobble up too much state land.

7. Trump actually is making apprehension and deportation of criminals harder. The Obama administration already prioritized deportation of violent criminals. An immigration lawyer explained to me that contrary to the Obama administration, the Trump order "prioritizes nearly everything." He points out, "Labeling every person a 'priority' is like highlighting every word in a textbook." Since resources are finite, Trump increases the chances that a truly violent criminal won't be deported. When those people commit new crimes, Trump's scattershot policy will be partly to blame.

8. There is no way Mexico is going to pay for the wall. Trump's statement that U.S. taxpayers wouldn't pay the cost has morphed into a word salad. "Ultimately, it will come out of what's happening with Mexico," Trump told ABC's David Muir. "We're going to be starting those negotiations relatively soon, and we will be in a form reimbursed by Mexico." We have no idea what this means.

9. The notion of a "sanctuary city" is a misnomer. Immigration and Customs Enforcement (ICE) agents are free to apprehend individuals wherever they want. We are talking about the extent to which local law enforcement can be required to devote resources (e.g. hold illegal immigrants in jails) and whether, for example, it demands a warrant from the feds. Who is going to monitor and decide whether the cities are living up to the requirements? What if the federal government and cities disagree on whether the local authorities are being sufficiently cooperative?

10. If the federal government cuts off aid to cities, shortfalls in everything from schools to roads to anti-poverty programs to health care (what about Medicaid costs for people in those cities?) will be attributable to Trump's policy. When people "die on the streets" or shootings increase in a city, there will be a convenient person to blame: Trump.

There are dozens of other reasons not to pursue these policies, including the damage it will do to relations with Mexico. Whatever you think about illegal immigration, Trump's approach -- like much of what he does -- makes for good PR with his base but is rotten policy for the United States.

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Local-Politics

**D.C., other sanctuary cities defiant in the face of Trump's threats**

By Aaron C. Davis;Peter Jamison;Fenit Nirappil

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District officials warned that the nation's capital could lose millions — or even billions — in federal assistance annually after President Trump signed a vaguely worded order to crack down on communities that resist the deportation of illegal immigrants.

Speaking Wednesday at the Department of Homeland Security, Trump singled out sanctuary cities, such as the District, Chicago and Los Angeles, as causing "immeasurable harm" to the American people and to the very fabric of our Republic by refusing to help the federal government identify and deport undocumented residents.

Trump directed Homeland Security to examine ways to limit "federal funds, except as mandated by law" to sanctuary cities — wording that puzzled elected officials and municipal attorneys across the country.

Budget officials in the District said the use of the word "funds" could include a wide range of federal assistance to the city, including even $2.5 billion in annual Medicaid contributions — or roughly 20 percent of the city's total annual spending.

"This is a federal issue, and the administration should not be dumping it on the cities," said D.C. Council Chairman Phil Mendelson (D), who said he was worried by the initial assessment of city budget officials.

"I find it offensive that the people who can't fix the federal immigration policy are trying to put the onus for enforcement on local authorities," he said, declining to speculate about how the city would proceed with fighting the order.

During a news conference Wednesday night, D.C. Mayor Muriel E. Bowser (D) said the District would remain a sanctuary city, even as she said the impact to the city remained entirely unclear.

"Our city and our values did not change on Election Day," Bowser said. "Being a sanctuary city means we are not an agent of the federal government . . . . It means that our police can focus on serving D.C. residents — protecting and serving them — no matter their immigration status."

The District is among many heavily Democratic cities that have embraced the sanctuary label, but one of the few in the region. Other communities, including Montgomery County and Baltimore, walked a careful line Wednesday, seeming not to classify themselves as strictly sanctuary jurisdictions, even as they are widely considered such.

Maryland has cooperated with federal policies on detaining undocumented immigrants since 2015, when Gov. Larry Hogan (R) reversed the noncompliance policy of his Democratic predecessor, Martin O'Malley.

In Montgomery, officials said county arrest and detention information goes to the state and that all state information is accessed by federal authorities.

Still, its county executive, Isiah Leggett, reaffirmed the county's policy of minimal cooperation with federal immigration agencies and said he would vigorously contest any attempt to cut off federal funds.

"Clearly, we're going to fight that, and if needed, we will take appropriate legal action to resist," said Leggett (D). Montgomery's government receives more than $200 million a year in federal money.

The definition of "sanctuary" varies significantly from place to place. Some cities and counties merely refuse detainer requests — which occur when the federal government asks a local community to hold an illegal immigrant already in its custody until federal officials can start deportation proceedings. Other communities instruct their local police not to ask about immigration status. And still others issue identification cards and driver's licenses to undocumented immigrants and provide other services. The District and Chicago recently created legal-defense funds for illegal immigrants.

Immediately after Trump's announcement, about 100 people gathered at the Columbia Heights Civic Plaza. A stream of speakers took the microphone to denounce the president's proposed crackdown on sanctuary cities. Protesters held banners reading "#Here2Stay" and "They will not build borders in our community."

Among the speakers was Ana Rondon, a 43-year-old Columbia Heights resident who came to the District from the Dominican Republic as a child and said she is still undocumented. Rondon, a mother of six who said she volunteers in D.C. public schools, said in an interview that the president's directives "will get me to trust cops even less."

"The way I'm feeling right now is sad, depressed, disappointed. Because there's a lot of people who's going to be affected by what he's doing," Rondon said. She said many of the immigrants she knows in the District are law-abiding and hard-working but are being demonized by the president, who in his speech Wednesday afternoon made repeated references to violent crimes committed by illegal immigrants.

"I just feel like he came out to spread hate, and to do that is exactly the opposite of what America wants — not just immigrants," she said.

Sapna Pandya, executive director of Many Languages One Voice, the activist group that organized the rally, said the demonstration was intended to prod Bowser to more forcefully defend the District's sanctuary city policy.

She said the mayor's recent creation of a legal fund for immigrants was welcomed but insufficient to reassure those who feel at risk of deportation.

"We are asking for specifics from the mayor and her administration about what they are going to do in response to these executive orders," Pandya said.

Trump's executive order sent a shock through city halls and county government buildings across the country.

Some, like Boston Mayor Marty Walsh promised outright defiance, saying he would use all city resources to protect the city's illegal immigrants "even if that means using City Hall itself as a last resort."

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"We're going to stay a sanctuary city," Emanuel told reporters Wednesday. "We welcome people, whether you're from Poland or Pakistan, whether you're from Ireland or India or Israel, and whether you're from Mexico or Moldova, where my grandfather came from, you are welcome in Chicago as you pursue the American Dream."

In San Francisco, Mayor Ed Lee expressed a mix of defiance and confusion about the specific threat his city faced.

"We receive about $1 billion in federal moneys," Lee told reporters. "But I'm not sure at all, and neither is the city attorney, about the language they used and what's under review at this time."

By evening rush hour in the District, more than 400 protesters marched near the White House, chanting in favor of immigrants and blocking traffic on 15th Street NW. They unfurled banners in front of them on the street that said "Donald Trump is a Racist," "Islamophobia Kills" and two large footprints with the silhouettes of people inside.

Among the undocumented immigrants who showed up was Catalina Velasquez, a transgender woman who has lived in the country for 15 years and received legal protections under the Obama administration for people brought to the country illegally as minors.

She says her entire family was deported back to Colombia in 2009, and she fears if she joins them, she faces the risk of violence and discrimination because of her gender identity, including from disapproving relatives.

"If I am deported, I am deported to a death sentence. I am a trans woman — it's not safe for me anywhere I go," said Velasquez, 29. "But this is the safest."

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Bill Turque, Arelis R. Hernández and Josh Hicks contributed to this report.

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Metro

**Trump's order puts D.C. on the spot**

Aaron C. Davis Peter Jamison Fenit Nirappil

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the-fix

**President Trump is likely to keep a close eye on this brewing sanctuary city battle in Texas**

By Amber Phillips

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As the White House announced plans Wednesday to end federal grants to sanctuary cities, a high-stakes, highly partisan showdown over how to close them was already underway in Texas.

It's a showdown the Trump administration and opponents of illegal immigration will likely be watching closely to look for clues as to how they might be able to shut down these cities nationwide — a much more contentious and constitutionally perilous undertaking.

In Texas, things are already contentious. The newly elected sheriff for Austin and the county it sits in, Travis County, is refusing to comply with federal deportation requests she doesn't agree with. Travis County Sheriff Sally Hernandez has said she would abide by deportation requests for people charged with serious crimes such as murder — but that she would not promise to abide by all requests.

Gov. Greg Abbott (R), who won a showdown with the sheriff in Dallas in 2015 over sanctuary cities,  is demanding that Hernandez change her mind — or risk losing some $1.8 million in state grants and even her job.

"We will remove her from office," Abbott warned in an interview Wednesday morning on Fox News.

Abbott is calling for legislation to ban sanctuary cities, remove any officeholder who refuses to comply with federal deportation requests and even impose criminal and financial penalties on that person. A bill to ban sanctuary cities has been introduced in the GOP-controlled legislature.

Yes. I'm going to sign a law that bans sanctuary cities. Also I've already issued an order cutting funding to sanctuary cities. #txlege <https://t.co/uYXa2QFrvE>

In some ways, the battle between governor and sheriff over these cities is uniquely Texan. Texas, with its conservative state government and pockets of liberal cities, is one of the only states where a flashy showdown between governor and sheriff could take place.

But Abbott is also the first up to bat in a new paradigm in which the president has signaled he has a zero-tolerance policy for cities that shelter immigrants who are in the country illegally. And opponents of sanctuary cities will be watching to see if he can help them blaze a path through the web of constitutional, legal and political hurdles that sanctuary city opponents in more liberal states — or even the federal government — could use in a way they never could under the Obama administration.

Jessica Vaughan, with the conservative-leaning Center for Immigration Studies, says the Trump presidency is already changing the landscape.

"I expect [Immigration and Customs Enforcement] to go back to saying: This is not a request. This is not optional. When we issue a detainer, we expect you to honor that just as you would for any other law enforcement agency in the country," Vaughan said. "That will reinforce what Governor Abbott is trying to do."

Sanctuary city opponents could also flex their newfound muscle by working with the Department of Justice to make public which immigrants the local governments refuse to help deport, along with their criminal histories. Even their names could be made public, Vaughan suggested.

"That will create a dynamic where the sheriff could have to start explaining why these individuals were released, and people will have the opportunity to judge for themselves whether it makes sense," she said.

Research has indicated that immigrants in the country illegally don't commit crimes at a higher rate than legal residents, but opponents say no one in the country illegally should be allowed to commit a crime and stay.

We could also start to see more lawsuits from residents of these cities to pressure their local law enforcement agencies to abide by deportation requests. Vaughan pointed to a recent case in which an Illinois resident whose family member was killed by an illegal immigrant successfully sued the sanctuary county that released the immigrant, arguing there was a reasonable expectation that local law enforcement would follow federal rules to keep its citizens safe.

The Texas standoff could provide an opportunity for the Trump administration to step in and ask a federal judge to demand that cities hand over immigrants who are not in the country legally. They could argue it's technically against the law to shield immigrants from deportation, per the federal Anti-Harboring Law.

Pursing a legal challenge is a risky endeavor. The existence of a sanctuary city, with clearly stated policies that might be in conflict with federal law, has never been challenged in court. There's not even an agreed-upon definition of what a sanctuary city is.

It's true if the Trump administration won, it could be game over for the current system in those cities. But immigration experts aren't sure such a demand would hold up in a court of law.

Trump's executive action demanding sanctuary cities lower their walls or else lose federal funding tugs at a fundamental tension between the rights of localities to make and enforce their own laws and the rights of the federal government to make and enforce its laws.

"I think it's pretty clear that the federal government cannot tell local governments how to run their affairs in minute detail, without at least paying for all of it," said Alex Nowrasteh with the libertarian-leaning Cato Institute.

Some constitutional scholars also point to a recent Supreme Court ruling on the Affordable Care Act that says it's unconstitutional for the federal government to be a "gun to the head" of state and local governments.

The constitutionality of a state government using political, financial and legal levers to close these cities is less clear cut, since each state has its own rules about how much authority it can exert over localities.

Which brings us back to Texas and the fact that the showdown between governor and sheriff is not likely to play out in states across the United States, which are either mostly liberal or mostly conservative. The real battle will be between the federal government and liberal cities such as Oakland, Las Vegas, New York and Chicago.

As America enters a new tough-on-immigration reality with few definitive answers, the battle in Texas could help Trump and his supporters nail down a blueprint to use nationwide.

Document WPCOM00020170125ed1p005v6



the-fix

**Why Donald Trump may not be able to close sanctuary cities with the wave of a pen**

By Amber Phillips

1,038 words

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Washington Post.com

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English

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President Trump is gearing up to tackle one of his marquee campaign promises: His pledge to target so-called sanctuary cities.

He reportedly plans to sign an executive order Wednesday to target the (mostly liberal) cities and counties that refuse to agree to hand over illegal immigrants to the federal government for deportation, especially if they don't agree on why Trump's administration wants to deport them. (Most, if not all, leaders in these cities have said they will hand over immigrants charged with serious crimes like murder.)

Sanctuary cities are one of the most high-profile acts of defiance for a Trump presidency, and he has indicated he has a zero-tolerance policy for these cities and every intention of ending their deportation protections. Except, that might be easier said than done. Immigration experts say Trump could run up against constitutional, geographic and even legal challenges in trying to force these cities to stop openly flouting him.

First, the geographic challenge. Trump could leave closing down these cities up to the states. Republicans control both the state legislative chamber and governors' mansion in 25 states. Texas state GOP lawmakers introduced a bill in December to cut off state funding to sanctuary cities, hoping to follow in the footsteps of North Carolina, which in 2015 became the first (and so far only) state to effectively ban them.

This month, Texas Gov. Greg Abbott (R) is in a high-profile show down with the new sheriff of Travis County, threatening to cut off some $1.8 million in state grant money for her department unless she agrees to cooperate with all deportation requests.

Yes. I'm going to sign a law that bans sanctuary cities. Also I've already issued an order cutting funding to sanctuary cities. #txlege <https://t.co/uYXa2QFrvE>

But apart from North Carolina and Texas, immigration experts have a hard time seeing where else a ban might gain momentum. Most cities that let local law enforcement decide whether to hand immigrants to hand over to federal authorities for deportation  are in Democratic-controlled states.

"A lot of the other Republican states don't have large cities or large number of immigrants, so it's just not an issue in a lot of these GOP-controlled states," said Alex Nowrasteh, an immigration policy analyst with the libertarian Cato Institute. (A bill in Texas failed in the past few years in part because there were no sanctuary cities to ban.)

Trump could just ask Congress to pass a law cutting off funding for sanctuary cities. Except sanctuary cities have never really been a priority for Republican congressional leadership, which seems much more focused on repealing Obamacare and tax reform (and, when it comes to immigration, securing the border --  a whole other headache for Republicans).

Plus, Senate Democrats successfully blocked two sanctuary city bills in Congress in the past two years (including one immediately after 32-year-old Kate Steinle was shot and killed in San Francisco by an illegal immigrant deported five times prior).

At the time, Senate Minority Leader Harry Reid (D-Nev.) derided a sanctuary city ban as "dog-whistle politics," pointing out crimes committed by illegal immigrants aren't any higher than crimes committed by any one else living in America. Senate Democrats gained two seats in November's election, so they should have the numbers to block a ban bill again.

If legislation isn't an option for Trump, some experts think taking the cities to court might be. Jessica Vaughan, the director of policy studies at the conservative-leaning Center for Immigration Studies, says the Trump administration could ask a federal judge for an injunction demanding these sanctuary cities hand over any immigrants the federal government wants to deport. They could argue it's technically against the law to shield immigrants from deportation.

But this, too, comes with risk. Challenging the legality of sanctuary cities has never been tried before, so it's a 50/50 shot on how the courts would read the intersecting and sometimes contradictory laws about state rights and immigration.

Some constitutional scholars argue it could be a 30/70 shot, given a recent Supreme Court Obamacare ruling makes it unconstitutional for the federal government to be a "gun to the head" of state and local governments.

The likeliest route available to Trump to close down sanctuary cities is probably the least effective. The Justice Department, under the leadership of anti-immigration Sen. Jeff Sessions (R-Ala.), could limit law enforcement grants to non-sanctuary cities. Essentially, they'd be making it more expensive to be a sanctuary city, one grant at a time.

Of course, sanctuary cities could just decide sticking it to Trump is worth the cost. Many cities have announced their intention to be sanctuary cities after Trump's threat to cut off funding to them. "I like to compare this to conscientious objector status," Mayor Libby Schaaf of Oakland, Calif., told the New York Times.

And you can't cut off funding for sanctuary cities willy-nilly, argues George Mason Law Professor Ilya Somin, because the Supreme Court has  ruled you can't slap conditions on federal grants without explicitly telling states about the conditions.

Finally, all these options share something that's anathema to conservatives: They're big-government solutions. Getting rid of sanctuary cities requires a state, or Congress, or even the president to take a top-down approach and dictate municipal laws. And that can be an awkward thing for Republicans to gun for.

"The spectacle of the federal government trying to deport large numbers of people in the face of local resistance is unlikely to make good PR for the Trump administration," wrote Somin in The Post's Volokh Conspiracy blog.

Trump has options to try to tamp down on sanctuary cities, but all of them -- legislation, the courts, financial pressure -- are not guaranteed to work. That means some of our biggest cities could openly flout one of Trump's most high-profile campaign promises, and there's not a lot he may be able to do about it.

Document WPCOM00020170125ed1p003e9



monkey-cage

**After a professor's op-ed went viral, this is what happened next ; He was called a cross-dresser, Muslim, communist and 'snowflake' -- among other things.**

By Andrew Reynolds

1,095 words

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On Dec. 23, I published an op-ed in the Raleigh News & Observer arguing that North Carolina was no longer a "fully functioning democracy." The gerrymandering of legislative districts had been ruled unconstitutional. The state's voter identification law had also been ruled unconstitutional because, in the words of the U.S. Court of Appeals for the 4th Circuit, it "targeted African-Americans with surgical precision."

Supporting evidence came from the Electoral Integrity Project US 2016 study, which has surveyed scholars about election quality in the 50 states and countries around the world. This study suggested that on most of the dimensions of election quality, North Carolina performed reasonably. But when it came to voter registration and electoral laws, the state did poorly, and on districting, very poorly. On the specific dimension of election quality, North Carolina wasn't viewed much differently from Cuba, Indonesia or Sierra Leone.

One consequence: North Carolina state legislative elections are less competitive than in most other states. This arguably detached legislators from public opinion. For example, House Bill 2, the "bathroom law" that required transgender people to use the public restroom matching their biological sex, was supported by 76 percent of State House legislators — even though 58 percent of North Carolinians thought it was damaging the state.

Trends in the reaction

The reaction to my op-ed was rapid and intense. It was the subject of tens of thousands of retweets and shares reaching over 10 million accounts. There were features in the New York Times, Chicago Tribune, Christian Science Monitor, Guardian, Independent, Slate, Huffington Post, Politico, TheHill, Vox and GQ magazine. On Christmas Eve, the op-ed became the lead on the Twitter home page.

I also appeared on Fox News and Democracy Now! There were editorials in the Wall Street Journal and a clutch of North Carolina newspapers.

Between Dec. 23 and Jan. 11, I received 127 emails reacting to the piece — an extraordinary number for your average college professor. The graph below shows the trend.

As is often true of anything that "goes viral," the attention was brief. The vast majority of emails and online comments occurred on publication day (Dec. 23), Dec. 29 (after Democracy Now!) and Jan. 2 (Fox News).

Of these emails, 72 were positive, 46 negative and nine neutral. Early on, most were positive, but after the story was picked up by conservative websites the criticism became more pronounced.

Themes in the criticism

Part of this criticism was a reaction to the headline. I wrote that North Carolina could no longer be considered "a fully functioning democracy," but the headline said "North Carolina can no longer be considered a democracy."

The Daily Caller wrote: "Professor: North Carolina Is NO LONGER A DEMOCRACY Because Republicans Win Too Many Elections." It placed quotes around words I had never said. As supporting evidence, it was revealed that "on his Facebook page Reynolds … shows himself in front of an LGBT rainbow flag." The Daily Caller post led to "Fox & Friends." As I waited in the green room, the hosts teased the viewers with the Daily Caller's headline.

Other reactions centered on the word democracy: "America is not a democracy, we are a Republic!" Saying the United States is not a democracy because it is a republic is like saying, "That's not a dog, it's a Labrador retriever." About two-thirds of the world's full democracies are republics.

The insults

Many other reactions were not about the substance of the argument but simply personal attacks. People wrote to say that I was gay or a predatory cross-dresser abusing women in bathrooms; that I was either a Muslim, a "Muslim sympathizer" or an illegal immigrant; that I was a Communist or a Marxist; and that I was mentally impaired in some way. (Examples of the emails I received are here.)

"Snowflake" came up often in a text search of online comments that my article elicited. It's an insult lobbed at someone who is allegedly too sensitive. If you object to discrimination, verbal abuse, even assault, you are a "snowflake." I spent four months in Afghanistan; was in Sanaa, Yemen, when the Houthi rebels invaded; worked with Ambassador J. Christopher Stevens in Benghazi; had to outrun the military in Burma to escape deportation; am banned from entering Egypt and Zimbabwe because of my work on designing democratic institutions. But because I raised concerns about the quality of democracy in North Carolina, I am a snowflake.

The takeaway

In the age of sites like the Monkey Cage and others, scholars in political and social science have arguably become more engaged with the broader public. This is an encouraging trend, and my experience highlights the benefits of public engagement. For example, after reading the article, thousands of Americans expressed their frustration with the consequences of partisan redistricting.

At the same time, my experience also highlights the pitfalls of public engagement. One is that the reaction is so short-lived. There may be durable passion on some issues — such as police brutality — but when the issue is the map of state legislative districts, the passion is less lasting. The challenge is to harness the moment before it passes by. My experience also shows the potential pitfall of an evidence-based argument: a stronger opposing reaction that arises because the evidence poses a real threat to the status quo.

Of course, the criticism and abuse directed at me was small compared to what many others experience, particularly women, people of color, and lesbian, gay, bisexual and transgender activists. This abuse takes its toll. So it is important to not only encourage scholars to engage publicly but also support them when they do. We should not simply assume or expect that scholars will have a thick skin.

But after the abuse subsides, my experience suggests that engaged scholarship moves the conversation forward. Supporters are armed with the data needed to build a persuasive case. At the very least, a new public conversation can begin. After my article was published, I was asked to speak throughout the state — and not just to the usual allies. I am breaking bread and having real conversations with leading conservatives, as well. Doors open in the most surprising places.

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right-turn

**10 ways the media can fight back**

By Jennifer Rubin

958 words

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The media are facing four years (if he makes it all the way through) of President-elect Donald J. Trump as he misleads, berates, evades and distracts them in order to cover for his own ethical, moral, policy and intellectual shortcomings (of which there are many). The media have been bemoaning their fate, fearful they will be dancing to his tune just as surely as Trump dances to Vladimir Putin's. The media, however, have practical methods at their disposal to combat Trump.

First, do not bail out Trump when he attacks or evades the question of another journalist. Ask the same question or a follow-up. Do not move on to another topic. If he will not answer a question (e.g., Doesn't Trump really know who Carter Page is, since he mentioned his name in his editorial board meeting with The Post during the campaign?) ask him why he refuses to answer. "You didn't answer the question," they can say. "Please do."

Second, come armed with Trump quotes and Trump video clips loaded on smart phones. Philippe Reines, who played Trump in the debate preparation with Hillary Clinton, figured out how much he hates hearing his own words thrown back in his face and the degree to which he will lie to avoid taking ownership of his words. "It was when Clinton quoted his tweet on climate change being a Chinese hoax that he went off the rails," he told Politico. "He really doesn't like being quoted back to him. I think part of it is he might not remember what he said or wrote at any given time." (If true, he should have that memory thing checked out, by the way.)

Third, do not ask multi-part questions or long questions. Make sure he does not have any ambiguity to exploit. Don't ask: "Did you talk to the Russians during the campaign?" Instead ask: " Did you or anyone on the campaign communicate in any way with the Russians?"

Fourth, be focused on what he is not saying. He said he would "donate" money spent by foreigners at his hotels. The follow-up is: What about other moneys and benefits you receive from foreign governments or their state-owned banks and firms? Others would be: Do you owe money to any foreign banks? Does your company receive permits, licenses or other approvals from foreign governments that are of value?

Fifth, his selected advisers and Cabinet members have contradicted him many times. Nominees want to get confirmed so they generally try to avoid sounding ignorant or nutty. Use the words of the people he respected and has raved about to corner Trump: Mike Pompeo, Jim Mattis and Rex Tillerson all say Russia is a threat. Do all your nominees know something you don't? Steven Mnuchin, Trump's secretary of treasury nominee says we can grow between 3 and 4 percent. Is Trump's tax plan, which assumes much higher growth, just a sales job?

Sixth, press him on his finances. If you won't show your tax return to the nearest $100,000 how much did you claim in charitable deductions in 2015? 2014? How much of your debt is held by foreign banks? Do you have foreign partners or investors in any business venture?

Seventh, confront him with inconsistencies in his policies. You said the "real" unemployment number is over 40 percent. Will the next month's BLS unemployment rate reflect this? Would Russia have to stop support for Iran to enjoy better relations or are you content to see it as Iran's major arm's supplier?

Eighth, remind him of poll numbers: Your approval rating entering office is the lowest of any recent president. Why don't people like you or think you are honest? The overwhelming majority of Americans think Russia is a threat. If Putin is so unpopular with Americans why do you never criticize him?

Ninth, put the onus on him to justify his positions and/or refusal to be transparent: You know every property and asset you own. Since you know which would benefit from changes in tax and regulatory policy how can Americans ever be sure you're not enriching yourself? You hired Mike Flynn, who routinely went on RT, a Russian propaganda outlet, believing it was just another news network. Why should you or voters have any confidence he knows what he is doing?

Tenth, ask him about the human cost of his policies: Many illegal immigrant parents have small children who were born in the United States. Many illegal immigrants have steady work, are enrolled in school or serve in the military. Will you kick them all out or are you in favor of amnesty for millions of people? Rolling back Medicaid to pre-Obamacare levels will leave many poor people with no health insurance. Will you do that? If tariffs go on goods made in China and Walmart raises its prices by 20 or 30 percent, what do you tell the family in Youngstown, Ohio, scraping to make ends meet when they cannot afford clothes or other necessities?

In sum, Trump has gotten by on bluster and lies his whole career. Now his press secretary Sean Spicer demands "decorum" from the press. That's rich. Rather than marvel at his skill in running circles around them ("Boy did he beat us again!") the media should track his lies, point out his evasions, force him to answer specific queries and resolve to expose his financial conflicts, his foreign relationships and his policy blunders. Their job requires them to show the American people when and how he's not doing his.

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powerpost

**Deportation force is 'not happening,' Paul Ryan tells undocumented family ; Confronted by an undocumented Oklahoma woman, Ryan (R-Wis.) said he was working to find a "good, humane solution" for the families protected by the Deferred Action for Childhood Arrivals program.**

By Mike DeBonis

936 words

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House Speaker Paul D. Ryan walked a delicate line on the issue of immigration — one considerably more delicate than President-elect Donald Trump's — during a nationally televised town hall meeting hosted by CNN on Thursday.

Confronted by an undocumented Oklahoma woman, who is protected from deportation under an Obama administration program, Ryan (R-Wis.) said he was working with Trump's transition team to find a "good, humane solution" for the families protected by the Deferred Action for Childhood Arrivals program and said there would be no "deportation force" coming for her family.

"Do you think that I should be deported?" the woman, Angelica Villalobos, asked Ryan with her daughter at her side.

"No," Ryan said, before Villalobos even finished her questions. "I can see that you love your daughter, that you're a nice person that has a great future ahead of you, and I hope your future's here."

He gave that assurance moments after telling the mother of a police officer killed by an illegal-immigrant drunk driver that he intended to carry out Trump's main immigration priorities areas: "deporting criminals and securing the border."

"Are you going to stand up for America, Speaker Ryan?" asked the mother, Arizona resident Mary Ann Mendoza, after describing the threat she saw from "sanctuary cities." The Obama administration's policy is to pursue the deportation of illegal immigrants who commit serious crimes, and more than a half-million have been expelled since 2013, but local authorities in some cities do not actively cooperate with federal immigration authorities.

Trump is promising to build a wall along the U.S.-Mexican border and deport millions of immigrants that he says are criminals.

"He's telling us, 'It's one of the top six things I want to get done in this year's Congress,'" Ryan said of Trump's border plans. "We said absolutely. … We support that, agree with that, and not only that, now we're working on how to execute that in this new Congress." He mentioned implementation of the 2006 Secure Fence Act, which has been the focus of behind-the-scenes discussions on carrying out Trump's plans for a border wall.

Before becoming speaker, Ryan was a major proponent for a bipartisan immigration-reform deal with Democrats — one that would have beefed up border security but also given illegal immigrants, such as Villalobos, a path to legal status in the United States. Those plans generated a fierce backlash among the Republican base, who dismissed any such deal as an unfair "amnesty" for immigrants who have broken U.S. laws.

What was clear Thursday night was that although Ryan might no longer openly back a comprehensive reform deal, he would like to see the tough border measures favored by voters like Mendoza followed with a path to legal status for immigrants like Villalobos. That stands in stark contrast to Trump, who says that he plans to focus on deporting violent criminals but has not backed away from pledges to deport even law-abiding illegal immigrants.

"When people get confident in this country that our border is secured, that our laws are being enforced, then I really believe the country — all people in the country — will be in a much better position to fix these bigger, thornier problems," Ryan told Villalobos. "But if you're worried some deportation force is coming and knocking on your door this year, don't worry about that."

Ryan later returned to the notion of a deportation force: "Everybody thinks that there's some deportation force that's being assembled. That's not happening; that's not true."

CNN host Jake Tapper noted that Trump himself has actually used the term, including in a major August policy speech that called for a "deportation task force" aimed at criminal immigrants.

"And it's not happening," Ryan said with an awkward laugh.

"That's why people think it," Tapper replied.

"And I'm here to tell you, in Congress, that's not happening," Ryan said.

At other points in the hour-long program, Ryan discussed Republican plans for repealing and replacing President Obama's health-care law with a cancer patient who credits the law with saving his life. Ryan pledged to find a "better way to fix this problem" without major rate hikes. He declined to give a date for when the GOP would unveil their replacement plan, but he said it would cover individuals with preexisting conditions and allow children to stay on their parents' health insurance until age 26 — provisions Trump has praised.

Ryan also defended the GOP push to defund Planned Parenthood as part of a forthcoming Obamacare repeal bill, arguing that women could get care at community health centers that are eligible for federal funding and don't perform abortions: "We don't want to effectively commit people's tax dollars to something they believe is morally unconscionable."

Tapper noted that federal law already prevents taxpayer funding of abortions. Ryan said the funding is "fungible" and can indirectly support abortions — a concept that Planned Parenthood and its supporters strongly dispute.

More from PowerPost:

After Trump rebuke, federal ethics chief called to testify before House lawmakers

The Trump Transition: Nominees don't always agree with PEOTUS

Nation's first Latina senator: GOP congressman's claims of Mexican election influence are 'immature'

Document WPCOM00020170113ed1d001gt



act-four

**Meryl Streep slammed mixed martial arts. She doesn't know what she's missing. ; Hollywood is fascinated by boxing, and MMA has its own great dramas.**

By Sonny Bunch

788 words

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English

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As a red-blooded American male -- the sort of uber-masculine guy who spends his days watching glitzy and glamorous Hollywood shindigs to discover if the musical he enjoyed will take home any major awards -- it wasn't Meryl Streep's attack against Donald Trump that got my dander up Sunday night. Rather, it was the moment in her acceptance speech at the Golden Globes during which she, for some reason, decided to attack forms of entertainment she doesn't care for.

"So Hollywood is crawling with outsiders and foreigners," Streep said, a criticism of Trump's anti-illegal-immigrant rhetoric. "And if we kick them all out you'll have nothing to watch but football and mixed martial arts, which are not the arts." This cheap shot earned big yuks from the actors and actresses and directors and producers in attendance, curiously foreshadowing her later criticism of Trump for punching down against a reporter with a disability, a joke that "made its intended audience laugh, and show their teeth."

If Streep doesn't care for football -- if she can't see the artistry in the athleticism on the field and the strategy on the sidelines; if she misses the dramatic swings on the scoreboard, the emotional uplift and devastation that accompanies a close win or defeat -- that's her loss. As almost-presidential-candidate David French noted on Twitter after Clemson prevailed in Monday night's thrilling national college football championship, "Meryl Streep missed a great game."

The snide aside about football was bad enough, but the rabbit punch aimed at mixed martial arts was far more dispiriting. Suggesting that the martial arts do not count as "arts" is a rather obtuse form of aesthetic snobbery, one that ignores hundreds, if not thousands, of years of human tradition. Whether or not one cares for the Ultimate Fighting Championship and its competitors, her implication that the variety of forms of fighting do not count as artistry suggest she's never seen a kata performed in person.

Is MMA really that different from boxing? Hollywood is fascinated by that sport, after all. Almost every year brings a new fighting flick to big screens, and the last was no exception, with "Bleed for This" and "Hands of Stone" drawing mediocre audiences. 2015 was no different, seeing the debut of "Creed" and "Southpaw."

Though not as cinematically popular, mixed martial arts have still received from love from the entertainment industry. Perhaps someone in Streep's orbit could pass along a copy of "Redbelt," David Mamet's 2008 drama about a Brazilian jiujitsu instructor played by Chiwetel Ejiofor. As with all Mamet productions, the plot is filled with twists and turns but, thematically speaking, is very much centered on basic ideas of honor and respect -- norms at the center of Streep's speech.

"A lot of people give devotions to good works. A lot of people give devotion to sports," Mamet told NPR in 2008 while promoting the film. "But all of us I think are looking for something unto which -- something bigger than ourselves. And so, what the film is about -- is about a man who is very spiritual man, whose expression of spirituality happens to be his devotion to the idea of the perfect fighter -- he perfect jujitsu fighter. And as such he attracts a lot of adherence."

Or perhaps Streep could try Kerry Howley's "Thrown" on for size, a partly fictionalized literary exploration of the MMA ethos. A sometimes-absurd combination of hyper-intellectualized theory and down-to-earth reportage, "Thrown" can help any novice understand the artistry and appeal of male-on-male combat.

"The discipline of training and the collegial air of the gym, the delicate hierarchy of peer relationships, the nerd-boy dissolution of the athletes' downtime, and the calculated fury of the fights -- Howley depicts it all with piercing skill, and weaves in a sturdy context of the sport of mixed martial arts, its forms and its history," Katherine Dunn noted in her review of the book for the New York Times.

While Alyssa is undoubtedly correct that artists have no obligation to be healers in these trying times, it's worth asking if they have to be needlessly divisive. Instead of close-mindedly attacking an art she does not understand, cynically trafficking in the sort of ignorance she would surely decry from a Trump supporter, perhaps Meryl Streep could make an effort to appreciate that which appeals to folks on the other side of the aisle -- or another part of the country.

Document WPCOM00020170111ed1b006hd



volokh-conspiracy

**No, the IRS may not deny tax exemptions on the grounds that a group is a supposed 'hate group' ; Some raise "concerns that [the IRS] is essentially granting government subsidies to groups holding views that millions of Americans may find abhorrent." But First Amendment precedents make clear that the government can't deny tax-exempt status based on a group's viewpoints, "abhorrent" or not.**

By Eugene Volokh

1,242 words

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English

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The Chronicle of Philanthropy writes:

The federal government has granted tax-exempt status to more than 60 controversial nonprofits branded by critics as "hate groups," including anti-immigrant and anti-gay-rights organizations, white nationalists, and Holocaust deniers, according to a Chronicle of Philanthropy analysis.

Salon likewise writes:

Samuel Brunson, a tax law professor at Loyola University in Chicago, noted the nonprofit status gives these groups a veneer of legitimacy and respectability.

But the IRS can't deny tax exemptions on the grounds that a group "hold[s] views that millions of Americans may find abhorrent" -- or "espouse[s] values that are incompatible with most Americans" -- whether those views are socialist, Islamist, pro-abortion, anti-abortion, pro-illegal-immigrant, anti-immigrant, pro-gay-rights, anti-gay-rights, white nationalist, black nationalist or anti-nationalist. It can't deny exemptions to groups that engage in "hate speech" against blacks, gays, evangelical Christians or Donald Trump supporters, while allowing exemptions to groups that praise blacks, gays, evangelical Christians or Donald Trump supporters.

Indeed, the Supreme Court has made this clear: The government may not discriminate against groups based on the viewpoint of their speech. See Rosenberger v. Rector (1994) (discussing Regan v. Taxation With Representation (1983)). As the D.C. Circuit put it in Z Street v. Koskinen (2015) (itself a 501(c)(3) tax exemption case), "in administering the tax code, the IRS may not discriminate on the basis of viewpoint."

There may be some confusion about this among some observers, because the government may limit certain tax exemptions based on the subject matter of groups' speech; for instance, it may deny 501(c)(3) status, which allows tax-deductible contributions to various educational groups but not ones that support or oppose candidates for office, or engage in a substantial amount of advocacy for or against legislation. Likewise, groups can be denied benefits, including tax exemptions, because of their conduct (such as discrimination against members, students and the like), precisely because this discrimination is based on what the groups actually do, rather than based on what the groups advocate. See Bob Jones Univ. v. United States (1983); Christian Legal Society v. Martinez (2010) (upholding university's denial of certain benefits to student groups that discriminate in certain ways, though reaffirming groups' rights to communicate whatever viewpoints they want).

The D.C. Circuit, in National Alliance v. United States (1983), also upheld IRS guidelines that deny the educational tax exemption to groups that simply present "strong emotional feelings," without an attempt to support their viewpoints with "a relevant factual basis"; I'm troubled by such a standard, which can easily be applied in biased ways. But even that decision defended the factual-support requirement on the grounds that it was a "criteri[on] neutral with regard to viewpoint." And the decision noted that the requirement avoided a judgment on whether the factual argument was indeed accurate:

One of the concerns in this area, because of First Amendment considerations, is that the government must shun being the arbiter of "truth." Material supporting a particular point of view may well be "educational" although a particular public officer may strongly disagree with the proposition advocated. Accordingly IRS has attempted to test the method by which the advocate proceeds from the premises he furnishes to the conclusion he advocates rather than the truth or accuracy or general acceptance of the conclusion.

So viewpoint discrimination in tax exemptions is unconstitutional, even if viewpoint-neutral subject matter or methodology restrictions -- applied equally to "hate" groups as to love groups -- are permissible.

Nor has the court been persuaded by the argument that tax exemptions, being economically similar to subsidies, can be denied to disfavored speakers. Indeed, in Rosenberger, the court made clear that even outright subsidies (there the payment of printing costs for student newspapers) can't be denied based on viewpoint, so long as they are offered to a broad range of speakers based on generally applicable criteria. Does that mean that taxpayer money goes to speakers that many taxpayers disapprove of, whether those speakers are far left, left, center, right, far right, or something else? Yes -- but the alternative is to give the government immense power to skew public debate. And even those who might in the abstract like the skewing of such debate against "hate speech," whatever that might mean, ought to see that a government that can deny exemptions for "hate speech" groups can deny exemptions to any other unpopular groups.

Finally, Prof. Philip Hackney (The Surly Subgroup, a blog that deals with tax law) points to Principle Voices of Polygamy, a 2013 IRS decision that denied a tax exemption to a pro-polygamy group, partly on the grounds that,

[Y]ou provide conferences for attorneys and others in the legal community seeking to represent those performing polygamous acts. Your website, rallies, and publications try to change general opinion about polygamy. Similar to Bob Jones University, whose activities created an environment to perpetuate discrimination, see Bob Jones, 461 U.S. 574, your training courses as well as your website and rallies all seek to create an environment where people are free to contravene state law and federal policy. Not only do you seek to create a permissible environment, but you also suggest to people that they must perform illegal acts by stating, through your website, that polygamy is the only way to achieve "exaltation."

But much of this analysis, which to my knowledge has not been approved by a court, is in large measure inconsistent with the court's and the D.C. Circuit's stress that tax exemptions can't be denied on the basis of a group's viewpoint. Trying to "change general opinion about polygamy" can't be treated differently from trying to change general opinion about marijuana, or about illegal immigration -- or for that matter for trying to reinforce general opinion about polygamy. Likewise, hoping "to use the media to broadly disperse a positive view of an illegal activity" can't be treated differently from trying to use the media to disperse a negative view of an illegal activity, or for that matter from trying to use the media to disperse a positive view of illegal immigration, or of illegal homosexual conduct during an era (before 2003) when homosexuality was illegal in some places. A "pro-polygamy point of view" is just as protected against viewpoint discrimination as any other view.

It's possible that the group could be properly denied 501(c)(3) tax-exempt status on the grounds that it predominantly supported lobbying to change the law (which is another argument the IRS gave). As I mentioned, the court has upheld such a broad subject matter restriction on 501(c)(3) status, precisely because that restriction was viewpoint-neutral. But to the extent that the IRS decision was based on the pro-polygamy group's viewpoint, the decision violated the First Amendment, as cases such as Rosenberger and Z Street (cited above) make clear.

Thanks to Paul Caron (TaxProf Blog) for the pointer.

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inspired-life

**'Pizzagate' gunman could have been driven by too much empathy, says Yale psychologist ; In his new book, Paul Bloom argues that an excess of empathy causes many of our problems.**

By Neda Semnani

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English

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America, we're told, is suffering from a lack of empathy. In many of his speeches, President Obama has traced our social divisions back to "the biggest deficit we have … an empathy deficit." But a new book, "Against Empathy: The Case for Rational Compassion," by Yale psychologist Paul Bloom, claims this isn't true at all. Bloom argues that the majority of society's problems — and the problems of our own lives — can be traced to an excess of empathy.

For the latest in our blog series, Inspiring Reads, we spoke to Bloom about why he believes empathy keeps us closed-minded, plays to our biases and can actually inspire great cruelty.

Q: Let's start with the obvious question: Is your beef with "empathy" a semantic one?

No. People do use the term "empathy" in all kinds of ways, often as a synonym for niceness. I'm not against niceness or being good. I'm not against being moral, compassionate and kind. I'm for all of these things, which is why I'm against emotional empathy.

Cognitive empathy is different. That is an effort to understand what is going on in other people's minds. This is neither moral nor immoral and can be used in all kinds of ways: to seduce, to calm, to bully, to torment. If you want to make someone's life a living hell or if you want to buy them a birthday present or if you want to console them, then understanding what makes them tick is an extremely powerful tool.

Emotional empathy, however, is when we feel the feelings of others. Many people, including many psychologists, philosophers and theologians, believe that this act of feeling the feelings of others is what makes us good people. I argue the opposite. I argue that emotional empathy distorts goodness.

Q: How's that possible?

First, while empathy often directs our moral decision-making, it reflects our biases. It favors our own kind, so it's very easy to feel empathy for people who are part of your group or community. It's easy to empathize with pretty people or those who don't scare us, but people radically overstate their ability to empathize. We're not good at it. It's almost impossible to empathize with people we hate.

Empathy is also innumerate. It is the reason we care more about the child stuck in a well than the billions of people impacted by climate change. The plight of the billion is vague and statistical, while the story of one child draws us in.

And, finally, empathy makes us cruel.

Q: How can it make us cruel?

Empathy catalyzes anger. It can be incredibly morally corrosive. It weighs heavily on the side of the aggressor, while making us oblivious to the costs of cruelty, violence and even war.

In the American South, for example, lynchings were typically motivated by stories of white women who were raped by African American men. The stories were told to elicit real empathy in those who committed the murders. And in 1930s Germany, attacks on Jews were often motivated by stories of Jewish pedophiles preying on gentile children. It was easy for people to empathize with children and their families.

Acts of violence and cruelty aren't usually committed by people devoid of emotion or moral feelings; they are carried out by people with very strong emotions and empathetic responses. I have no idea what was really up with the gunman who walked into the pizza place [Comet Ping Pong] in D.C. [on Dec. 4], but I wouldn't be surprised if it was someone who felt very deeply that something terrible was happening there.

[interstitial\_link url="[https://www.washingtonpost.com/news/inspired-life/wp/2016/11/02/what-is-this-election-missing-empathy-for-trump-voters/?utm\_term=.17a367b6da41″]Was](https://www.washingtonpost.com/news/inspired-life/wp/2016/11/02/what-is-this-election-missing-empathy-for-trump-voters/?utm_term=.17a367b6da41%E7%AA%B6%EF%BD%B3%5DWas) the 2016 election missing empathy for Trump voters?[/interstitial\_link]

Q: You suggest in your book that one way to mitigate empathy is seek out facts, but we're living in a world where facts are made up, manipulated or ignored. How can we push against this post-fact wave, or is this just how it is now?

If I believed we're stuck in this, I would give up. But I don't. I believe that people can be persuaded. I believe we are capable of having emotions and attempting rational and reasoned moral decision-making. I believe a person can acknowledge their biases and know that their biases shouldn't have a bearing on the outcome of their decisions.

The larger problem is the politics of empathy. Since by law every conversation has to come back to Donald Trump sooner or later, let's consider the president-elect: He is the leader of our times who has most successfully harnessed empathy. He regularly uses the suffering of people to elicit empathetic responses in his audiences, like when he talked about a young woman who was killed by an illegal immigrant.

He is perhaps an extreme example, but it's worth remembering that empathy is a tool all politicians use to argue for anything they want. It has been weaponized on all sides: empathy for the young woman vs. empathy for the fetus, empathy for the immigrant vs. empathy for the unemployed, and so forth. Each side trots out their victim — the guy whose life was ruined by Obamacare and the guy whose life was saved by Obamacare. It is a stupid way to motivate policy, because all policy has winners and losers.

Q: If our leaders are pushing a more empathetic and less rational agenda, how can we correct for that?

Don't give in to the view that we're stuck in a post-fact world. That would be like accepting racism, sexism or cruelty as things we have to comply with. We don't. Racism, sexism and cruelty reflect a failure to use reason and rationality. We're at our best when we try to think carefully and impartially, when we weigh the costs against the benefits. When our decisions are driven by emotion, be it lust or shame or guilt or even empathy, we become worse.

And ask for numbers-based arguments. We have to develop appropriate social and cultural practices so appeals to empathy and gut feelings will be laughed out of the room.

Q: What do you say to those who claim that the problem in the 2016 election cycle was a complete lack of empathy for the other side?

Plainly, if more people who lived in certain areas voted for Clinton, she would have won, but I don't think there's any reason to believe it was because she didn't empathize with these voters enough. More likely, they just didn't like her or her policies. They didn't think she would represent their interests.

Q: After this past election, many people are nervous about the holidays. What would you tell folks who are gathering with family and friends who voted differently than they did?

It will be extremely annoying for some people to walk into a room full of those who are elated Trump won or who are depressed Clinton lost, but we're separate people. Empathy requires a certain amount of arrogance on the part of a Clinton supporter who thinks he can fully put himself in the shoes of a Trump supporter, and vice versa. Fortunately, there are alternatives.

If you want to know about someone's life or experience, then ask them and take their answer seriously. We don't need empathy. We need love, compassion and kindness. Without kindness, we're really screwed.

Read more from our Inspiring Reads series:

A Harvard psychologist explains why forcing positive thinking won't make you happy

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Document WPCOM00020161214ecce0030h



posteverything

**The right has its own version of political correctness. It's just as stifling. ; Conservatives use "patriotic correctness" to regulate speech, behavior and acceptable opinions.**

By Alex Nowrasteh

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President-elect Donald Trump has not been shy about the "big problem in this country": political correctness. Trump has blamed PC for the attack at the Pulse nightclub in Orlando ("They have put political correctness above common sense, above your safety and above all else," he tweeted) and the rise of the militant group Islamic State. His voters agreed (indeed, it might even have been the reason for his victory).

It's not just him. Political correctness has become a major bugaboo of the right in the past decade, a rallying cry against all that has gone wrong with liberalism and America. Conservative writers fill volumes complaining how political correctness stifles free expression and promotes bunk social theories about "power structures" based on patriarchy, race and mass victimhood. Forbes charged that it "stifles freedom of speech." The Daily Caller has gone so far as to claim that political correctness "kills Americans."

But conservatives have their own, nationalist version of PC, their own set of rules regulating speech, behavior and acceptable opinions. I call it "patriotic correctness." It's a full-throated, un-nuanced, uncompromising defense of American nationalism, history and cherry-picked ideals. Central to its thesis is the belief that nothing in America can't be fixed by more patriotism enforced by public shaming, boycotts and policies to cut out foreign and non-American influences.

Insufficient displays of patriotism among the patriotically correct can result in exclusion from public life and ruined careers. It also restricts honest criticism of failed public policies, diverting blame for things like the war in Iraq to those Americans who didn't support the war effort enough.

For example, in the aftermath of 9/11 and the run-up to the Iraq War, David Frum labeled dissenters as anti-American. Jonah Goldberg wrote that opponents of the war "can only get passionate about the perfidy of our own president." Conservative gadfly Robert "Buzz" Patterson went further, calling much of the Democratic Party, Hollywood, big media, college campuses and many other organizations "traitors." The French government's opposition to the invasion of Iraq prompted Congress to rename French fries as "freedom fries" in congressional cafeterias, a 21st-century liberty cabbage. When the Dixie Chicks opposed the Iraq War, many stations pulled the group's music from the air so as not to "trigger" listeners. Fans destroyed Dixie Chicks albums in grotesque public demonstrations. The radio became a safe space.

More recently, 49er quarterback Colin Kaepernick sat and then knelt for the national anthem to protest police brutality. Tomi Lahren, host of "Final Thoughts," gave an incoherent rant about soldiers dying for Kaepernick's right to speak so, therefore, he should shut up and stand for the national anthem. Some fans even burned their Kaepernick jerseys in protest. Others said Kaepernick should "get the hell out" if he doesn't love America. Myths of an NFL rule mandating standing for the anthem, even though no such rule actually exists, were spread to justify the outrage and point to a double standard of enforcement whereby the NFL condones protests against America but players get fined if they wear different-color shoelaces. In such a narrative, patriots are the victims of an elite liberal power structure.

Rep. Lee Zeldin (R-N.Y.) tweeted that "Kaepernick should think about the service members risking their lives to protect his freedom to be both rich and unpatriotic." Kaepernick's microaggression even offended liberal Supreme Court Associate Justice Ruth Bader Ginsburg, who said the protest was "dumb and disrespectful," words she later retracted.

Believing in American exceptionalism means that anything less than chest-thumping jingoism is capitulation. Unionized public employees who can't be fired are bad at their jobs and are more interested in increasing their own power than fulfilling their public duties — except if they are police or Border Patrol officers, who are unselfishly devoted to their jobs. The crime rate is high and rising, so when facts show that criminality has declined substantially over the decades, the patriotically correct respond with appeals to the bubbled feelings of the common man.

One of the biggest critics of patriotic correctness is National Review writer Jim Geraghty. He responded to outrage over Jeb Bush and his wife, Columba, speaking Spanish at home by writing, "What business is it of yours?" and said there is "something bafflingly insecure about our culture if we genuinely feel threatened by foreign languages spoken in the private sphere of the family home."

Complaining about political correctness is patriotically correct. The patriotically correct must use the non-word "illegals," or "illegal immigrant" or "illegal alien" to describe foreigners who broke our immigration laws. Dissenters support "open borders" or "shamnesty" for 30 million illegal alien invaders. The punishment is deportation because "we're a nation of laws" and they didn't "get in line," even though no such line actually exists. Just remember that they are never anti-immigration, only anti-illegal immigration, even when they want to cut legal immigration.

Black Lives Matter is racist because it implies that black lives are more important than other lives, but Blue Lives Matter doesn't imply that cops' lives are more important than the rest of ours. Banning Islam or Muslim immigration is a necessary security measure, but homosexuals should not be allowed to get married because it infringes on religious liberty. Transgender people could access women's restrooms for perverted purposes, but Donald Trump walking in on nude underage girls in dressing rooms before a beauty pageant is just "media bias."

Terrorism is an "existential threat," even though the chance of being killed in a terrorist attack is about 1 in 3.2 million a year. Saying the words "radical Islam" when describing terrorism is an important incantation necessary to defeat that threat. When Chobani yogurt founder Hamdi Ulukaya decides to employ refugees in his factories, it's because of his ties to "globalist corporate figures." Waving a Mexican flag on U.S. soil means you hate America, but waving a Confederate flag just means you're proud of your heritage. The phrase "Happy Holidays" instead of "Merry Christmas" needs a trigger warning.

Blaming the liberal or mainstream media and "media bias" is the patriotically correct version of blaming the corporations or capitalism. The patriotically correct notion that they "would rather be governed by the first 2,000 people in the Boston telephone directory than by the 2,000 people on the faculty of Harvard University" because the former have "common sense" and the "intellectual elites" don't know anything, despite all the evidence to the contrary, can be sustained only in a total bubble. Poor white Americans are the victims of economic dislocation and globalization beyond their control, while poor blacks and Hispanics are poor because of their failed cultures. The patriotically correct are triggered when they hear strangers speaking in a language other than English. Does that remind you of the PC duty to publicly shame those who use unacceptable language to describe race, gender or whatever other identity is the victim du jour?

The patriotically correct rightly ridicule PC "safe spaces" but promptly retreat to Breitbart or talk radio, where they can have mutually reinforcing homogeneous temper tantrums while complaining about the lack of intellectual diversity on the left. There is no such thing as too much national security, but it's liberals who want to coddle Americans with a "nanny state." Those who disagree with the patriotically correct are animated by anti-Americanism, are post-American, or deserve any other of a long list of clunky and vague labels that signal virtue to other members of the patriotic in-group.

Every group has implicit rules against certain opinions, actions and language as well as enforcement mechanisms — and the patriotically correct are no exception. But they are different because they are near-uniformly unaware of how they are hewing to a code of speech and conduct similar to the PC lefties they claim to oppose. The modern form of political correctness on college campuses and the media is social tyranny with manners, while patriotic correctness is tyranny without the manners, and its adherents do not hesitate to use the law to advance their goals. If we have a term to describe this new phenomenon — I nominate patriotic correctness.

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